



The Judiciary, State of Hawaii

Testimony to the Twenty-Fourth State Legislature, 2008 Session

House Committee on Judiciary
The Honorable Tommy Waters, Chair
The Honorable Blake K. Oshiro, Vice Chair

Tuesday, February 19, 2008, 3:30 p.m.
State Capitol, Conference Room 325

by
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Chief Adjudicator
Administrative Driver's License Revocation Office

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 2847, Relating to Conditional License Permits

Judiciary's Position:

The Administrative Driver's License Revocation Office (ADLRO) takes no position on the intent of this measure.

However, our concern, as with any amendment to the ADLRO's statutory directives, is that sufficient lead time is provided to implement any documentary and/or procedural changes.

If the measure is enacted, virtually all of ADLRO's forms, utilized by law enforcement as well as the judiciary, would require extensive changes to ensure the issue of notice to respondents is properly addressed.

In terms of procedure, the proposed amendments greatly expand the scope of the authorized usage granted by the issuance of conditional license permits. Accordingly, we would anticipate not only a larger number of requests, but also a significantly more complex set of issues on which the hearing officers would deliberate.

Our experience with the current "work-related only" conditional license permit requests, subject to two narrowly scoped issues, require an expedient hearing process, albeit with some

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extensive conditions imposed and the requisite hearing time and decision writing. The expansion of eligible categories will mean more time consuming hearings resulting in an elevated level of decision deliberations and writing.

In addition, the ADLRO would have to establish guidelines for supporting documentation and other evidence, testimony, and/or arguments necessary to establish the validity of respondent's requests.

All of the above would require sufficient lead time to plan, implement, and, just as importantly, edit, revise, and order the printing of all relevant documents affected. We, therefore, respectfully request an effective date no earlier than January 1, 2009 to ensure sufficient time to properly establish procedures and initiate and order new documents to be printed and distributed.

Thank you for the opportunity to provide testimony on this bill.

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