



The Judiciary, State of Hawaii

Testimony to the Twenty-Fourth State Legislature, 2008 Session
Senate Committee on Transportation and International Affairs
The Honorable J. Kalani English, Chair
The Honorable Mike Gabbard, Vice Chair

Monday, March 10, 2008, 1:30 p.m.
State Capitol, Conference Room 224

by
Ronald Sakata
Chief Adjudicator
Administrative Driver's License Revocation Office

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 extensive conditions imposed and the requisite hearing time and decision writing. The expansion



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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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To: Senator Kalani English, Chair, Senate Committee on Transportation and International Affairs; Senator Mike Gabbard, Vice Chair; and members of the Committee

From: Arkie Koehl, Chairman – Public Policy Committee, MADD-Hawaii

Re: House Bill 2847– Relating to Conditional License Permits

I am Arkie Koehl speaking on behalf of the membership of MADD Hawaii in opposition to HB 2847.

This bill extends the privilege of obtaining a conditional license to the current restricted reasons of needing his vehicle for his or her employment, or driving to work or to treatment facilities or counselors where no alternative transportation is available. MADD believes that it is poor public policy, especially in this time of increasing alcohol-related deaths and injuries on our highways, to add reasons to give a person back the privilege of driving after his or her license has been administratively revoked. Every exemption to the 90 day license revocation period weakens the law and decreases its deterrent properties. The impaired driving offender could instead, find other people to transport a sick or disabled person and could arrange transportation for his own medical or dental appointments.

In addition, it is MADD's hope that the ignition interlock measures introduced in this session will be adopted, with a task force created to complete the task of writing legislation for an interlock program to be in effect by July 1, 2010. Once the program is implemented, there will most likely no longer be a need for conditional licenses, making it unnecessary to go to the expense of changing our current law and amending the procedures and documents of the Administrative Drivers' License Revocation system for only a year or two at the most.

MADD has no position on the amendment to allow a person with a commercial license to obtain a category 3 license with a conditional permit if eligible in order to assist him or her in obtaining treatment or counseling.

Thank you for the opportunity to testify.