

JUDtestimony

From: Norma Ebisu [REDACTED]
Sent: Wednesday, February 20, 2008 11:13 AM
To: JUDtestimony
Cc: 'Torano Harris'
Subject: Testimony for HB3011, 2/21/2008

To: House Judiciary Committee

Re: HB3011

Testimony submitted by: Norma Ebisu, private citizen, House District 34

Date of hearing: 2/21/2008, 2:45 am

Regarding the Administrative Driver's License Revocation Office's policy of not allowing the transfer of registration to a co-owner of a vehicle when one of the registrants is accused of a DUI:

The rules governing the approval of a Special MVR are in my opinion, too strict and rigid. The rights of the co-owner/registrator of a vehicle involved in a DUI case are not considered. I am a co-registrator/owner such a vehicle. When we purchased the car in question, I put my daughter's name on the registration just so she could have 'pride of ownership', which, in light of subsequent events, proved to be unwise. After her license was suspended by the ADLRO, we were informed that the registration was also being revoked. However, believing that my constitutional rights were intact, I thought that i could just transfer the ownership totally to me and thus regain the use of the car. I paid off the lien on the car, and then went to the DMV with the intent of transferring the title to me totally. The DMV informed me that the ADLRO put a stop on the vehicle, and an application would need to be filed to get it lifted. Upon doing so, my request for a 'Special Motor Vehicle Registration' was denied by the ADLRO, following the logic that having a third car was deemed not a '*necessity of life*'. The rescinding of the registration for our vehicle has resulted in it being an inanimate object in our garage - although I own this vehicle, I can't use it. I was not cognizant of the policies of the Administrative Driver's License Revocation Office and the long reaching ramifications of a DUI arrest on persons other than the offender - I am now. Much to my dismay, it seems that my rights are of no consequence in this matter.

In actuality, we, the family of the accused drunk driver, are being penalized also. While not exactly a '*necessity of life*' it greatly inconveniences our family. Our family consists of 5 drivers, forced to handle all our transportation with 2 cars. The ADLRO director confirmed to me that one of my options was to '*buy a new car*' if I needed another car that badly (unfortunately, we're not rich enough). He stated that '*inconvenience*' does not come under the classification of '*necessities of life*'. While he may be right about that in the literal sense, I take exception to his conclusion that my inconvenience should not be considered. Why should I have to be inconvenienced? It's my daughter who allegedly broke the law - not me or anyone in our family. He refused to budge in his judgment, insisting that in our situation, we were not completely dependent on the vehicle for the '*necessities of life*'. He stuck to this even after I signed a statement swearing that I would take the appropriate measures to prevent my daughter access to the vehicle in question.

I'm so perturbed by all of this - I feel it's unjust. What recourse does the average law abiding citizen have when the interpretation of the law is so inflexible? Is our only option to quietly 'take our licks' and stick it out for 6 months? To be penalized along with the offender just by association? Doesn't seem right.

I wish it were possible for me to submit this testimony in person, however, previous commitments prevent me

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from doing so. I hope, with this written testimony, HB3011 will pass. I feel that my constitutional rights to the use of my property were denied, and with the passage of this bill, no other 'law abiding citizen' will need to go through a similar experience.

Respectfully submitted,

Norma N. Ebisu
Private Citizen of House District 34

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CC: Torano Harris, Office of Representative K. Mark Takai

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