

STAND. COM. REP. NO. 455

Honolulu, Hawaii
Feb 19, 2009

RE: H.B. No. 1520

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 1520 entitled:

"A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION,"

begs leave to report as follows:

The purpose of this bill is to enable a driver who had a license administratively revoked for life due to multiple driving under the influence convictions, a chance to have the license restored under specific circumstances. Among other things, this bill:

- (1) Permits a driver to seek reinstatement of a license no sooner than ten years since the lifetime revocation was imposed;
- (2) Requires that an application for reinstatement of a license be accompanied by written proof that the individual has been assessed by a certified substance abuse counselor and determined not to be in need of substance abuse treatment due to dependency or abuse;
- (3) Requires the installation of an ignition interlock device in the individual's vehicle;
- (4) Requires a driver to have had operated a motor vehicle with an ignition interlock device for a period of five years with no alcohol-related convictions before



becoming eligible for an unrestricted driver's license;
and

- (5) Establishes procedures for the relicensing of individuals seeking to have their driver's license reinstated.

An individual testified in support of this bill. The Office of the Public Defender and a concerned individual supported this bill with amendments. The Department of Transportation, Hawaii Ignition Interlock Implementation Task Force, Department of the Prosecuting Attorney of the City and County of Honolulu, and Mothers Against Drunk Driving HAWAII testified in opposition to this bill. The Judiciary submitted comments.

Driving under the influence of an intoxicant (DUII) has been a problem in Hawaii, as well as the rest of the nation, for a long time but has received a great deal of attention over the last few decades because of the needless injuries and deaths that have occurred as a result of this action. While laws have been passed to try to halt this behavior, it continues to be a problem on our roadways. This is evidenced by the fact that in Hawaii in 2005, 71 traffic deaths were alcohol related.

One law that attempts to curb this behavior requires that drivers who have been convicted of DUII four or more times in a ten-year period have their driver's license revoked for life. While DUII is not an acceptable behavior, your Committee notes that some individuals who have had their driver's license administratively revoked for life have been sober for over 15 years and have appeared to change their lives over that time period. Your Committee also finds that every individual can be reformed and deserves a second chance.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1520 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,



JOSEPH M. SOUKI, Chair

State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 455

Record of Votes of the Committee on Transportation

Bill/Resolution No.: <i>HB 1520</i>	Committee Referral: <i>TRN, JUD</i>	Date: <i>2-11-09</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	✓			
2. AWANA, Karen Leinani (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HANOHANO, Faye P.	✓			
5. KEITH-AGARAN, Gilbert S.C.	✓			
6. LEE, Marilyn B.		✓		
7. NAKASHIMA, Mark M.	✓			
8. RHOADS, Karl		✓		
9. SAIKI, Scott K.	✓			
10. TAKUMI, Roy M.				✓
11. YAMASHITA, Kyle T.	✓			
12. PINE, Kymberly Marcos				✓
TOTAL (12)	8	2	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>Karen Awana</i>				
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