

JAN 22 2010

A BILL FOR AN ACT

RELATING TO ADMINISTRATIVE LICENSE REVOCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 291E, Hawaii Revised Statutes, is
2 amended by adding a new section to part III to be appropriately
3 designated and to read as follows:

4 "§291E- Application procedures after lifetime
5 revocation. (a) A respondent whose license has been revoked
6 for life may apply for reinstatement of a license, in writing to
7 the director on a form provided by the director; provided that
8 the application shall:

9 (1) Be made not sooner than fifteen years from the date of
10 issuance of the lifetime revocation by the
11 administrative driver's license revocation office;

12 (2) Be accompanied by written proof that the respondent,
13 within the ninety days immediately preceding the date
14 the application is received by the administrative
15 driver's license revocation office, has been assessed
16 by a certified substance abuse counselor who has
17 determined that the respondent is not in need of
18 substance abuse treatment due to dependency or abuse



1 under the applicable Diagnostic and Statistical Manual
2 and Addiction Severity Index or its successor;
3 provided that the assessment shall be submitted with
4 the application; and provided further that the costs
5 of the assessment shall be borne by the respondent;
6 and

7 (3) The application shall be in a form of a sworn
8 statement approved by the director; provided that the
9 sworn statement shall contain information that
10 demonstrates that the respondent no longer poses a
11 real and serious danger to the safety and welfare of
12 the people of this State.

13 (b) The application under subsection (a) shall be denied
14 if:

15 (1) The application does not meet all of the requirements
16 of subsection (a); and

17 (2) After the issuance of the lifetime revocation, the
18 respondent has been arrested, convicted, or
19 adjudicated for any traffic infraction or a similar
20 infraction in another jurisdiction; provided that the
21 administrative driver's license revocation office may
22 retrieve and consider information available from any



1 judiciary computer system, problem driver pointer
2 system or its successor system, national database
3 record or its successor, or similar federal, state, or
4 county database retrieval system that allows access by
5 authorized agencies.

6 (c) A respondent whose license has been revoked for a
7 lifetime more than once shall not be eligible to apply for a
8 reinstatement of the license.

9 (d) There shall be assessed a fee to process the
10 application for reinstatement of license in the amount of \$100."

11 SECTION 2. New statutory material is underscored.

12 SECTION 3. This Act shall take effect on January 1, 2011.

13

INTRODUCED BY: Will Ezyew (BR)

Report Title:

Administrative Revocation of Driver License

Description:

Provides procedures and conditions for reinstatement of driver license following lifetime revocation.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

