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## A BILL FOR AN ACT

RELATING TO ADMINISTRATIVE REVOCATION.

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

1           SECTION 1. Section 291E-45, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§291E-45 Eligibility for relicensing and reregistration**  
4 **of motor vehicle.** (a) To be eligible for relicensing or  
5 renewing the privilege to operate a vessel after a period of  
6 administrative revocation has expired, the person shall:

7           (1) Submit proof to the director of compliance with all  
8 conditions imposed by the director;

9           (2) Obtain a certified statement from the director  
10 indicating eligibility for relicensing and for  
11 renewing the privilege to operate a vessel;

12           (3) Present the certified statement to the appropriate  
13 licensing official or to the department of land and  
14 natural resources, as applicable; and

15           (4) Successfully complete each requirement, including  
16 payment of all applicable fees, for:

17           (A) Obtaining a new license in this [~~State,~~] state,  
18 pursuant to chapter 286; or



1 (B) Renewing the privilege to operate a vessel, as  
2 may be provided in chapter 200 or rules adopted  
3 by the department of land and natural resources  
4 pursuant to section 200-24.

5 (b) To be eligible for reregistration of a motor vehicle,  
6 if applicable, after a period of administrative revocation has  
7 expired, the person shall:

8 (1) Submit proof to the director of compliance with all  
9 conditions imposed by the director;

10 (2) Obtain a certified statement from the director  
11 indicating eligibility for registration of a motor  
12 vehicle;

13 (3) Present the certified statement to the appropriate  
14 county director of finance; and

15 (4) Successfully complete each requirement, as provided in  
16 chapter 286, for obtaining a new certificate of  
17 registration for a motor vehicle in this [~~State,~~]  
18 state, including payment of all applicable fees.

19 (c) Notwithstanding any other law to the contrary, a  
20 respondent whose license has been administratively revoked for  
21 life pursuant to section 291E-41(b)(5) shall be eligible for



1 relicensing upon submitting proof to the director that the  
2 respondent has:

3 (1) Been without a driver's license for a period of at  
4 least ten years after the lifetime revocation was  
5 imposed;

6 (2) Completed all the requirements of any criminal  
7 conviction associated with the lifetime administrative  
8 revocation;

9 (3) Complied with all the requirements of the lifetime  
10 administrative revocation;

11 (4) Submitted written proof that the respondent has been  
12 assessed by a certified substance abuse counselor and  
13 determined not to be in need of substance abuse  
14 treatment due to dependency or abuse under the  
15 applicable Diagnostic and Statistical Manual and  
16 Addiction Severity Index or its successor; and

17 (5) Installed an ignition interlock device in the  
18 respondent's vehicle.

19 (d) Upon meeting the requirements of subsection (c), the  
20 director shall provide a certified statement indicating that the  
21 respondent is eligible for relicensing; provided that the



1 license issued shall only be valid for the operation of a motor  
2 vehicle that has an installed ignition interlock device.

3 (e) A respondent who has become eligible for conditional  
4 relicensing under subsection (d) shall present the certified  
5 statement to the appropriate licensing official or to the  
6 department of land and natural resources, as applicable. The  
7 respondent shall also successfully complete each requirement,  
8 including payment of all applicable fees, for:

- 9 (1) Obtaining a new license in this state, pursuant to  
10 chapter 286; or  
11 (2) Renewing the privilege to operate a vessel, as may be  
12 provided in chapter 200, or rules adopted by the  
13 department of land and natural resources pursuant to  
14 section 200-24.

15 (f) After a period of five years of operating a motor  
16 vehicle with an installed ignition interlock device as provided  
17 for in subsection (d), the respondent shall be eligible to an  
18 unrestricted driver's license upon submitting proof in the form  
19 of a traffic record from the violations bureau of the district  
20 court or circuit court, as applicable, to the director that the  
21 respondent has not had any alcohol-related convictions. Upon  
22 verification of the proof submitted by the respondent, the



1 director shall issue a certified statement indicating that the  
2 respondent is eligible for relicensing without condition.

3 (g) A respondent who has become eligible for relicensing  
4 without condition under subsection (f) shall present the  
5 certified statement to the appropriate licensing official or to  
6 the department of land and natural resources, as applicable.

7 The respondent shall also successfully complete each  
8 requirement, including payment of all applicable fees, for:

9 (1) Obtaining a new license in this state, pursuant to  
10 chapter 286; or

11 (2) Renewing the privilege to operate a vessel, as may be  
12 provided in chapter 200, or rules adopted by the  
13 department of land and natural resources pursuant to  
14 section 200-24."

15 SECTION 2. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 3. This Act shall take effect on July 1, 2010;  
18 provided that in the event the effective date of sections 2, 4,  
19 and 6 in Section 20 of Act 171, Session Laws of Hawaii 2008, is  
20 amended, then the effective date of this Act shall be  
21 accordingly amended to correspond to the amended effective date



# H.B. NO. 1520

1 of sections 2, 4, and 6 in section 20 of Act 171, Session Laws  
2 of Hawaii 2008.

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INTRODUCED BY:

*Mr. Linn*  

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*Kaewalana*

JAN 28 2009



**Report Title:**

Administrative Revocation; DUII; Driver License

**Description:**

Permits driver whose license has been administratively revoked for life to seek reinstatement of the license after 10 years have passed since the lifetime revocation

