

Honolulu, Hawaii

FEB 12 2010

RE: S.B. No. 2157
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2157 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Shift the cost of mailing administrative hearing requests and mileage from the Administrative Driver's License Revocation Office (ADLRO) to the person requesting the hearing; and
- (2) Increases the administrative hearing fee from \$30 to \$50.

Testimony in support of the measure was submitted by one state agency. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that, as costs and expenses increase for administrative hearings, certain cost-shifting and fee increases may reasonably be made. Regarding the administrative hearing fee increase, your Committee understands that, since the \$30 hearing fee was initially imposed in 2000, ADLRO's caseload has increased by fifty-six per cent, and virtually all costs regarding the hearings process have increased as well, including personnel and salaries, postage of multiple forms and notices, travel expenses,



office supplies, and interpreter fee schedules. The current \$30 administrative hearing fee does not cover the cost to hold the hearing.

Your Committee understands that one of the primary reasons for the fee increase for the administrative hearings is travel expenses, and holding hearings via remote conferencing may alleviate a portion of these expenses. Your Committee notes that a measure considered during the last legislative session, S.B. No. 107, H.D. 1, proposed a method by which remote conferencing could be used to conduct hearings in a county other than the county of arrest. Your Committee believes that using this type of remote conferencing would be helpful in holding down the cost of the hearings and reducing the fee increase that is passed along to those requesting administrative hearings.

Your Committee has amended this measure by:

- (1) Inserting language from S.B. No. 107, H.D. 1, relating to remote conferencing; and
- (2) Reducing the proposed administrative hearing fee from \$50 to \$40.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2157, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2157, S.D. 1, and be referred to the Committee on Ways and Means.


Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* SB 2157	Committee Referral: JGO, WAM	Date: 2/8/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes