



The Judiciary, State of Hawaii

Testimony to the Senate Committee on Ways and Means

The Honorable Donna Mercado Kim, Chair

The Honorable Shan S. Tsutsui, Vice Chair

Tuesday, February 23, 2010, 10:00 a.m.

State Capitol, Conference Room 211

by

Ronald K. Sakata

Chief Adjudicator

Administrative Driver's License Revocation Office

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 2157, S. D. 1, Relating to Administrative License Revocation.

Purpose: Shifts the costs of mailing administrative hearing request from the driver's license revocation office to the person requesting the hearing. Authorizes the administrative director of the courts to permit administrative driver's license hearings to be held in a county other than the county of arrest and to permit hearings by electronic means. Increases the administrative hearing fee from \$30 to \$40 which is deposited in to the general fund.

Judiciary's Position:

The Judiciary strongly supports Senate Bill No. 2157, S. D. 1 which is part of the Judiciary's 2010 legislative package. ADLRO hearings are scheduled at the request of respondents whose administrative reviews impose appropriate revocation periods. Currently, postpaid envelopes are provided for the convenience of these individuals. However, strict statutory time constraints and certain practices of the postal service make the use of the prepaid postage envelopes problematic. We would respectfully request that this procedure be terminated and that the postage be borne by the requesting party. This would have the double benefit of relieving the judiciary of postage costs and also enhance the timeliness of such requests.



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Since the \$30 hearing fee was initially imposed in 2000, ADLRO's caseload has increased by 56% from 1,509 hearings to 2,358 hearings in 2009, a 56% increase. Virtually all costs regarding the hearing process, including personnel and salaries, postage of multiple forms and notices, travel expenses, office supplies, interpreter fee schedules, etc. have increased without a proportional increase in the hearing request fee. Although the monies collected go into the general fund and are not directly available to the judiciary for its use, the budgetary implications for eventual judiciary funding and the increase in general revenue to address increased costs is clearly appropriate.

The Judiciary also supports the amendments made to the bill by the Senate Committee on Judiciary and Government Operations which will authorize remote conferencing to conduct hearings in a county other than the county of arrest. This remote conferencing should assist the Administrative Driver's License Revocation Office in minimizing the cost of hearings.

Thank you for the opportunity to testify on Senate Bill No. 2157, S. D. 1.