



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.B. NO. 597, RELATING TO ADMINISTRATIVE DRIVERS LICENSE REVOCATION.

BEFORE THE:

SENATE COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS

DATE: Thursday, February 6, 2025 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 224

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Tricia M. Nakamatsu, Deputy Attorney General

Chair Lee and Members of the Committee:

The Department provides the following testimony in support of this bill.

The purpose of this bill is to amend section 291E-37(a), Hawaii Revised Statutes (HRS), to extend the statutory deadlines within which the Administrative Drivers License Revocation Office (ADLRO) must issue its initial written decision on whether to revoke an individual's drivers license for allegedly operating a vehicle under the influence of an intoxicant (OVUII). In cases involving alcohol, the deadline would be extended from eight days to fifteen days; and in cases involving drugs, the deadline would be extended from twenty-two days to thirty days.

In OVUII cases where a breath or blood specimen is provided by a defendant, it is very important for the results of the chemical analysis to be considered in any decision-making. Given that only a small percentage of forensic toxicology laboratories are able to test for blood alcohol content within six days (page 2, lines 16-18), and given that all of the specimens from Maui, Kauai, and Hawaii counties must first be shipped to Honolulu for testing (page 3, lines 5-7), a fifteen-day deadline for the written decision would be more reasonable than the current eight day deadline. Similarly, if only thirty-two percent of forensic toxicology labs are able to test for blood drug content within thirty days (page 2, lines 20-21), and additional time is still needed to ship the specimens from Maui, Kauai, and Hawaii counties to Honolulu, and then to ship all specimens from Honolulu to the continental United States, a thirty-day deadline for

ADLRO to issue its decision would give ADLRO a greater opportunity to review test results before making its decision. Notably, the temporary drivers permit issued by law enforcement officers at the time of arrest lasts thirty days in alcohol-related OVUII cases and lasts forty-four days in drugs-related OVUII cases. Thus, an individual's temporary drivers permit would still be in effect when the ADLRO's initial report is mailed, even with the longer fifteen- and thirty-day deadlines.

The Department respectfully requests the passage of this bill.

C. Kimo Alameda, Ph.D.
Mayor



Benjamin T. Moszkowicz
Police Chief

William V. Brillhante Jr.
Managing Director

Reed K. Mahuna
Deputy Police Chief

County of Hawai`i

POLICE DEPARTMENT

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February 5, 2025

LATE

Senator Chris Lee
Chairperson and Committee Members
Committee on Transportation and Culture and the Arts
415 South Beretania Street
Honolulu, Hawai`i 96813

RE: SENATE BILL 597; RELATING TO ADMINISTRATIVE DRIVER'S LICENSE
REVOCATION
HEARING DATE: FEBRUARY 6, 2025
TIME: 3:00 PM

Dear Senator Lee:

The Hawai`i Police Department **strongly supports** Senate Bill 597, with its purpose to extend the proposed deadlines for the Hawaii Administrative Driver's License Revocation Office (ADLRO) to issue its initial decision regarding suspected individuals operating a vehicle under the influence of an intoxicant (OVUII). Given the substantial public safety concerns surrounding drug and alcohol-related motor vehicle collisions, it is essential that law enforcement has the time necessary to gather and analyze toxicology results accurately. The current statutory deadlines do not account for the realities of testing timelines and shipping delays, particularly in Hawaii's geographically dispersed counties. Extending the decision deadlines ensures that the ADLRO has sufficient time to review physical evidence, including test results, leading to more informed, reliable, and just outcomes for all involved.

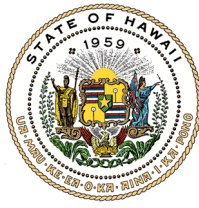
This bill aligns Hawaii's timeline with those of other states, such as Oregon, which has a more reasonable 30-day deadline for administrative decisions. The extended deadlines will also better reflect the national survey data, which shows that toxicology testing often takes more time than the current statute allows. By adjusting the deadlines to reflect realistic testing times, Hawaii will not only improve the fairness and accuracy of administrative revocations, but also support a more effective law enforcement strategy to reduce impaired driving. Ultimately, this measure will help protect public health and safety, ensuring that drivers who are potentially impaired by drugs or alcohol are swiftly and fairly dealt with in accordance with the evidence.

It is for these reasons, we urge this committee **to approve** this legislation. Thank you for allowing the Hawai`i Police Department to provide comments relating to Senate Bill 597.

Sincerely,


Folk BENJAMIN T. MOSZKOWICZ
POLICE CHIEF

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



LATE

MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'okō Kānāwai
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Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON SENATE BILL 597
RELATING TO ADMINISTRATIVE DRIVERS LICENSE REVOCATION
Before the Senate Committee on
TRANSPORTATION AND CULTURE AND THE ARTS
Thursday, February 6, 2025, 3:00 PM
State Capitol Conference Room 224 & Videoconference
WRITTEN TESTIMONY ONLY

Chair Lee, Vice Chair Inouye, and members of the Committee:

The Department of Law Enforcement (DLE) strongly supports Senate Bill 597, relating to the extension of time for the Hawaii Administrative Drivers License Revocation Office (ADLRO) to issue written review decisions.

This bill seeks to extend the deadline for ADLRO to issue written decisions on administrative driver's license revocations, specifically accounting for the varying timeframes required for comprehensive drug and alcohol testing across national laboratories.

The DLE recognizes that the current time restrictions may not adequately accommodate the complex nature of toxicology testing and analysis required for evidence-based decision-making in OVUII cases. According to a 2024 nationwide survey conducted by The Center for Forensic Science Research & Education, toxicology laboratories across the country operate on different timeframes for processing specimens, making it crucial to allow sufficient time for thorough analysis and review.

This extension will enhance the quality and accuracy of administrative review decisions while ensuring that law enforcement's efforts to maintain road safety are supported by complete scientific evidence. The proposed changes align with national testing timeframes and provide ADLRO with a more reasonable timeline to make well-informed decisions regarding license revocations.

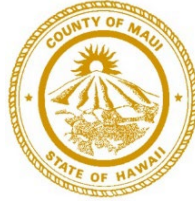
Furthermore, this modification will strengthen the overall effectiveness of Hawaii's OVUII enforcement efforts by allowing for a more comprehensive review of evidence while maintaining due process for affected drivers.

Thank you for the opportunity to testify in support of this bill.

RICHARD T. BISSEN, JR.
Mayor

ANDREW H. MARTIN
Prosecuting Attorney

SHELLY C. MIYASHIRO
First Deputy Prosecuting Attorney



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TESTIMONY ON
S.B. 597
RELATING TO ADMINISTRATIVE
DRIVERS LICENSE REVOCATION

February 6, 2025

The Honorable Chris Lee
Chair
The Honorable Lorraine R. Inouye
Vice Chair
and Members of the Committee on Transportation and Culture and The Arts

Chair Lee, Vice Chair Inouye, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in support of S.B. 597, Relating to Administrative Drivers License Revocation**. This bill amends HRS 291E-37 to extends the time that the Hawai'i Administrative Drivers License Revocation Office ("ADLRO") has to issue a written review decision of a notice of administrative revocation of a driver's license.

The Department of the Prosecuting Attorney, County of Maui supports this bill because it gives ADLRO sufficient time to review blood alcohol concentration test results before making a decision on whether to administratively revoke a driver's license following a DUI arrest. When a driver elects to take a blood test to determine the possible intoxicants and level thereof in their system, the analysis can take longer to complete than the current eight- or twenty-two- day deadline, especially in counties outside of Honolulu that lack their own testing facilities and must ship samples to either Honolulu or the continental US. Extending the deadline for ADLRO's written decision to account for additional testing time would allow the test results to be considered and ultimately ensure just and fair decisions in the administrative revocation process.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports S.B. 597**. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries. Thank you very much for the opportunity to provide testimony on this bill.