Honolulu, Hawaii

Fc 4 , 2007

RE: H.B. No. 160

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 160 entitled:

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

begs leave to report as follows:

The purpose of this bill is to enable a driver who had a license administratively revoked for life due to multiple driving under the influence convictions a chance to have the license restored under specific circumstances. Specifically, this bill:

- (1) Permits a driver to seek reinstatement of a license no sooner than 10 years since the lifetime revocation was imposed;
- (2) Requires an application for reinstatement of a license to be accompanied by written proof that the individual, within 90 days immediately preceding the application, has been assessed by a certified substance abuse counselor and determined not to be in need of substance abuse treatment due to dependency or abuse; and
- (3) Requires a driver to have had no arrests or convictions for driving while a license is revoked.

The Senior Pastor of the Wahiawa Church of the Nazarene. Senior Pastor of the Bridge Church of the Nazarene, the District Superintendent of the Hawaii Pacific District of the Church of the Nazarene, and the Office of the Public Defender testified in support of this measure. MADD-Hawaii supported the intent of this measure. The Judiciary testified in opposition to this bill.

Your Committee finds that although there are a large number of traffic fatalities due to alcohol-related accidents each year, every individual can be reformed and deserves a second chance, especially if the individual has performed meritorious service for over a decade.

However, your Committee notes that numerous administrative and legal concerns were raised by the Judiciary regarding this measure which are beyond the purview of this Committee. Accordingly, your Committee on Transportation respectfully requests that your Committee on Judiciary review the concerns raised by the Judiciary and address these issues accordingly.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 160 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Transportation,

State of Hawaii House of Representatives The Twenty-fourth Legislature

HSCR 238

Record of Votes of the Committee on Transportation

Bill/Resolution No.:	Date:			
HB 160	2–5–07			
Committee Referral: 'TRN, JUD	☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	Pass, with amendments		ts	
☐ Hold	 Pass, with amendments, for recommittal for further consideration 			
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)		u Albenia (f. 61		
2. NISHIMOTO, Scott Y. (VC)				
3. EVANS, Cindy	1,			
4. HAR, Sharon E.				
5. LEE, Marilyn B.				
6. LUKE, Sylvia		•		
7. McKELVEY, Angus L.K.				
8. NAKASONE, Bob	/			
9. SONSON, Alex M.				
10. TAKAMINE, Dwight Y.	,			
11. TAKUMI, Roy M.	Ι,			
12. MEYER, Colleen Rose	1			
13. PINE, Kymberly Marcos				
TOTAL	11			v
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation. committee acronym(s) Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				