H.B. NO. ²⁰⁰³ H.D. 1 S.D. 1 C.D. 1

A BILL FOR AN ACT

RELATING TO DRIVING WHILE INTOXICATED.

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

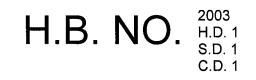
SECTION 1. Section 291E-44.5, Hawaii Revised Statutes, is amended by amending subsections (d) and (e) to read as follows: "(d) A request made pursuant to subsection (c) shall be accompanied by:

- 5 (1) A sworn statement from the respondent containing facts
 6 establishing that the respondent currently is employed
 7 in a position that requires driving and that the
 8 respondent will be discharged if prohibited from
 9 driving a vehicle not equipped with an ignition
 10 interlock device; and
- (2) A sworn statement from the respondent's employer
 establishing that the employer will, in fact,
 discharge the respondent if the respondent [is
 prohibited from driving a vehicle] cannot drive a
 vehicle that is not equipped with an ignition
 interlock device and identifying the specific vehicle
 or vehicles the respondent will drive for the purposes



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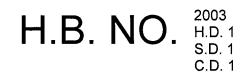


1		of employment and the hours of the day [the respondent	
2		will drive], not to exceed twelve hours per day, <u>or</u>	
3		the period of the specified assigned hours of work,	
4		the respondent will drive the vehicle or vehicles for	
5		purposes of employment.	
6	(e)	A permit issued pursuant to subsection (c) shall	
7	include r	estrictions allowing the respondent to drive:	
8	(1)	Only during specified hours of employment, not to	
9		exceed twelve hours per day, or the period of the	
10		specified assigned hours of work, and only for	
11		activities solely within the scope of the employment;	
12	(2)	Only the vehicles specified; and	
13	(3)	Only if the permit is kept in the respondent's	
14		possession while operating the employer's vehicle.	
15	In addition, the director may impose other appropriate		
16	restrictions."		
17	SECT	ION 2. Section 291E-61, Hawaii Revised Statutes, is	
18	amended b	y amending subsections (e) and (f) to read as follows:	
19	"(e)	A request made pursuant to subsection (d) shall be	
20	accompanied by:		



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1	(1)	A sworn statement from the defendant containing facts
2		establishing that the defendant currently is employed
3		in a position that requires driving and that the
4		defendant will be discharged if prohibited from
5		driving a vehicle not equipped with an ignition
6		interlock device; and
7	(2)	A sworn statement from the defendant's employer
8		establishing that the employer will, in fact,
9		discharge the defendant if the defendant [is
10		prohibited from driving a vehicle] cannot drive a
11		vehicle that is not equipped with an ignition
12		interlock device and identifying the specific vehicle
13		the defendant will drive for purposes of employment
14		and <u>the</u> hours of the day, not to exceed twelve hours
15		per day, or the period of the specified assigned hours
16		of work, the defendant will drive the vehicle for
17		purposes of employment.

18 (f) A permit issued pursuant to subsection (d) shall19 include restrictions allowing the defendant to drive:

20 (1) Only during specified hours of employment, not to
21 exceed twelve hours per day, or the period of the



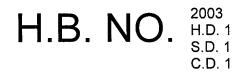
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1		specified assigned hours of work, and only for
2		activities solely within the scope of the employment;
3	(2)	Only the vehicle specified; and
4	(3)	Only if the permit is kept in the defendant's
5		possession while operating the employer's vehicle."
6	SECT	ION 3. Statutory material to be repealed is bracketed
7	and stric	ken. New statutory material is underscored.
8	SECT	TION 4. This Act shall take effect on July 1, 2018.





Report Title:

Administrative Revocation; Driving While Intoxicated; Permit; Employer's Sworn Statement

Description:

Allows requests for permits that authorize the respondent or defendant to operate an employer's vehicle during the period of license revocation to be supported by the employer's sworn statement attesting to the period of the specified assigned hours of work that the defendant will drive the vehicle for purposes of employment. (HB2003 CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

