



**WRITTEN 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 JUDICIARY

DATE: Thursday, February 27, 2025 **TIME:** 10:01 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Tricia M. Nakamatsu,
Deputy Attorney General, at 808-586-1500)

Chair Rhoads and Members of the Committee:

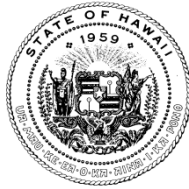
The Department provides the following testimony in support of this bill.

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.



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 27, 2025
10:01 a.m.
State Capitol, Room 016

S.B. 597
RELATING TO ADMINISTRATIVE DRIVERS LICENSE REVOCATION

Senate Committee on Judiciary

The Hawaii Department of Transportation (HDOT) **Supports S.B. 597**, which extends the time restriction in which the Hawaii Administrative Drivers License Revocation Office (ADLRO) is required to issue a written review decision of a notice of administrative revocation of a person's driver license.

As the law is currently written, ADLRO must mail the written review decision to the driver no later than 8 days after the date the notice was issued (i.e. arrest date) in a case involving an alcohol-related offense or 22 days after the date the notice was issued in a case involving a drug-related offense. These are calendar days that may also include long weekends. The current number of days is not sufficient, considering transport times, laboratories' hours of operation, and the time it takes for testing of toxicology samples.

Alcohol- and drug-impaired driving are serious issues that compromise the safety of our roadway users. According to HDOT's annual Behavioral Survey, 13 percent of car drivers and 22 percent of pickup truck drivers admitted to driving while feeling buzzed in the past 6 months. In addition, 24 percent of passengers of motor vehicles witnessed the driver of the vehicle they were in looking buzzed or admitted to feeling buzzed.

According to the National Highway Traffic Safety Administration, in 2022, Hawaii experienced 37 alcohol-impaired driving fatalities (BAC .08+), which were all 100 percent preventable. Additionally, 2023 preliminary state data shows that 49 of the 117 (42 percent) drivers involved in a fatal crash tested positive for having alcohol and/or drugs in their systems.

Extending the amount of time would ensure that ADLRO has the evidence it needs when reviewing impaired driving cases.

We respectfully urge the Committee to pass this measure.

Thank you for the opportunity to provide testimony.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



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
715 South King Street
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
JUDICIARY

Thursday, February 27, 2025, 10:01 AM
State Capitol Conference Room 016 & Videoconference

WRITTEN TESTIMONY ONLY

Chair Rhoads, Vice Chair Gabbard, and members of the Committee:

The Department of Law Enforcement (DLE) strongly supports Senate Bill 597, which seeks to extend the time restriction for the Hawaii Administrative Driver's License Revocation Office (ADLRO) to issue written review decisions on administrative license revocations.

This measure acknowledges the practical challenges faced in processing and analyzing toxicology results across national laboratories. According to a 2024 survey by The Center for Forensic Science Research & Education, testing timeframes for drug and alcohol specimens vary significantly across laboratories nationwide. The current statutory deadlines do not adequately account for these variations, potentially compromising the thoroughness and accuracy of administrative review decisions.

The DLE recognizes that this extension will enhance the quality of evidence-based decision-making in cases involving operating a vehicle under the influence of an intoxicant (OVUII). This change allows for more comprehensive review of laboratory

results while maintaining the necessary balance between public safety and administrative efficiency. The modification will particularly benefit cases requiring complex toxicology analysis, ensuring that all relevant evidence is properly considered before making determinations that significantly impact drivers' privileges.

From a law enforcement perspective, this extension strengthens the integrity of the administrative review process while supporting our ongoing efforts to maintain road safety and enforce OVUII laws effectively.

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

Rebecca V. Like
Prosecuting Attorney



Keola Siu
First Deputy
Prosecuting Attorney

OFFICE OF THE PROSECUTING ATTORNEY

County of Kaua'i, State of Hawai'i

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THE HONORABLE SEANTOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY
Regular Session of 2025
State of Hawai'i
February 24, 2025

**RE: SB 597 RELATING TO ADMINISTRATIVE DRIVERS LICENSE
REVOCATION**

Dear Chair Rhoads,

The Office of the Prosecuting Attorney, County of Kaua'i submits the following testimony in SUPPORT of SB 597.

This bill would extend the deadline for the Administrative Driver License Revocation Office ("ADLRO") to send a notice of decision regarding license suspension to parties who have been arrested for driving while intoxicated. This extension would allow more time for ADLRO to receive lab results related to arrestees toxicology in Operating a Vehicle Under the Influence of an Intoxicant ("OVUII") cases.

Administrative license suspension is a separate non-criminal proceeding that results in swift suspension of a driver's license if a driver fails or refuses to take a blood alcohol test. This process provides swift and certain penalties in OVUII cases that can take a much longer time to go through the criminal process. Administrative suspensions protect the public by removing these drivers from the road before their criminal case is complete. Motions hearings, court congestion and factors beyond the State's control can lead to delays in criminal cases. If the ADLRO does not receive the necessary toxicology results, the Defendant could be driving around during the pendency of their criminal case. The current process does not account for delays in toxicology testing results. Adding these additional days for the results to be sent to ADLRO will make our roads safer.

Currently Hawaii Revised Statute (“HRS”) 291E-37 requires that the ADLRO send a notice of decision no later than 8 days after a person’s arrest for cases involving alcohol and 22 days after a person’s arrest for cases involving drugs. It is common for toxicology testing to take longer than these deadlines to be completed and sent to ADLRO. Without the toxicology results, the ADLRO tends to rescind administrative driver license revocations issued on arrest in these cases. In other words, the driver gets their license back if the toxicology tests are not received by the ADLRO. This is an unfortunate and avoidable consequence of this short timeline. Extending the deadlines to 15 days for an alcohol-related offense and 30 days for a drug offense will aid in avoiding this unjust and unintended result.

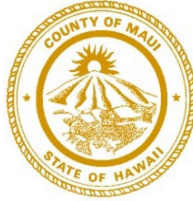
Accordingly, the Office of the Prosecuting Attorney, County of Kaua‘i submits this testimony in support of SB 597. Thank you very much for your consideration.



RICHARD T. BISSEN, JR.
Mayor

ANDREW H. MARTIN
Prosecuting Attorney

SHELLY C. MIYASHIRO
First Deputy Prosecuting Attorney



DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
200 SOUTH HIGH STREET
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TESTIMONY ON
S.B. 597
RELATING TO ADMINISTRATIVE
DRIVERS LICENSE REVOCATION

February 25, 2025

The Honorable Karl Rhoads
Chair
The Honorable Mike Gabbard
Vice Chair
and Members of the Committee on Judiciary

Chair Rhoads, Vice Chair Gabbard, 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.

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

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998
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February 24, 2025

Senator Karl Rhoads
Chairperson and Committee Members
Committee on Judiciary
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: SENATE BILL 597; RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION
HEARING DATE: FEBRUARY 27, 2025
TIME: 10:01 A.M.

Dear Senator Rhoads:

The Hawai'i Police Department **strongly supports** Senate Bill 597, with its purpose to extend the proposed deadlines for the Hawai'i Administrative Driver's License Revocation Office (ADLRO) to issue its initial decision regarding suspected individuals operating a vehicle under the influence of an intoxicant (OVUI). 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 Hawai'i'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 Hawai'i'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, Hawai'i 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,


BENJAMIN T. MOSZKOWICZ
POLICE CHIEF

KELDEN B.A. WALTJEN
PROSECUTING ATTORNEY

STEPHEN L. FRYE
FIRST DEPUTY
PROSECUTING ATTORNEY



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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF SENATE BILL NO. 597

A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVERS LICENSE REVOCATION.

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Thursday, February 27, 2025 at 10:01 a.m.
Via Videoconference and
State Capitol Conference Room 016
415 South Beretania Street

Honorable Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee on Judiciary: The County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony in support of Senate Bill No. 597.

This bill was drafted with the intent to extend the time restriction in which the Hawai'i Administrative Drivers License Revocation Office (ADLRO) is required to issue a written review decision of a notice of administrative revocation of a person's driver license.

An administrative license suspension is a non-criminal procedure that is initiated when probable cause exists to believe that an individual has been driving under the influence of alcohol or drugs, or when an individual refuses to submit to a breath or blood test. The ADLRO process ensures that the privilege to drive on public roads is suspended swiftly and definitively for impaired drivers. Delays in criminal cases for OVUII can occur due to factors beyond the State's control, such as motions hearings, court backlogs, and other issues. Administrative suspensions through the ADLRO process enhance public safety by removing impaired drivers from the road through a separate non-criminal process, before a conviction for OVUII could usually be obtained through the criminal process.

Currently, Section 291E-37 of the Hawaii Revised Statutes ("HRS") requires the ADLRO to send a written decision notice within 8 days after an alcohol-related arrest and within 22 days after a drug-related arrest. However, in practice, toxicology testing can take longer than these deadlines. If the ADLRO does not receive toxicology results by the time the statutory deadline arrives, the ADLRO often rescinds the revocation, reinstating the suspected impaired driver's license immediately. This is an unfortunate and avoidable outcome of the current short timeline.

Extending these deadlines to 15 days for alcohol-related offenses and 30 days for drug-related offenses would help address this issue.

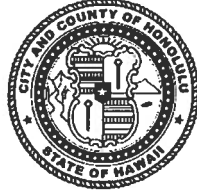
This issue is particularly important to neighbor island communities including the County of Hawai'i, where blood test samples must first be shipped to Honolulu before they can be tested, adding extra delay to every case. The existing timelines are not always long enough to account for such delay, potentially allowing more impaired drivers to avoid the ADLRO license suspension and to continue to drive while their criminal case is pending. Extending these deadlines would help keep the ADLRO process running as it was originally envisioned, helping improve road safety in our communities.

For the foregoing reasons, the County of Hawai'i, Office of the Prosecuting Attorney supports the passage of Senate Bill No. 597. Thank you for the opportunity to testify on this matter.

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU
801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
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LATE

RICK BLANGIARDI
MAYOR
MEIA



ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE **JG-KP**

February 27, 2025

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
State Senate
415 South Beretania Street, Room 016
Honolulu, Hawai'i 96813

Dear Chair Rhoads and Members:

SUBJECT: Senate Bill No. 597, Relating to Administrative Driver's License Revocation

I am Major Robert Towne of District 2 (Mililani/Wahiawā/North Shore) of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 597, Relating to Administrative Driver's License Revocation.

This bill will positively impact the Honolulu Police Department's efforts in addressing the issue of impaired drivers by allowing the Administrative Driver's License Revocation Office (ADLRO) ample time to issue their decision and potentially revoke a person's driver's license. Keeping dangerous drivers off the road or requiring the installation of an ignition interlock device, should they be allowed to continue driving, has great potential for saving lives.

Allowing ample time for all evidence to be collected, tested, and results presented so that the ADLRO can make an informed decision would also greatly benefit their efforts in keeping our roadways safe. The safety benefits of motorists, bicyclists, and pedestrians should outweigh any inconvenience this minor delay may cause for the driver.

The Honorable Karl Rhoads, Chair
and Members
February 27, 2025
Page 2

The HPD urges you to support Senate Bill No. 597, Relating to Administrative Driver's License Revocation.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to be "for Robert Towne".

Robert Towne, Major
District 2

APPROVED:

A handwritten signature in black ink, appearing to be "Arthur J. Logan".

Arthur J. Logan
Chief of Police



Hawai'i Office
745 Fort St., Suite 303
Honolulu, HI 96913
HiState@madd.org

madd.org/hawaii
877.ASK.MADD
877.MADD.HELP Victim Support
808-532-6232

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

I am submitting this testimony in support of SB597, which extends the deadline for the Hawaii Administrative Driver's License Revocation Office (ADLRO) to issue a written decision regarding the revocation of a driver's license in cases involving operating a vehicle under the influence of an intoxicant (OVUII).

Drunk and drug-impaired driving remains a serious threat to public safety in Hawaii, causing injuries and fatalities each year. Strengthening enforcement mechanisms, including timely and evidence-based license revocations, is essential to keeping our roads safe. However, Hawaii's current statutory deadlines for ADLRO decisions are among the shortest in the nation. Given the logistical challenges of processing toxicology results—particularly for drug-impaired cases, which often require sending samples to mainland laboratories—it is critical that the ADLRO is given a more reasonable timeframe to make informed decisions.

By extending the decision deadline from 8 to 15 days for alcohol-related cases and from 22 to 30 days for drug-related cases, SB597 ensures that ADLRO can rely on complete and accurate toxicology results. This will lead to fairer and more effective decision-making, reducing the risk of dismissals due to incomplete evidence while still prioritizing timely action against impaired drivers.

I urge the committee to pass SB597 to enhance the effectiveness of Hawaii's administrative license revocation process and improve road safety for all residents and visitors.

Mahalo for your time and consideration.

Sincerely,
Makena Young