
A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

1 SECTION 1. Section 291E-34, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The notice of administrative revocation shall
4 provide, at a minimum and in clear language, the following
5 general information relating to administrative revocation:

6 (1) The statutory authority for administrative revocation;

7 (2) The period of administrative revocation, including the
8 start date and end date;

9 (3) An explanation that upon the expiration of the period
10 of administrative revocation the respondent shall be
11 required to undergo reexamination pursuant to section
12 286-108 before obtaining a new driver's license, under
13 chapter 286, and, if applicable, before renewing or
14 reactivating any vessel operating privilege affected
15 by the administrative revocation;

16 [+2+] (4) An explanation of the distinction between
17 administrative revocation and a suspension or



1 revocation imposed under section 291E-61 or 291E-61.5;
 2 and
 3 [~~3~~] (5) That criminal charges filed pursuant to section
 4 291E-61 or 291E-61.5 may be prosecuted concurrently
 5 with the administrative action."

6 SECTION 2. Section 291E-45, Hawaii Revised Statutes, is
 7 amended to read as follows:

8 "~~§291E-45~~ **Eligibility for relicensing and reregistration**
 9 **of motor vehicle[-]; administrative revocation order;**
 10 **requirements.** (a) An administrative revocation order issued to
 11 a person eligible for relicensing or renewing the privilege to
 12 operate a vessel under this subsection shall state the period of
 13 administrative revocation and that reexamination pursuant to
 14 section 206-108 is required before the respondent may be issued
 15 a new driver's license under chapter 286 and, if applicable,
 16 before the respondent may renew or reobtain any vessel operating
 17 privilege.

18 (b) To be eligible for relicensing or renewing the
 19 privilege to operate a vessel after a period of administrative
 20 revocation has expired, the person shall:



- 1 (1) Submit proof to the director of compliance with all
2 conditions imposed by the director;
- 3 (2) Obtain a certified statement from the director
4 indicating eligibility for relicensing and for
5 renewing the privilege to operate a vessel;
- 6 (3) Present the certified statement to the appropriate
7 licensing official or to the department of land and
8 natural resources, as applicable; and
- 9 (4) Successfully complete each requirement, including
10 payment of all applicable fees, for:
- 11 (A) Obtaining a new license in this State, pursuant
12 to chapter 286[+], including being examined
13 pursuant to section 286-108; or
- 14 (B) Renewing the privilege to operate a vessel, as
15 may be provided in chapter 200 or rules adopted
16 by the department of land and natural resources
17 pursuant to section 200-24.
- 18 [~~b~~] (c) To be eligible for reregistration of a motor
19 vehicle, if applicable, after a period of administrative
20 revocation has expired, the person shall:



- 1 (1) Submit proof to the director of compliance with all
2 conditions imposed by the director;
- 3 (2) Obtain a certified statement from the director
4 indicating eligibility for registration of a motor
5 vehicle;
- 6 (3) Present the certified statement to the director of the
7 appropriate county agency; and
- 8 (4) Successfully complete each requirement, as provided in
9 chapter 286, for obtaining a new certificate of
10 registration for a motor vehicle in this State,
11 including payment of all applicable fees."

12 SECTION 3. Section 291E-61, Hawaii Revised Statutes, is
13 amended by amending subsection (j) to read as follows:

14 "(j) Notwithstanding any other law to the contrary,
15 whenever a court revokes a person's driver's license pursuant to
16 this section, the examiner of drivers shall not grant to the
17 person a new driver's license until [~~the expiration of~~] the
18 period of revocation determined by the court[-] expires and the
19 person undergoes reexamination under section 286-108. After the
20 period of revocation is completed, the person may apply for and,
21 if the person satisfies the examination requirements of section



1 286-108, the examiner of drivers may grant to the person a new
2 driver's license."

3 SECTION 4. Section 291E-61.5, Hawaii Revised Statutes, is
4 amended by amending subsection (f) to read as follows:

5 "(f) Notwithstanding any other law to the contrary,
6 whenever a court revokes a person's driver's license pursuant to
7 this section, the examiner of drivers shall not grant to the
8 person a new driver's license until [~~expiration of~~] the period
9 of revocation determined by the court[-] expires and the person
10 undergoes reexamination under section 286-108. After the period
11 of revocation is complete, the person may apply for and, if the
12 person satisfies the examination requirements of section
13 286-108, the examiner of drivers may grant to the person a new
14 driver's license."

15 SECTION 5. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 6. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 7. This Act shall take effect upon its approval.



S.B. NO. 2991 S.D. 1

Report Title:

Motor Vehicles; Operating a Vehicle Under the Influence of an Intoxicant; Driver's Licenses; Revocation; Reactivation; Reexamination

Description:

Clarifies that persons whose driver's licenses have been revoked for certain alcohol-related offenses are required to undergo reexamination before the examiner of drivers may relicense the person. Requires a notice and order of administrative revocation to include certain information. (SD1)

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

