

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



GOV. MSG. NO. 1171

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

June 3, 2026

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura
Speaker, and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on June 3, 2026, the following bill was signed into law:

H.B. NO. 2417, H.D. 2, S.D. 1,
C.D. 1

RELATING TO ADMINISTRATIVE LICENSE
REVOCATION.
ACT 071

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D." in a cursive style.

Josh Green, M.D.
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO ADMINISTRATIVE LICENSE REVOCATION.

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

1 SECTION 1. Section 291E-31, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§291E-31 Notice of administrative revocation; effect.** As
4 used in this part, the notice of administrative revocation:

5 (1) Establishes that the respondent's license and
6 privilege to operate a vehicle in the State or on or
7 in the waters of the State shall be [~~terminated~~]
8 administratively revoked:

9 (A) Thirty days after the date the notice of
10 administrative revocation is issued in the case
11 of an alcohol related offense;

12 (B) Forty-four days after the date the notice of
13 administrative revocation is issued in the case
14 of a drug related offense; or

15 (C) [~~Such~~] If the respondent requests an
16 administrative hearing, then at a later date as



1 is established by the director under section
2 291E-38,
3 ~~[if] unless and until the director [administratively~~
4 ~~revokes the respondent's license and privilege;]~~
5 rescinds the administrative revocation;
6 (2) Establishes the date on which administrative
7 revocation proceedings against the respondent were
8 initiated;
9 (3) Serves as a temporary permit, if applicable, to
10 operate a vehicle as provided in section 291E-33; and
11 (4) Notifies the respondent that the respondent shall
12 obtain an ignition interlock permit and keep an
13 ignition interlock device installed and operating in
14 any vehicle the respondent operates during the
15 revocation period if the respondent had a valid
16 license at the time of the arrest."

17 SECTION 2. Section 291E-34, Hawaii Revised Statutes, is
18 amended by amending subsections (c) through (i) to read as
19 follows:

20 "(c) The notice shall provide, at a minimum, the following
21 information relating to the administrative review:



- 1 (1) That the review is automatic;
- 2 (2) That the respondent, within three days of the issuance
- 3 of the notice of administrative revocation in the case
- 4 of an alcohol related offense and within seventeen
- 5 days of the issuance of the notice of administrative
- 6 revocation in the case of a drug related offense, may
- 7 submit written information demonstrating why the
- 8 respondent's license and privilege to operate a
- 9 vehicle should not be administratively revoked;
- 10 (3) The address [~~or~~], location, or electronic mailing
- 11 address where the respondent may submit the
- 12 information;
- 13 (4) That the respondent is not entitled to be present or
- 14 represented at the administrative review; and
- 15 (5) That the administrative review decision shall be
- 16 mailed to the respondent:
- 17 (A) No later than [~~eight~~] fourteen days after the
- 18 date of the issuance of the notice of
- 19 administrative revocation in the case of an
- 20 alcohol related offense; and



1 (B) No later than [~~twenty-two~~] twenty-eight days
 2 after the date of the issuance of the notice of
 3 administrative revocation in the case of a drug
 4 related offense[~~-~~];
 5 provided that if the administrative review decision is
 6 not mailed to the respondent within such period, the
 7 administrative revocation shall take effect thirty
 8 days or forty-four days after the date the notice of
 9 administrative revocation was issued, as applicable,
 10 unless and until the director rescinds the
 11 administrative revocation.

12 (d) The notice shall state that, if [~~the respondent's~~
 13 ~~license and privilege to operate a vehicle is not~~
 14 ~~administratively revoked~~] after the review, the [~~respondent's~~
 15 ~~license shall be returned, unless a subsequent alcohol or drug~~
 16 ~~enforcement contact has occurred, along with~~] director rescinds
 17 the administrative revocation, the respondent shall be given a
 18 certified statement that the administrative revocation
 19 proceedings have been terminated[~~-~~] and, unless a subsequent
 20 alcohol or drug enforcement contact has occurred, the
 21 respondent's license shall be returned.



1 (e) The notice shall state that, if the administrative
2 review affirms the revocation of the respondent's license and
3 privilege to operate a vehicle [~~is administratively revoked~~
4 ~~after the review~~], a review decision shall be mailed to the
5 respondent, or to the parent or guardian of the respondent if
6 the respondent is under the age of eighteen, that shall contain,
7 at a minimum, the following information:

8 (1) The reasons why revocation of the respondent's license
9 and privilege to operate a vehicle is
10 [~~administratively revoked;~~] affirmed;

11 (2) That the respondent may request the director, within
12 six days of the date the review decision is mailed, to
13 schedule an administrative hearing to review the
14 administrative revocation;

15 (3) That, if the respondent's request for an
16 administrative hearing is received by the director
17 within six days of the date the review decision was
18 mailed, the hearing shall be scheduled to commence:

19 (A) No later than twenty-five days after the date of
20 the issuance of the notice of administrative



- 1 revocation in the case of an alcohol related
2 offense; and
- 3 (B) No later than thirty-nine days after the date of
4 the issuance of the notice of administrative
5 revocation in the case of a drug related offense;
- 6 (4) The procedure to request an administrative hearing;
- 7 (5) That failure to request an administrative hearing
8 within the time provided shall cause the
9 administrative revocation to [~~take~~] remain in effect
10 [~~for the period and~~] under the conditions established
11 by the director in the review decision;
- 12 (6) That the respondent may regain the right to a hearing
13 by requesting the director, within sixty days after
14 the issuance of the notice of administrative
15 revocation, to schedule a hearing;
- 16 (7) That the director shall schedule the hearing to
17 commence no later than thirty days after the date a
18 request under paragraph (6) is received, but that,
19 except as provided in section 291E-38(j), the
20 temporary permit shall not be extended if the
21 respondent fails to request an administrative hearing



1 within the initial six-day period provided for that
2 purpose;

3 (8) That failure to attend the hearing shall cause the
4 administrative revocation to [~~take~~] remain in effect
5 for the period and under the conditions indicated;

6 (9) The duration of the administrative revocation and
7 other conditions that may be imposed, including[+]
8 referral to the driver's education program for an
9 assessment of the respondent's substance abuse or
10 dependence and the need for treatment; and

11 (10) That the respondent shall obtain an ignition interlock
12 permit in order to operate a vehicle during the
13 revocation period if the respondent had a valid
14 license at the time of the arrest.

15 (f) The notice shall provide, at a minimum, the following
16 information relating to administrative hearings:

17 (1) That the respondent shall have six days from the date
18 the administrative review decision was mailed to
19 request that an administrative hearing be scheduled;

20 (2) That a request for an administrative hearing and
21 payment of a \$30 fee, unless waived pursuant to



1 section 291E-39, shall entitle the respondent to
2 review and copy, [~~prior to~~] before the hearing, all
3 documents that were considered at the administrative
4 review, including the arrest report and the sworn
5 statements;

6 (3) That the respondent may be represented by an attorney,
7 submit evidence, give testimony, and present and
8 cross-examine witnesses;

9 (4) That, in cases where the respondent is under the age
10 of eighteen, a parent or guardian must be present; and

11 (5) That a written hearing decision shall be mailed no
12 later than five days after completion of the hearing.

13 (g) The notice shall state that, if the administrative
14 revocation is [~~reversed~~] rescinded after the hearing, the
15 [~~respondent's license shall be returned, along with~~] respondent
16 shall be given a certified statement that the administrative
17 revocation proceedings have been terminated[~~-~~] and, unless a
18 subsequent alcohol or drug enforcement contact has occurred, the
19 respondent's license shall be returned.

20 (h) The notice shall state that, if the administrative
21 revocation is [~~sustained~~] affirmed at the hearing, a written



1 hearing decision shall be mailed to the respondent, or to the
2 parent or guardian of the respondent if the respondent is under
3 the age of eighteen, that shall contain, at a minimum, the
4 following information:

- 5 (1) The effective date of the administrative revocation;
- 6 (2) The duration of the administrative revocation;
- 7 (3) Other conditions that may be imposed by law, including
8 the use of an ignition interlock device; and
- 9 (4) The right to obtain judicial review.

10 (i) The notice shall state that failure of the respondent,
11 or of the parent or guardian of the respondent if the respondent
12 is under the age of eighteen, to attend a scheduled hearing
13 shall cause the administrative revocation to [~~take~~] remain in
14 effect as provided in the administrative review decision."

15 SECTION 3. Section 291E-36, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) Whenever a respondent has been arrested for a
18 violation of section 291E-61 or 291E-61.5 and submits to a test
19 that establishes: the respondent's alcohol concentration was
20 .08 or more; the presence, in the respondent's blood or urine,
21 of any drug that is capable of impairing the respondent's



1 ability to operate a vehicle in a careful and prudent manner; or
2 whenever a respondent has been involved in a collision resulting
3 in injury or death and a blood or urine test performed pursuant
4 to section 291E-21 establishes that the respondent's alcohol
5 concentration was .08 or more or establishes the presence in the
6 respondent's blood or urine of any drug that is capable of
7 impairing the respondent's ability to operate a vehicle in a
8 careful and prudent manner, the following shall be forwarded
9 immediately to the director:

10 . (1) A copy of the arrest report or the report of the law
11 enforcement officer who issued the notice of
12 administrative revocation to the person involved in a
13 collision resulting in injury or death and the sworn
14 statement of the arresting law enforcement officer or
15 the officer who issued the notice of administrative
16 revocation, stating facts that establish that:

17 (A) There was reasonable suspicion to stop the
18 vehicle, the vehicle was stopped at an intoxicant
19 control roadblock established and operated in
20 compliance with sections 291E-19 and 291E-20, or



1 the respondent was tested pursuant to section
2 291E-21;

3 (B) There was probable cause to believe that the
4 respondent had been operating the vehicle while
5 under the influence of an intoxicant; and

6 (C) The respondent agreed to be tested or the person
7 was tested pursuant to section 291E-21;

8 (2) In a case involving an alcohol related offense, the
9 sworn statement of the person responsible for
10 maintenance of the testing equipment, stating facts
11 that establish that, pursuant to section 321-161 and
12 rules adopted thereunder:

13 (A) The equipment used to conduct the test was
14 approved for use as an alcohol testing device in
15 this State;

16 (B) The person had been trained and at the time the
17 test was conducted was certified and capable of
18 maintaining the testing equipment; and

19 (C) The testing equipment used had been properly
20 maintained and was in good working condition when
21 the test was conducted;



1 (3) In a case involving an alcohol related offense, the
2 sworn statement of the person who conducted the test,
3 stating facts that establish that, pursuant to section
4 321-161 and rules adopted thereunder:

5 (A) The person was trained and at the time the test
6 was conducted was certified and capable of
7 operating the testing equipment;

8 (B) The person followed the procedures established
9 for conducting the test;

10 (C) The equipment used to conduct the test functioned
11 in accordance with operating procedures and
12 indicated that the respondent's alcohol
13 concentration was at, or above, the prohibited
14 level; and

15 (D) The person whose breath or blood was tested is
16 the respondent;

17 (4) In a case involving a drug related offense, the sworn
18 statement of the person responsible for maintenance of
19 the testing equipment, stating facts that establish
20 that, pursuant to section 321-161 and rules adopted
21 thereunder:



- 1 (A) The equipment used to conduct the test was
- 2 approved for use in drug testing;
- 3 (B) The person [~~conducting the test~~] had been trained
- 4 and, at the time of the test, was certified and
- 5 capable of maintaining the testing equipment; and
- 6 (C) The testing equipment used had been properly
- 7 maintained and was in good working condition when
- 8 the test was conducted;
- 9 (5) In a case involving a drug related offense, the sworn
- 10 statement of the person who conducted the test,
- 11 stating facts that establish that, pursuant to section
- 12 321-161 and rules adopted thereunder:
- 13 (A) At the time the test was conducted, the person
- 14 was trained and capable of operating the testing
- 15 equipment;
- 16 (B) The person followed the procedures established
- 17 for conducting the test;
- 18 (C) The equipment used to conduct the test functioned
- 19 in accordance with operating procedures and
- 20 indicated the presence of one or more drugs or



1 their metabolites in the respondent's blood or
2 urine; and

3 (D) The person whose blood or urine was tested is the
4 respondent;

5 (6) A copy of the notice of administrative revocation
6 issued by the law enforcement officer to the
7 respondent;

8 (7) Any license taken into possession by the law
9 enforcement officer; and

10 (8) A listing of any prior alcohol or drug enforcement
11 contacts involving the respondent."

12 SECTION 4. Section 291E-37, Hawaii Revised Statutes, is
13 amended as follows:

14 1. By amending subsections (a) and (b) to read:

15 "(a) The director shall automatically review the issuance
16 of a notice of administrative revocation and shall issue a
17 written review decision [~~administratively revoking~~] affirming
18 administrative revocation of the license and privilege to
19 operate a vehicle or rescinding the notice of administrative
20 revocation. The written review decision shall be mailed to the



1 respondent, or to the parent or guardian of the respondent if
2 the respondent is under the age of eighteen, no later than:

3 (1) Fourteen days after the date the notice was issued in
4 a case involving an alcohol related offense; or

5 (2) Twenty-eight days after the date the notice was issued
6 in a case involving a drug related offense.

7 (b) The respondent shall have the opportunity to
8 demonstrate in writing why the respondent's license and
9 privilege to operate a vehicle should not be administratively
10 revoked and, within three days of receiving the notice of
11 administrative revocation, as provided in section 291E-33, shall
12 submit any written information[~~, either~~] by mail, electronic
13 mail, or in person, to the director's office or to any office or
14 address designated by the director for that purpose."

15 2. By amending subsections (d) through (g) to read:

16 "(d) The director shall [~~administratively revoke~~] affirm
17 the administrative revocation of the respondent's license and
18 privilege to operate a vehicle if the director determines that:

19 (1) There existed reasonable suspicion to stop the
20 vehicle, the vehicle was stopped at an intoxicant
21 control roadblock established and operated in



1 compliance with sections 291E-19 and 291E-20, or the
2 person was tested pursuant to section 291E-21;

3 (2) There existed probable cause to believe that the
4 respondent operated the vehicle while under the
5 influence of an intoxicant; and

6 (3) The evidence proves by a preponderance that:

7 (A) The respondent operated the vehicle while under
8 the influence of an intoxicant; or

9 (B) The respondent operated the vehicle and refused
10 to submit to a breath, blood, or urine test after
11 being informed:

12 (i) That the person may refuse to submit to
13 testing in compliance with section 291E-11;
14 and

15 (ii) Of the sanctions of this part and then asked
16 if the person still refuses to submit to a
17 breath, blood, or urine test, in compliance
18 with the requirements of section 291E-15.

19 (e) If the evidence does not support administrative
20 revocation, the director shall rescind the notice of
21 administrative revocation [~~and return the respondent's license~~



1 ~~along with~~], provide a certified statement that administrative
2 revocation proceedings have been terminated~~(-)~~, and, unless a
3 subsequent alcohol or drug enforcement contact has occurred,
4 return the respondent's license.

5 (f) If the director [~~administratively revokes~~] affirms the
6 administrative revocation of the respondent's license and
7 privilege to operate a vehicle, the director shall mail a
8 written review decision to the respondent, or to the parent or
9 guardian of the respondent if the respondent is under the age of
10 eighteen. The written review decision shall:

- 11 (1) State the reasons for the administrative revocation;
12 (2) Indicate that the respondent has six days from the
13 date the written review decision is mailed to request
14 an administrative hearing to [~~review~~] contest the
15 director's written review decision;
16 (3) Explain the procedure by which to request an
17 administrative hearing;
18 (4) Be accompanied by a form, postage prepaid, that the
19 respondent may fill out and mail in order to request
20 an administrative hearing;



1 (5) Inform the respondent of the right to review and copy
2 all documents considered at the review, including the
3 arrest report and the sworn statements of law
4 enforcement officers or other persons, [~~prior to~~]
5 before the hearing; and

6 (6) State that the respondent may be represented by
7 counsel at the hearing, submit evidence, give
8 testimony, and present and cross-examine witnesses,
9 including the arresting law enforcement officer.

10 (g) Failure of the respondent to request a hearing within
11 the time provided in section 291E-38(a) shall cause the
12 administrative revocation to [~~take~~] remain in effect for the
13 period and under the conditions provided in the administrative
14 review decision issued by the director under this section. The
15 respondent may regain the right to an administrative hearing by
16 requesting the director, within sixty days of the issuance of
17 the notice of administrative revocation as provided in section
18 291E-33, to schedule an administrative hearing. The
19 administrative hearing shall then be scheduled to commence no
20 later than thirty days after the date the request for hearing is
21 received by the director. The administrative review decision



1 issued by the director under this section shall explain clearly
2 the consequences of failure to request an administrative hearing
3 and the procedure by which the respondent may regain the right
4 to a hearing."

5 SECTION 5. Section 291E-38, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) If the director [~~administratively revokes~~] affirms
8 the administrative revocation of the respondent's license and
9 privilege to operate a vehicle after the administrative review,
10 the respondent may request an administrative hearing to review
11 the administrative review decision within six days of the date
12 the administrative review decision is mailed. If the request
13 for hearing is received by the director within six days of the
14 date the review decision is mailed, the hearing shall be
15 scheduled to commence no later than:

16 (1) Twenty-five days from the date the notice of
17 administrative revocation was issued in a case
18 involving an alcohol related offense; or

19 (2) Thirty-nine days from the date the notice of
20 administrative revocation was issued in a case
21 involving a drug related offense.



1 The director may continue the hearing only as provided in
2 subsection (j)."

3 SECTION 6. Section 291E-41, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Unless an administrative revocation is [~~reversed~~]
6 rescinded or the temporary permit is extended by the director,
7 administrative revocation shall become effective on the day
8 specified in the notice of administrative revocation. Except as
9 provided in section 291E-44.5, no license to operate a vehicle
10 shall be restored under any circumstances during the
11 administrative revocation period. Upon completion of the
12 administrative revocation period, the respondent may reapply and
13 be reissued a license pursuant to section 291E-45."

14 SECTION 7. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 8. This Act shall take effect upon its approval.



H.B. NO. 2417
H.D. 2
S.D. 1
C.D. 1

APPROVED this 3rd day of June, 2026

A handwritten signature in black ink, appearing to read "Josh Green". The signature is fluid and cursive, with a large initial "J" and "G".

GOVERNOR OF THE STATE OF HAWAII

HB No. 2417, HD 2, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 6, 2026
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2026.



Nadine K. Nakamura
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: May 6, 2026
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Third Legislature of the State of Hawai'i, Regular Session of 2026.



President of the Senate



Clerk of the Senate