

STAND. COM. REP. NO. **2378**

Honolulu, Hawaii

FEB 18 2026

RE: S.B. No. 3182
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 3182 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to clarify the administrative driver's license revocation procedures by requiring timely disclosure of documents, aligning review timelines, and standardizing administrative review and hearing processes.

Your Committee received testimony in support of this measure from the Department of Transportation and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee received comments on this measure from the Department of the Attorney General and Office of the Prosecuting Attorney of the County of Hawai'i.

Your Committee finds that an administrative driver's license revocation 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 process of an administrative driver's license revocation begins when notice of the administrative revocation is issued to a suspected impaired driver. Each administrative driver's license revocation is reviewed on a case-by-case basis by the Administrative Driver's License Revocation Office and due process is provided to respondents through administrative review and administrative hearing processes. This measure will streamline the administrative driver's license revocation process to ensure that an administrative revocation review and hearing decisions are rendered to respondents in a timely fashion.

Your Committee notes the concern raised by the Department of the Prosecuting Attorney of the City and County of Honolulu that the administrative revocation process rarely proceeds smoothly because revocation timelines are only triggered after documents are mailed or electronically transmitted to a respondent. Your Committee further notes the concern raised by the Office of the Prosecuting Attorney of the County of Hawaii that the most effective way to streamline the administrative driver's license revocation process is to clarify that the revocation automatically takes effect thirty days after notification is issued to a respondent and that the revocation shall remain in effect until the Administrative Driver's License Revocation Office decides otherwise.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that an administrative driver's license revocation shall take effect:
 - (A) Thirty days after a Notice of Administrative Revocation is issued to a person for an alcohol related offense; or
 - (B) Forty-four days after a Notice of Administrative Revocation is issued to a person for a drug related offense;
- (2) Restoring language in existing statute throughout the measure to retain the current administrative revocation, administrative revocation review, and administrative



revocation hearing processes and procedures, including document disclosure and review timelines;

- (3) Clarifying throughout this measure that the timelines for administrative license revocation and administrative license revocation review procedures and processes shall occur within a certain number of days rather than a certain number of calendar days;
- (4) Specifying that an administrative revocation shall take effect on a later date if a respondent requests an administrative hearing;
- (5) Clarifying that a respondent's driver's license shall not be revoked if the Administrative Director of the Courts rescinds the administrative revocation during review;
- (6) Deleting language that would have required a notice of administrative revocation issued by a law enforcement officer to include certain information;
- (7) Specifying that a notice of administrative revocation shall provide an electronic mailing address to which the respondent may submit certain information;
- (8) Deleting language that would have required a notice of administrative revocation to include certain information;
- (9) Specifying that a notice of administrative revocation shall state that a respondent's license shall be returned to them after administrative review if the Administrative Director of the Courts rescinds the administrative revocation;
- (10) Specifying that a notice of administrative revocation review shall state that if the Administrative Director of the Courts affirms the administrative revocation, the review decision mailed to the respondent shall include certain information;



- (11) Specifying that the contents of a notice of administrative revocation shall state that an administrative revocation shall remain in effect if the respondent fails to:
 - (A) Request an administrative hearing; or
 - (B) Attend a scheduled administrative hearing;
- (12) Specifying that a notice of administrative revocation shall state that the Administrative Director of the Courts shall schedule an administrative hearing within thirty days of the date that the Director receives the respondent's request of an administrative hearing;
- (13) Deleting language that would have required a notice of administrative revocation to inform the respondent that they are entitled to review and copy certain documents submitted for administrative review;
- (14) Specifying that a notice of administrative revocation shall state that the Administrative Director of the Courts shall mail a written hearing decision to a respondent within five days of the completion of an administrative hearing;
- (15) Deleting language that would have prohibited the Administrative Director of the Courts from reviewing the prior alcohol or drug enforcement contact of a respondent who submitted to a test for alcohol concentration under certain conditions during the administrative review process;
- (16) Deleting language that would have prohibited the Administrative Director of the Courts from reviewing the prior alcohol or drug enforcement contact of a respondent who did not submit to a test for alcohol concentration under certain conditions during the administrative review process;
- (17) Deleting language that would have required all documents, sworn statements, and records required to be forwarded to the Administrative Director of the Courts



be provided to the respondent within five calendar days after submission to the Director;

- (18) Deleting language that would have required any sworn statement or record generated, stored, or transmitted electronically or through an automated system to be accompanied by a certification from the person submitting the record;
- (19) Deleting language that would have required the Administrative Director of the Courts, upon the request of a respondent, to demonstrate that any testing instrument relied upon was properly approved, maintained, calibrated and certified, and that the operator of the testing instrument was properly trained and certified at the time of testing;
- (20) Deleting language that would have required calibration, maintenance, and certification logs to be available for inspection or copying upon request;
- (21) Deleting language that would have prohibited the Administrative Director of the Courts from issuing a written review decision until:
 - (A) Certain documents had been mailed or electronically transmitted to a respondent; or
 - (B) Certain requirements had been satisfied;
- (22) Deleting language that would have required that the time periods provided for a written review decision to be mailed to a respondent be tolled for any period during which certain requirements had not been satisfied;
- (23) Deleting language that would have allowed a respondent to demonstrate in writing the reasons why the respondent's administrative revocation should be rescinded within a certain number of days from the date that certain documents are provided to the respondent;



- (24) Specifying that a respondent may submit written information contesting an administrative revocation by electronic mail;
- (25) Deleting language that would have prohibited the Administrative Director of the Courts from considering certain documents during the administrative revocation review process;
- (26) Deleting language that would have required a respondent to be informed of their right to review and copy certain documents submitted for review pursuant before the administrative hearing;
- (27) Specifying that the Administrative Director of the Courts shall affirm the administrative revocation of the respondent's license and privilege to operate a vehicle if the Director makes certain determinations;
- (28) Specifying that the Administrative Director of the Courts affirms an administrative revocation, the Director shall mail a written review to a respondent within a certain number of days;
- (29) Specifying that if a respondent fails to request an administrative hearing within a certain number of days from the date that an administrative review decision is issued, the administrative revocation shall remain in effect for the period and under the conditions provided by the review decision issued by the Administrative Director of the Courts;
- (30) Specifying that if a respondent requests an administrative hearing within a certain time, the administrative hearing shall be scheduled to commence no later than thirty days after the date of the request for the hearing is received;
- (31) Specifying that if the Administrative Director of the Courts affirms an administrative revocation during the review process, the respondent may request an administrative hearing to review the decision within a



certain number of days from the date that the administrative review decision is mailed;

- (32) Deleting language that would have prohibited the Administrative Director of the Courts from considering a respondent's prior alcohol or drug enforcement contact during an administrative review hearing under certain conditions;
- (33) Deleting language that would have allowed sworn statements to be admitted into evidence if certain requirements have been satisfied;
- (34) Inserting language to clarify that unless an administrative revocation is rescinded or the temporary permit is extended by the Administrative Director of the Courts, the administrative revocation shall take effect on the day specified on the notice of revocation;
- (35) Inserting a savings clause; and
- (36) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 3182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3182, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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


LORRAINE R. INOUÉ, Chair



