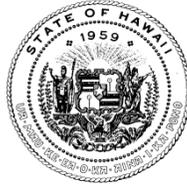


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



EDWIN H. SNIFFEN
DIRECTOR
KA LUNA HO'OKELE

Deputy Directors
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
CURT T. OTAGURO
ROBIN K. SHISHIDO

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

Tuesday, March 17, 2026
3:00 p.m.
State Capitol, 229

HB2417, HD2
RELATING TO ADMINISTRATIVE LICENSE REVOCATION.

Senate Committee on Transportation

The Hawaii Department of Transportation (HDOT) strongly supports H.B. 2417 H.D. 2, which clarifies administrative driver's license revocation procedures for alcohol- and drug-related offenses.

This legislation amends Hawaii Revised Statutes §291E-31 and related sections to establish clear timelines and procedural requirements for administrative revocation notices, reviews, and hearings.

These revisions align with the HDOT's mission to promote safe transportation practices and reduce impaired driving incidents in Hawaii. By improving clarity and procedural efficiency, H.B. 2417 H.D. 2 supports better outcomes for both law enforcement and the public, contributing to enhanced traffic safety and legal certainty.

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

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
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7777 • FAX (808) 270-7625

TESTIMONY ON
H.B. 2417 HD2
RELATING TO ADMINISTRATIVE LICENSE REVOCATION

March 16, 2026

The Honorable Lorraine R. Inouye
Chair
The Honorable Brandon J.C. Elefante
Vice Chair
and Members of the Committee on Transportation

Chair Inouye, Vice Chair Elefante, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui **supports H.B. 2417 HD2, Relating to Administrative License Revocation.** *Inter alia*, this measure is intended to increase the clarity of the Administrative Driver's License Revocation Office ("ADLRO") license revocation procedures.

We support this bill because it clarifies that the ADLRO's review decision affirms or rescinds the existing license revocation, rather than actually revoking the respondent's driver's license. We believe this language will make it easier for drivers to understand how the ADLRO review process works and what their license status may be at a given stage of that process.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports H.B. 2417 HD2.** 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.

**DEPARTMENT OF THE PROSECUTING ATTORNEY
KA 'OIHANA O KA LOIO HO'OPI'I
CITY AND COUNTY OF HONOLULU**

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515 • WEB: <https://honoluluprosecutor.org/>

STEVEN S. ALM
PROSECUTING ATTORNEY
LOIO HO'OPI'I



THOMAS J. BRADY
FIRST DEPUTY PROSECUTING ATTORNEY
HOPE MUA LOIO HO'OPI'I

**THE HONORABLE LORRAINE R. INOUE, CHAIR
SENATE COMMITTEE ON TRANSPORTATION
Thirty-Third State Legislature
Regular Session of 2026
State of Hawai`i**

March 15, 2026

RE: H.B. 2417, H.D.1, RELATING TO ADMINISTRATIVE LICENSE REVOCATION.

Chair Inouye, Vice Chair Elefante, and members of the Senate Committee on Transportation, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in **support** of H.B. 2417, H.D. 2.

This bill fixes a real and recurring loophole in our current administrative revocation system. In practice, we see defendants argue they "didn't know" they were suspended, despite being arrested for drunk driving and receiving a written notice. That ambiguity undermines enforcement and accountability.

H.B. 2417, H.D.2 restores clarity by establishing that the notice of administrative revocation itself sets the effective date of the revocation, unless rescinded. The notice is issued directly to the driver at the time of arrest. There is no confusion, no grey area, and no opportunity to feign ignorance. Drivers still have the opportunity to submit written information and request a hearing. But it removes the uncertainty that allows suspended drivers to exploit the procedural timeline.

Administrative revocation is about immediate public safety. When someone is arrested for driving under the influence, the State must be able to act promptly and decisively. H.B. 2417, H.D.2 ensures that drunk drivers cannot game the system by later claiming they did not understand when their suspension began.

The Department respectfully requests this Committee to pass H.B. 2417, H.D.2.

Thank you for the opportunity to testify

KELDEN B.A. WALTJEN
PROSECUTING ATTORNEY

SHANNON M. KAGAWA
FIRST DEPUTY
PROSECUTING ATTORNEY



655 KILAUEA AVENUE
HILO, HAWAII 96720
PH: (808) 961-0466
FAX: (808) 961-8908

74-675 KEALAKEHE PARKWAY
KAILUA-KONA, HAWAII 96740
PH: (808) 322-2552
FAX: (808) 322-6584

64-1067 MAMALAHOA HIGHWAY, C-3
KAMUELA, HAWAII 96743
PH: (808) 887-3017
FAX: (808) 887-3016

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 2417, HOUSE DRAFT 2

A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION

COMMITTEE ON TRANSPORTATION
Senator Lorraine R. Inouye, Chair
Senator Brandon J.C. Elefante, Vice Chair

Tuesday, March 17, 2026, at 3:00 p.m.
Via Videoconference
State Capitol Conference Room 229
415 South Beretania Street

Honorable Chair Inouye, Vice-Chair Elefante, and Members of the Committee on Transportation: The County of Hawai'i Office of the Prosecuting Attorney submits the following testimony **in support** of House Bill 2417, House Draft 2.

The intent of H.B. 2417, HD 2, is to clarify the administrative driver's license revocation process. We greatly appreciate that the HD 2 draft incorporates the suggested amendments that arose out of discussions with stakeholders.

H.B. 2417, HD 2, would not significantly alter the existing administrative driver's license revocation process, but would clarify that a revocation takes automatic effect 30 days after a Notice of Administrative Revocation, and remains in effect until the Administrative Driver's License Revocation Office (ADLRO) decides otherwise. We believe these small changes will produce great benefits by improving the enforceability of administrative revocations.

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. This process is initiated by the issuance of a Notice of Administrative Revocation to the suspected impaired driver, followed by a case-by-case review of relevant evidence by the ADLRO. Appropriate due process is offered through this review and by affording the driver the opportunity for an hearing. Administrative revocations can greatly enhance public safety by removing impaired drivers from the public roads swiftly and with certainty.

Individuals who disregard their administrative revocation and continue to drive on public roads should be subject to prosecution and enhanced penalties under HRS 291E-62. In practice, however, it has been difficult to enforce administrative revocations, due to the need to prove that

the driver received notice of the outcome of the ADLRO process. As the law is currently written, the administrative revocation does not technically occur until the ADLRO's review is complete and a written decision is mailed to the respondent. In practice, notice by mail often cannot support prosecution of criminal charges by proof beyond a reasonable doubt. The difficulty of enforcement undermines the purposes of administrative revocation—swiftness and certainty.

H.B. 2417, HD 2, would clarify that the Notice of Administrative Revocation that a police officer issues to a suspected impaired driver itself sets enforceable timelines, removing the delay and ambiguity of notice by mail and allowing police and prosecutors to better enforce criminal penalties under HRS 291E-62 against those who disregard an administrative revocation.

For the foregoing reasons, the County of Hawai'i Office of the Prosecuting Attorney **supports** House Bill 2417, House Draft 2. Thank you for the opportunity to testify on this matter.