

## ACT 109

S.B. NO. 1486

A Bill for an Act Relating to Duration of License Sanction.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 92-17, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Notwithstanding any provision to the contrary:

- (1) No license or permit shall be suspended by the board for a period exceeding [two] five years.
- (2) A person whose license or permit has been revoked by the board may not reapply for a license until the expiration of at least [two] five years from the effective date of the revocation of the license or permit.
- (3) A suspended license or permit shall be reinstated at the end of the suspension; provided that the suspension does not carry forward to the next license period, and the person satisfies all licensing requirements and conditions contained in the order of the suspension. If a suspension carries forward to the next license period, the board shall not renew the suspended license or permit during the usual renewal period. At the end of the suspension period, a person whose license or permit was suspended may be reinstated upon filing a reinstatement form provided by the board and payment of the renewal fees, satisfaction of any other renewal requirements, and fulfillment of conditions,

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if any, contained in the order of suspension. If the person fails to [apply] file for reinstatement within thirty days after the end of the suspension, the person's license or permit shall be forfeited.”

SECTION 2. Section 436B-20, Hawaii Revised Statutes, is amended to read as follows:

“**§436B-20 Suspended license.** No license shall be suspended by the licensing authority for a period exceeding [two] five years. A person whose license has been suspended may apply for reinstatement of the license to the extent authorized by law and upon complete compliance with any term or condition imposed by the order of suspension. The application for reinstatement shall be accompanied by all applicable fees, including but not limited to reinstatement fees, any compliance resolution fund fees, and any recovery fund assessments.”

SECTION 3. Section 436B-21, Hawaii Revised Statutes, is amended to read as follows:

“**§436B-21<sup>1</sup> Revoked license.** A person may apply for a new license after [two] five years from the effective date of the revocation of the license by filing an application and complying with all current requirements for new applicants. The licensing authority may waive any applicable education or examination requirements upon being satisfied that the applicant whose license has been previously revoked, has submitted documentation that the applicant has maintained equivalent knowledge, competence, and qualifications through work experience, training, or education.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved May 17, 1993.)

### Note

1. So in original.