

ACT 235

S.B. NO. 720

A Bill for an Act Relating to the Fees and Costs for the Administrative Revocation of Driver's License.

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

SECTION 1. Chapter 286, Hawaii Revised Statutes, is amended by adding a new section to part XIV to be appropriately designated and to read as follows:

“§286- Fees and costs. The director shall be authorized to assess and collect a \$15 fee from the arrestee for the costs of processing the arrestee's request for an administrative hearing to cover costs which include but should not be limited to the cost of photocopying documents, the issuance of subpoenas, conditional permits and relicensing forms, interpreter services, law enforcement official mileage fees, and other similar costs. The director may waive the fee in the case of indigent arrestees upon an appropriate inquiry into the financial circumstances of the person seeking the waiver and an affidavit or a certificate signed by such person demonstrating the person's financial inability to pay the fee.”

SECTION 2. Section 286-254, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

“(g) The notice shall state that if the administrative revocation is reversed after the hearing, the arrestee's license and any fees collected from the arrestee under this part shall be returned along with a certified statement that the administrative revocation proceedings have been terminated.”

SECTION 3. Section 286-259, Hawaii Revised Statutes, is amended by amending subsection (i) to read as follows:

“(i) The director's decision shall be rendered in writing and mailed to the arrestee no later than five days after the hearing. If the decision is to reverse the administrative revocation, the director shall return the arrestee's license and any fees collected from the arrestee under this part along with a certified statement that administrative revocation proceedings have been terminated. If the decision sustains the administrative revocation, the director shall mail to the arrestee a written decision indicating the duration of the administrative revocation and any other conditions or restrictions as may be imposed pursuant to section 286-261.”

SECTION 4. New statutory material is underscored.¹

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

(Approved July 20, 1998.)

Note

1. Edited pursuant to HRS §23G-16.5.