A BILL FOR AN ACT

RELATING TO CONDITIONAL LICENSE PERMITS.

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

SECTION 1. Section 291E-44, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) (1) During the administrative hearing, the director, at the request of a respondent who is subject to administrative revocation for a period as provided in section 291E-41(b)(1), may issue a conditional license permit that will allow the respondent, after a minimum period of absolute license revocation of thirty days, to drive for the remainder of the revocation period; provided that one or more of the following conditions are met:

(A) The respondent is gainfully employed in a position that requires driving and will be discharged if the respondent's driving privileges are administratively revoked; or

(B) The respondent has no access to alternative transportation and therefore must drive to work, school, vocational training, or to a substance
abuse treatment facility or counselor for

treatment ordered by the director under section

291E-41; [ex]

(C) The respondent must drive for personal medical or
dental care or treatment; or

(D) The respondent must drive to assist in the care

of another person who is unable to drive due to

the other person's age, disability, or medical

condition; or

(2) Notwithstanding any other law to the contrary, the
director shall not issue a conditional license permit
to:

(A) A respondent whose license, during the

conditional license permit period, is expired,
suspended, or revoked as a result of action other

than the instant revocation for which the

respondent is requesting a conditional license

permit under this section;

(B) A respondent who has refused breath, blood, or

urine tests for purposes of determining alcohol

concentration or drug content of the person's

breath, blood, or urine, as applicable;
(C) A respondent who is a highly intoxicated driver; and

(D) A respondent who holds either a category 4 license under section 286-102(b) or a commercial driver's license under section 286-239(b) [unless the], except that a respondent who holds a commercial driver's license under section 286-239(b) shall be permitted to obtain a category 3 conditional license permit [is restricted to a category 1, 2, or 3 license] under section 286-102(b)[→]; provided that the respondent qualifies for a conditional license permit under paragraph (1)(B), (C), or (D)."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2009.
Report Title:
Conditional License Permits; DUI

Description:
Expands the conditions allowed for a conditional license permit to add when a respondent must drive to school or vocational training, for personal medical or dental care, or to assist in the care of another person who is unable to drive; clarifies when a conditional license permit is permissible for certain commercial drivers. (HB2847 CD1)