
A BILL FOR AN ACT

RELATING TO DRIVING WHILE INTOXICATED.

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

1 SECTION 1. Section 291E-44.5, Hawaii Revised Statutes, is
2 amended by amending subsections (d) and (e) to read as follows:

3 "(d) A request made pursuant to subsection (c) shall be
4 accompanied by:

5 (1) A sworn statement from the respondent containing facts
6 establishing that the respondent currently is employed
7 in a position that requires driving and that the
8 respondent will be discharged if prohibited from
9 driving a vehicle not equipped with an ignition
10 interlock device; and

11 (2) A sworn statement from the respondent's employer
12 establishing that the employer will, in fact,
13 discharge the respondent if the respondent [~~is~~
14 ~~prohibited from driving a vehicle~~] cannot drive a
15 vehicle that is not equipped with an ignition
16 interlock device and identifying the specific vehicle
17 or vehicles the respondent will drive for the purposes



1 of employment and the hours of the day [~~the respondent~~
 2 ~~will drive~~], not to exceed twelve hours per day, or
 3 the period of the specified assigned hours of work,
 4 the respondent will drive the vehicle or vehicles for
 5 purposes of employment.

6 (e) A permit issued pursuant to subsection (c) shall
 7 include restrictions allowing the respondent to drive:

- 8 (1) Only during specified hours of employment, not to
 9 exceed twelve hours per day, or the period of the
 10 specified assigned hours of work, and only for
 11 activities solely within the scope of the employment;
- 12 (2) Only the vehicles specified; and
- 13 (3) Only if the permit is kept in the respondent's
 14 possession while operating the employer's vehicle.

15 In addition, the director may impose other appropriate
 16 restrictions."

17 SECTION 2. Section 291E-61, Hawaii Revised Statutes, is
 18 amended by amending subsections (e) and (f) to read as follows:

19 "(e) A request made pursuant to subsection (d) shall be
 20 accompanied by:



- 1 (1) A sworn statement from the defendant containing facts
2 establishing that the defendant currently is employed
3 in a position that requires driving and that the
4 defendant will be discharged if prohibited from
5 driving a vehicle not equipped with an ignition
6 interlock device; and
- 7 (2) A sworn statement from the defendant's employer
8 establishing that the employer will, in fact,
9 discharge the defendant if the defendant [~~is~~
10 ~~prohibited from driving a vehicle~~] cannot drive a
11 vehicle that is not equipped with an ignition
12 interlock device and identifying the specific vehicle
13 the defendant will drive for purposes of employment
14 and the hours of the day, not to exceed twelve hours
15 per day, or the period of the specified assigned hours
16 of work, the defendant will drive the vehicle for
17 purposes of employment.
- 18 (f) A permit issued pursuant to subsection (d) shall
19 include restrictions allowing the defendant to drive:
- 20 (1) Only during specified hours of employment, not to
21 exceed twelve hours per day, or the period of the



1 specified assigned hours of work, and only for
2 activities solely within the scope of the employment;
3 (2) Only the vehicle specified; and
4 (3) Only if the permit is kept in the defendant's
5 possession while operating the employer's vehicle."

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

8 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Administrative Revocation; Driving While Intoxicated; Permit;
Employer's Sworn Statement

Description:

Allows requests for permits that authorize the respondent or defendant to operate an employer's vehicle during the period of license revocation to be supported by the employer's sworn statement attesting to the period of the specified assigned hours of work that the defendant will drive the vehicle for purposes of employment. (HB2003 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

