EXECUTIVE CHAMBERS

HONOLULU

July 8, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2847

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2847, entitled "A Bill for an Act Relating to Conditional License Permits."

This bill would allow a person to continue to drive a vehicle even after convicted of driving under the influence (DUI), by adding the following:

(1) The person has no access to alternative transportation and must drive to school or vocational training;

(2) The person must drive for personal medical or dental care or treatment; or

(3) The person 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.

This bill would also allow those with commercial driver's licenses who are convicted of a DUI to still drive a car if they met the above conditions.

This bill is objectionable because it significantly weakens the administrative license revocation provisions and their deterrent impact on individuals who operate vehicles while under the influence of an intoxicant, thereby potentially compromising public safety. The bill creates more situations under which a person can obtain a conditional license permit to drive while that person's driver's license has been administratively revoked. More impaired drivers, who have had

their licenses administratively revoked, will still be on the road.

This bill is also objectionable because it is premature and possibly inconsistent with Act 170 of 2008, which involves the development and implementation of the ignition interlock program. This bill makes revisions to the conditional license permit process that will require the Administrative Driver's License Revocation Office (ADLRO) to use time and resources responding to those revisions, when in one year, the ADLRO program will have to be revised again as a result of the development and implementation of the ignition interlock program.

For example, the ADLRO will need to amend its forms used by law enforcement and the judiciary. It will also have to establish new guidelines for the review of requests based on the new exceptions. The ADLRO will have to revise the administrative hearing process to accommodate and address the requests anticipated under the new exceptions. All of these efforts may be for nothing when the administrative license revocation process is changed as a result of the ignition interlock statute.

The ignition interlock program authorized under Act 170, which I signed on June 13th, is intended to be an important component of the administrative license revocation process and promotes a system to safely allow certain drivers convicted of driving under the influence to operate a motor vehicle without endangering the safety of others.

Because this bill is not consistent with the ignition interlock project, it is detrimental to our goal of improving highway safety.

For the foregoing reasons, I am returning House Bill No. 2847 without my approval.

Respectfully,

LINDA LINGLE
Governor of Hawaii