



## Administrative Driver's License Revocation Office ("ADLRO")

American Savings Bank Tower  
1001 Bishop Street, Suite 500  
Honolulu, Hawai'i 96813  
Telephone: (808) 534-6800 / Fax: (808) 534-6888  
Toll Free Number: 1-866-826-5656  
Website: [www.courts.state.hi.us/courts/administrative/adlro.html](http://www.courts.state.hi.us/courts/administrative/adlro.html)

### ADMINISTRATIVE REVOCATION PROCESS

#### HEARING PROCEDURES

1. **THE HEARING.** The administrative hearing is conducted by a Hearing Officer who must ensure that a complete record is established. The hearing is recorded and all testimony is given under oath. The hearing record may include witness testimony and reports, exhibits, and documents that are presented at the hearing or that are contained in the case file.
2. **FEE AND WAIVER OF FEE.** You must pay a non-refundable \$30 fee (by check preprinted with a name and address or money order payable to State Director of Finance) to cover the cost of processing your request for a hearing. Once you request a hearing, you are responsible for the fee regardless of the outcome of your case. If you are unable to pay, you may request that ADLRO waive the fee. A form to request a waiver of the hearing fee is available from ADLRO.
3. **ADMINISTRATIVE REVOCATION.** Unless the administrative revocation is reversed or the temporary permit is extended by ADLRO, the administrative revocation shall take effect as specified in the notice of administrative revocation. The commencement of the administrative revocation will not be delayed by the request for a hearing.
4. **ATTORNEYS.** You are not required to have an attorney for the hearing. You may be represented by an attorney at your own expense.
5. **REQUEST FOR COPIES.** You, or your representative upon written authorization, are entitled to a copy of all documents considered at the administrative review, including the arrest report and any sworn statements, at no charge. Fees may be assessed for additional copies.
6. **SUBPOENAS.** You may subpoena witnesses for the hearing, provided that you have paid the hearing request fee or you have received a waiver of the fee. You must request subpoenas at least five days prior to the date of the scheduled hearing. You are responsible for serving the subpoenas upon witnesses and you are responsible for payment of the witnesses' mileage fees. Personal service upon witnesses must be made no later than 48 hours before the scheduled hearing time. A form to request the issuance of subpoenas is available from ADLRO.
7. **INTERPRETERS.** All hearings are conducted in English. If you need the services of an interpreter, ADLRO will provide an interpreter upon written request submitted to ADLRO at least five days prior to the scheduled hearing date.
8. **CONTINUANCES.** A continuance of your hearing may be granted for good cause. If a continuance is granted on ADLRO's request, ADLRO shall extend your temporary permit, unless otherwise prohibited, for a period not to exceed the period of continuance. If a continuance is granted at your request, ADLRO may not extend your temporary permit. A form to request a continuance of your hearing is available from ADLRO.
9. **FAILURE TO APPEAR AT THE HEARING.** If you arrive 15 minutes or more after the time of your scheduled hearing, you may be held in default. If you fail to appear at the hearing, the administrative revocation will be sustained.
10. **MINORS.** If you are under the age of 18 at the time of the hearing, you must be accompanied by a parent or guardian. If you come alone, the hearing will not be held and the administrative revocation will be sustained.
11. **WITHDRAWAL OF REQUEST FOR HEARING.** You may withdraw your request for a hearing by calling ADLRO and submitting a written statement withdrawing your request for a hearing. You are still responsible for the \$30 hearing request fee.
12. **ADA ACCOMMODATIONS.** If reasonable accommodation for a disability covered under state or federal disability laws is necessary, please contact ADLRO's ADA Coordinator at 534-6800 (V) or 539-4853 (TTY) at least 10 days prior to the hearing date.
13. **SECURITY SIGN IN PROCEDURES.** All persons seeking access into ADLRO are required to sign in at the front desk and present a picture identification (driver's license, Hawai'i State ID, or other acceptable picture ID). Anyone refusing to provide identification or refusing to sign in will not be admitted beyond the front desk.

#### IGNITION INTERLOCK PERMITS; EMPLOYEE DRIVER'S PERMITS

Upon providing proof that you have installed an ignition interlock device in any vehicle you operate and have insurance or self-insurance that complies with the requirements of §431:10C-104 or §431:10C-105, HRS, you may apply to the ADLRO for an ignition interlock permit that will allow you to operate a vehicle equipped with an ignition interlock device during the revocation period. The ADLRO will NOT issue you an ignition interlock permit while you are under the age of eighteen or if: (1) your license is expired, suspended, or revoked as a result of action other than the instant revocation; (2) you do not hold a valid license at the time of your arrest for the violation of §291E-61 of the Hawai'i Revised Statutes ("HRS"); (3) you hold a license that is a learner's permit or instruction permit; or (4) you hold either a category 4 license under §286-102(b), HRS, or a commercial driver's license under §286-239(b), HRS, unless the permit is restricted to a category 1,2, or 3 license under §286-102(b), HRS. Except for the circumstances described above in which the ADLRO will NOT issue you an ignition interlock permit, the ADLRO may issue a separate employee driver's permit authorizing you to operate a vehicle owned by your employer during the revocation period without installation of an ignition interlock device if you are gainfully employed in a position that requires driving and you will be discharged if prohibited from driving a vehicle not equipped with an ignition interlock device. A request for such a permit must be accompanied by (1) your sworn statement containing facts establishing that you are currently employed in a position that requires driving and that you will be discharged if prohibited from driving a vehicle not equipped with an ignition interlock device; and (2) a sworn statement from your employer establishing that the employer will, in fact, discharge you if you are prohibited from driving a vehicle not equipped with an ignition interlock device and identifying the specific vehicle(s) and hours of the day that you will drive, not to exceed twelve hours per day, for purposes of employment. An employee driver's permit will include restrictions allowing you to drive (1) only during specified hours of employment, not to exceed twelve hours per day, for purposes within the scope of the employment; (2) only the vehicle(s) specified in the permit; and (3) only if the permit is kept in your possession while operating the employer's vehicle. The ADLRO may impose other appropriate restrictions. **You DO NOT need to request an administrative hearing to apply for an ignition interlock permit or an employee driver's permit.**

**ADLRO is open for business between the hours of 7:45 a.m. and 4:30 p.m.,  
Monday through Friday, excluding all state holidays.**

## **IGNITION INTERLOCK OR EMPLOYEE DRIVER'S PERMIT EXPIRATION DATE**

Your ignition interlock permit or employee driver's permit will expire on the last day of your revocation period or the expiration date of your driver license, whichever occurs first. If you had a valid HAWAII driver license at the time of your arrest but your license expires before the end of your revocation period, you must apply for renewal or reactivation of your license at the appropriate county Division of Motor Vehicles and Licensing in order to extend the expiration date of your ignition interlock permit or employee driver's permit.

## **PETITION FOR IGNITION INTERLOCK INSTRUCTION PERMIT AND IGNITION INTERLOCK PERMIT**

If you do not qualify for an ignition interlock permit under the Administrative Revocation Process, you may be eligible to petition the District Court for permission to apply for an ignition interlock instruction permit that will allow you to take the driving demonstration portion of the driver's license examination and obtain an ignition interlock permit.

## **RELICENSING**

To be eligible for relicensing or renewing the privilege to operate a vessel after the period of administrative revocation has expired, you must:

1. Obtain a certified statement from ADLRO indicating your compliance with the conditions of your revocation and your eligibility for relicensing and for renewing the privilege to operate a vessel;
2. Present the certified statement to the appropriate licensing official or to the department of land and natural resources, as applicable; and
3. Successfully complete each requirement, including payment of all applicable fees, for:
  - A. Obtaining a new license in this State, pursuant to HRS chapter 286 [Motor and Other Vehicles]; or
  - B. Renewing the privilege to operate a vessel, as may be provided in HRS chapter 200 [Ocean Recreation And Coastal Areas Programs] or rules adopted by the department of land and natural resources pursuant to HRS §200-24.

## **DEFINITIONS**

**"Administrative revocation"** means termination of your license and the privilege to operate a vessel underway on or in the waters of the State pursuant to the Administrative Revocation Process.

**"Alcohol enforcement contact"** means: (1) Any administrative revocation ordered pursuant to the Administrative Revocation Process, Chapter 291E, Part III, HRS; (2) Any administrative revocation ordered pursuant to the Administrative Revocation of Driver's License, Chapter 286, Part XIV, HRS, as that part was in effect on or before December 31, 2001; (3) Any suspension or revocation of any license or any suspension or revocation of a privilege to operate a vessel underway imposed by this or any other state or federal jurisdiction for refusing to submit to a test for alcohol concentration; (4) Any conviction in this State for operating or being in physical control of a vehicle while having an unlawful alcohol concentration or while under the influence of alcohol; or (5) Any conviction in any other state or federal jurisdiction for an offense that is comparable to operating or being in physical control of a vehicle while having an unlawful alcohol concentration or while under the influence of alcohol.

**"Drug enforcement contact"** means: (1) Any administrative revocation ordered pursuant to the Administrative Revocation Process, Chapter 291E, Part III, HRS; (2) Any administrative revocation ordered pursuant to the Administrative Revocation of Driver's License, Chapter 286, Part XIV, HRS, as that part was in effect on or before December 31, 2001; (3) Any suspension or revocation of license or any suspension or revocation of a privilege to operate a vessel underway imposed by this or any other state or federal jurisdiction for refusing to submit to a test for drug content in the person's blood or urine; (4) Any conviction in this State for operating or being in physical control of a vehicle while having an unlawful drug content in the blood or urine or while under the influence of drugs; or (5) Any conviction in any other state or federal jurisdiction for an offense that is comparable to operating or being in physical control of a vehicle while having an unlawful drug content in the blood or urine or while under the influence of drugs.

**"Ignition interlock device"** means a breath alcohol ignition interlock device that is certified pursuant to §291E-6 and rules adopted thereunder that, when affixed to the ignition system of a motor vehicle, prevents the vehicle from being started without first testing, and thereafter from being operated without periodically retesting, a deep-lung breath sample of the person required to use the device that indicates the person's alcohol concentration is less than .02.

**"License"** means any driver's license or any other license or permit to operate a motor vehicle issued under, or granted by, the laws of this State.

**"Motor vehicle"** means every vehicle which is self-propelled and every vehicle which is propelled by electric power but not operated upon rails, specifically including a moped.

**"Privilege"** refers to the authority to operate a vessel underway on or in the waters of the State.

**"Respondent"** means a person to whom a notice of administrative revocation has been issued following an arrest for a violation of §291E-61 [Operating a vehicle under the influence of an intoxicant.] or §291E-61.5 [Habitually operating a vehicle under the influence of an intoxicant.] or following the collection of a blood or urine sample from the person, pursuant to §291E-21 [Applicable scope of part; mandatory testing in the event of a collision resulting in injury or death.], because there was probable cause to believe that the person has violated §291E-61 or §291E-61.5.

**"Under the influence"** means that a person: (1) Is under the influence of alcohol in an amount sufficient to impair the person's normal mental faculties or ability to care for the person and guard against casualty; (2) Is under the influence of any drug that impairs the person's ability to operate the vehicle in a careful and prudent manner; (3) Has .08 or more grams of alcohol per two hundred ten liters of the person's breath; or (4) Has .08 or more grams of alcohol per one hundred milliliters or cubic centimeters of the person's blood.

**"Underway"** means that a vessel is not at anchor, made fast to the shore, or aground.

**"Valid license"** means a license that:

- (1) Is issued by an authorized licensing official in any state;
- (2) Authorizes an individual to operate a motor vehicle on public streets, roads, or highways; and
- (3) Has not expired or been revoked, suspended, or canceled.

**"Vehicle"** includes a: (1) Motor vehicle; (2) Moped; and (3) Vessel.

**"Vessel"** means all description of watercraft that are used or are capable of being used as a means of transportation on or in the water.

**"Waters of the State"** means any waters within the jurisdiction of the State, the marginal seas adjacent to the State, and the high seas when navigated as part of a journey or ride to or from the shore of the State.