HONOLULU POLICE DEPARTMENT
POLICY
TRAFFIC OPERATIONS

HANDLING DRIVERS WITH SUSPENDED OR REVOKED DRIVER'S LICENSES

POLICY
I. When officers determine that a person has been operating a motor vehicle with a suspended or revoked driver's license, they shall attempt to determine the reason for the suspension or revocation, with the assistance of the Communications Division.

II. Officers may arrest or, in lieu of arrest, issue a citation to such an operator, who shall not be permitted to continue to operate any motor vehicle after the stop.

PROCEDURE
I. AUTHORIZATION

A. The operator shall be arrested or cited under Section 286-136, Hawaii Revised Statutes (HRS), if the operator's license was canceled, suspended, or revoked for violation of any of the following:

1. Section 286-102, Licensing;
2. Section 286-122, Suspension of a license;
3. Section 286-130, No operation under foreign license during revocation or suspension in this state;
4. Section 286-131, Unlawful use of license;
5. Section 286-132, Driving while license suspended or revoked;
6. Section 286-133, Unlawful to permit unauthorized person to drive; or

7. Section 286-134, Employing unlicensed driver.

B. The operator shall be arrested or cited under Section 287-44(d) if the operator's license was suspended or revoked under Chapter 287, HRS, Motor Vehicle Safety Responsibility Act.

C. The operator shall be arrested or cited under Section 291E-62, HRS, operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant; penalties, if the operator's license has been revoked, suspended, or otherwise restricted pursuant to:

1. Part III or IV of Chapter 291E or Section 291E-61, or 291E-61.5, or 291E-62, HRS, or

2. Any of the following as they were in effect on December 31, 2001: Part VII or XIV of Chapter 286, HRS; or Section 200-81, 291-4, 291-4.4, 291-4.5, or 291-7, HRS.

II. EXEMPTION

Pursuant to Section 291E-44.5, HRS, a person with an ignition interlock permit will be allowed to drive a vehicle equipped with an ignition interlock device.

Post on bulletin board for one week

Policy first issued
May 10, 2001

Reviewed for Public Release