

JAN 18 2006

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE DRIVER'S LICENSE.

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

1 SECTION 1. Section 286-107, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§286-107 License renewals; procedures and requirements.**

4 (a) The examiner of drivers may accept an application for a
5 renewal of a driver's license made not more than six months
6 prior to the date of expiration.

7 If, however, the renewal is not applied for within ninety
8 days after the expiration of the license, the applicant for
9 renewal shall be treated as an applicant for a new license and
10 examined as provided in section 286-108.

11 (b) Except as otherwise provided in subsection (c), an
12 applicant for a renewal of a driver's license under this
13 section, or the reactivation of an expired license under section
14 286-107.5(a), shall appear in person before the examiner of
15 drivers and the examiner of drivers shall administer such
16 physical examinations as the state director of transportation
17 deems necessary to determine the applicant's fitness to continue
18 to operate a motor vehicle.



1 (c) Any person who holds a category (1), (2), or (3)
2 license issued under this part who is unable to appear in person
3 before the examiner of drivers to apply for a renewal of the
4 driver's license, may, if the person is not disqualified from
5 renewing the license under subsection (a), apply for a renewal
6 by mail. The applicant's request to have the license renewed by
7 mail [~~must~~] shall be received by the examiner of drivers within
8 ninety days after the expiration of the license or it shall be
9 treated as an [~~applicant~~] application for reactivation of an
10 expired license under section 286-107.5. The examiner of
11 drivers [~~shall~~], upon receipt of the request, shall furnish the
12 applicant with all necessary forms and instructions. An
13 application for renewal made pursuant to this subsection shall
14 be accompanied by a statement from a licensed physician,
15 certifying that the applicant was examined by the licensed
16 physician not more than six months prior to the expiration date
17 of the applicant's license and that the applicant was found by
18 such examination to have met the physical requirements
19 established by the state director of transportation for the
20 renewal of licenses. The application for renewal shall also be
21 accompanied by:



1 (1) A notarized statement of the applicant certifying that
2 the applicant does not possess any valid license to
3 operate the same or similar category or categories of
4 motor vehicles, issued by another licensing authority
5 (unless such license is concurrently surrendered); and

6 (2) Such other information as may be required by the
7 examiner of drivers that is reasonably necessary to
8 confirm the identity of the applicant and the
9 applicant's fitness to continue to operate a motor
10 vehicle.

11 (d) An applicant for a renewal of the applicant's driver's
12 license whether applying pursuant to subsections (b) or (c)
13 shall pay the fee determined by the council of the appropriate
14 county. Payment of the fee shall be by certified check or money
15 order, tendered together with the application.

16 (e) No driver's license shall be renewed by the examiner
17 of drivers unless:

18 (1) The examiner of drivers is satisfied of the
19 applicant's fitness to continue to operate a motor
20 vehicle;

21 (2) The fee required by subsection (d) is tendered
22 together with the application for renewal; and



1 (3) The applicant complies with section 286-102.5.

2 (f) A driver's license renewed pursuant to subsection (c)
3 may validly be issued without incorporating a photograph of the
4 licensee.

5 (g) No driver's license shall be renewable by mail for
6 more than two consecutive renewals, regardless of whether the
7 license expires, as provided under section 286-106, on the
8 sixth, fourth, or second birthday after issuance; provided that
9 this subsection shall not apply to a resident military person or
10 that person's immediate family if the resident military person
11 resides outside the State on official military orders.

12 (h) Subsection (a) notwithstanding, any applicant for a
13 renewal of a driver's license who is a member of any reserve
14 component of the United States armed forces and who has been
15 ordered to active federal service outside of the State at the
16 time the applicant's license should be renewed shall not have
17 the applicant's license revoked or forfeited for failure to file
18 a timely application for a renewal of a driver's license if the
19 applicant files an application for a renewal of a driver's
20 license, along with verification of federal active service
21 outside the State as required by the examiner of drivers, within



1 ninety days of the applicant's discharge or release from active
2 federal service.

3 If the application for renewal is not applied for within
4 ninety days after the applicant's discharge or release from
5 active federal service, the applicant for renewal shall be
6 treated as an applicant for a new license and examined as
7 provided in section 286-108.

8 As used in this subsection, "reserve component of the
9 United States armed forces" means the national guard and Army,
10 Navy, Air Force, Coast Guard, and Marine Corps reserves.

11 ~~(h)~~ (i) The state director of transportation shall adopt
12 rules and regulations pursuant to chapter 91, necessary for the
13 purposes of this section, including rules and regulations
14 governing the effect to be given to convictions for violations
15 of traffic laws of a foreign jurisdiction, upon license renewal
16 procedures."

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.

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[Handwritten signatures and text]
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... ...

S.B. NO. 2009

John L.



SB2009

Report Title:

Motor Vehicle Driver License; United States Armed Forces Reserve Component

Description:

Allows U.S. armed forces reserve component member on active service outside of the State to renew driver's license within 90 days after discharge from active duty or return to the State.

