

Honolulu, Hawaii

Feb 16, 2006

RE: H.B. No. 2747
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2747 entitled:

"A BILL FOR AN ACT RELATING TO DRIVER LICENSING,"

begs leave to report as follows:

The purpose of this bill is to assist persons with disabilities by allowing the examiner of drivers to issue an instruction permit to an applicant with disabilities who:

- (1) Possesses a valid driver's license from another state;
- (2) Is required to take a road test to obtain a license in Hawaii; and
- (3) Fails to pass a road test on a first attempt.

The Department of Transportation and Disability and Communication Access Board testified in support of the intent of this bill.

Generally, when, a licensed applicant with disabilities applies for a drivers license in Hawaii, the applicant must appear before the State Medical Advisory Review Board (Board) which makes a recommendation to the examiner of drivers as to whether the individual must pass a road test as a condition of licensure. If the applicant currently has a license and is required to pass a road test and fails, the examiner of drivers is unable to



downgrade the individual's license to a permit status and must revoke that individual's license. This makes it difficult for the individual to continue to operate a motor vehicle to practice for a subsequent road test.


After further consideration, your Committee has amended this measure by clarifying that:

- (1) The examiner of drivers may issue an instruction permit to any applicant with a disability who completed a medical review with the State, and as a condition to licensure, must pass a road test but has failed a road test on the applicant's first attempt;
- (2) The instruction permit may be renewed no more than 30 days prior to or 90 days after the expiration date of the instruction permit, upon receiving an updated medical evaluation rather than a medical report; and
- (3) An "applicant with disabilities" means an applicant who the examiner of drivers has reasonable cause to believe may have a mental or physical infirmity or disability that would make it unsafe to operate a motor vehicle pursuant to section 286-119, Hawaii Revised Statutes (HRS), and has been reviewed by the Board pursuant to section 286-4.1, HRS.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2747, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2747, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,



JOSEPH M. SOUKI, Chair



