

JAN 23 2008

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# 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) except as provided  
6 under subsection (h), apply for a renewal by mail. The  
7 applicant's request to have the license renewed by mail must be  
8 received by the examiner of drivers within ninety days after the  
9 expiration of the license or it shall be treated as an  
10 application for reactivation of an expired license under section  
11 286-107.5. The examiner of drivers shall, upon receipt of the  
12 request, furnish the applicant with all necessary forms and  
13 instructions. An application for renewal made pursuant to this  
14 subsection shall be accompanied by a statement from a licensed  
15 physician certifying that the applicant was examined by the  
16 licensed physician not more than six months prior to the  
17 expiration date of the applicant's license and that the  
18 applicant was found by such examination to have met the physical  
19 requirements established by the state director of transportation  
20 for the renewal of licenses. The application for renewal shall  
21 also be 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) Notwithstanding subsection (a), the examiner of  
13 drivers may accept an application for renewal not more than  
14 twenty-four months prior to the date of expiration from a member  
15 of any component of the United States armed forces who is on  
16 active federal service. The application shall be accompanied by  
17 verification of federal active service outside the State as  
18 required by the examiner of drivers. The examiner of drivers  
19 may waive the reactivation fee otherwise required by section  
20 286-107.5.

21 [~~h~~] (i) Notwithstanding subsection (a), any applicant  
22 for a renewal of a driver's license who is a member of any



1 component of the United States armed forces and who is on active  
 2 federal service outside of the State at the time the applicant's  
 3 license should be renewed, may file an application for a renewal  
 4 of the driver's license, which shall be accompanied by  
 5 verification of federal active service outside the State as  
 6 required by the examiner of drivers, within ninety days of the  
 7 applicant's return to the State or discharge from  
 8 hospitalization. The examiner of drivers may waive the  
 9 reactivation fee otherwise required by section 286-107.5.

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

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

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

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INTRODUCED BY

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**Report Title:**

Motor Vehicle Driver License; U.S. Armed Forces

**Description:**

Allows an active service member of the U.S. armed forces to apply for renewal of driver's license twenty-four months prior to the date of expiration.

