

Honolulu, Hawaii

MAR 11 2010

RE: H.B. No. 134
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Transportation, International and Intergovernmental Affairs, to which was referred H.B. No. 134, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to prohibit the Examiner of Drivers from issuing any license to any applicant who does not submit satisfactory proof that the applicant's presence in the United States is authorized by federal law.

This measure also:

- (1) Clarifies that if the licensee or instruction permittee is a legal immigrant, the license or permit shall expire no later than the licensee or permittee's authorized period of stay in the United States;
- (2) Requires the Director of Transportation to establish by rule a standard fee, to be deposited into the State Highway Fund, for all driver license applicants who require verification through the federal system that their presence in the United States is authorized by federal law; and



- (3) Requires the State to reimburse the counties for all costs of verification through the federal system in amounts to be determined by the Director of Transportation.

Your Committee received testimony in support of this measure from the Department of Transportation and the City and County of Honolulu. Testimony in opposition was received from the American Civil Liberties Union of Hawaii. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that Hawaii is one of four states that have not enacted a law to require proof of legal presence in the United States as a prerequisite for obtaining a driver's license. Enactment of this measure is necessary for the federal government to recognize the Hawaii driver license as proof of identity for boarding aircraft and entering federal buildings.

Your Committee has amended this measure by:

- (1) Changing the effective date to upon approval and adding a proviso to the effective date to clarify that the amendments made to section 286-106, Hawaii Revised Statutes, shall not be repealed when that section is reenacted on January 11, 2011, pursuant to Act 72, Session Laws of Hawaii 2005; and
- (2) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Transportation, International and Intergovernmental Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 134, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 134, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.



Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,

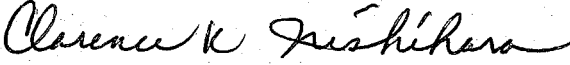


J. KALANI ENGLISH, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 134, HD 2	TIA, JGD	3-8-10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓	✓		
TOTAL	4	1	—	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes