

JAN 25 2012

# A BILL FOR AN ACT

RELATING TO DRIVER LICENSING.

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

1           SECTION 1. Chapter 286, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§286-       Driver license reciprocity with foreign  
5 countries. (a) The director of the Hawaii state department of  
6 transportation shall establish a statewide driver's license  
7 reciprocity committee consisting of one representative from the  
8 department of transportation and each of the four county chief  
9 examiners of drivers or their designees. The committee shall  
10 convene whenever a foreign country makes a request for driver's  
11 license reciprocity.

12           (b) The purpose of the statewide driver's license  
13 reciprocity committee shall be to evaluate the written knowledge  
14 and practical examination program of the requesting foreign  
15 country for driver's license reciprocity.

16           (c) Members of the driver's license reciprocity committee  
17 shall serve voluntarily and without compensation, but shall be  
18 paid reasonable allowances for travel and expenses that may be

1 incurred as a result of performance of their duties on the  
2 committee. The costs shall be paid by the department.

3 (d) In the event there is available from the requesting  
4 foreign country an evaluation prepared by another United States  
5 driver licensing agency or the American Association of Motor  
6 Vehicle Administrators, then the driver's license reciprocity  
7 committee shall conduct a comparison review of said evaluation  
8 and the State's driver licensing examination standards and  
9 submit a written recommendation to the Hawaii state legislature  
10 no later than twenty calendar days prior to the convening of the  
11 appropriate legislative session.

12 (e) If there is no such evaluation available from the  
13 requesting foreign country, then the director of transportation  
14 may select from the driver's license reciprocity committee a  
15 state representative from the department of transportation and a  
16 county representative from the counties' examiner of drivers to  
17 travel to the requesting foreign country, at the expense of the  
18 requesting foreign country, to inspect and examine the foreign  
19 country's driver's license examination program and advise the  
20 committee of their findings. The committee shall review the  
21 findings and submit a written recommendation to the Hawaii state  
22 legislature on whether the foreign country's driver's license

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1 examination standards correspond to Hawaii's driver's license  
2 examination standards. The written recommendation shall be  
3 submitted to the legislature no later than twenty calendar days  
4 prior to the convening of the appropriate legislative session  
5 subsequent to the travel and evaluation by the driver's license  
6 reciprocity committee.

7 The director of transportation shall adopt rules pursuant  
8 to chapter 91 necessary for the purposes of this section."

9 SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY: 

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BY REQUEST

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# S.B. NO. 2870

**Report Title:**

Driver's License; Foreign Countries; Reciprocity

**Description:**

Directs the Director of the Department of Transportation to select a statewide driver's license reciprocity committee to evaluate foreign countries' requests for driver's license reciprocity to ensure the standards of the foreign countries' driver's license testing is equivalent to Hawaii's driver's license testing.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

## JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO DRIVER LICENSING.

PURPOSE: To establish a committee comprised of a Department of Transportation (DOT) representative and a representative from each of the four county examiners of drivers (DMV) for the purpose of evaluating the feasibility for driver's license reciprocity by a foreign country.

MEANS: Add a new section to chapter 286, Hawaii Revised Statutes.

JUSTIFICATION: This bill will create a method for the proper evaluation of a foreign country's request of driver's license reciprocity to ensure that the driver's license testing standards are equivalent to Hawaii's driver's license testing standards. This method would require the following steps: (1) the creation of a driver's license reciprocity committee with a DOT representative and a representative from each of the four (4) county examiners of drivers which will evaluate the feasibility of a request by a foreign country for driver's license reciprocity; (2) the driver's license reciprocity committee will determine if an evaluation of the requesting foreign country has been conducted by another United States driver licensing agency or the American Association of Motor Vehicle Administrators (AAMVA) that is acceptable to determine their driver's license examination program is equivalent with Hawaii's driver licensing program by the committee; (3) if an evaluation does not exist as described in (2) available from the requesting foreign country, then the director of transportation may select from the reciprocity committee a state representative from the department of

transportation and a county representative from the counties' examiner of drivers to travel to the requesting foreign country, at the expense of the requesting foreign country, to inspect and examine the foreign country's driver's license examination program and advise the reciprocity committee of their findings; (4) the reciprocity committee shall review the findings and prepare a written report; and (5) the report shall be submitted to the Hawaii State Legislature no later than 20 calendar days prior to the convening appropriate legislative session subsequent to the travel and findings of the driver's license reciprocity committee.

Hawaii's driver's license testing standards as written in section 286-108, Hawaii Revised Statutes, examination of applicants, attest to the standards of safety in the interest of public safety. By forgoing the recommended method cited in the above paragraph and arbitrarily granting foreign countries' driver's license reciprocity without a detailed evaluation as proposed will compromise the safety of Hawaii's roads, thereby endangering our residents and visitors.

Impact on the public: This will promote highway safety by ensuring that any foreign country that requests driver's license reciprocity will be vetted to guarantee that Hawaii's driver's license testing standards are not undermined.

Impact on the department and other agencies: There will be added administrative requirements and work time for DOT and DMV representatives involved in the statewide driver's license reciprocity committee.

GENERAL FUND: None.

OTHER FUNDS: None.

PBS PROGRAM  
DESIGNATION: TRN 597.

OTHER AFFECTED  
AGENCIES: Counties.

EFFECTIVE DATE: Upon approval.