

STAND. COM. REP. NO. **321** -12

Honolulu, Hawaii

**Feb 14**, 2012

RE: H.B. No. 2309

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2309 entitled:

"A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION,"

begs leave to report as follows:

The purpose of this measure is to protect personal information while providing reasonable access to this information in certain circumstances by allowing the scanning and retention of personal information contained in a state identification card or driver's license for limited purposes.

The Retail Merchants of Hawaii and American Civil Liberties Union of Hawaii testified in support of this measure. The Office of Consumer Protection supported the intent of this measure. Verizon testified in opposition to this measure. The Consumer Data Industry Association, AT&T Services Inc., and Hawaii Automobile Dealers Association and Hawaii's Franchised New Car Dealers provided comments.

The recently increasing practice of private businesses scanning the bar codes on customer driver's licenses or state identification cards for all manner of purchases has raised privacy concerns. Hawaii driver's licenses contain bar codes with significant personal information, including name, address, date of birth, hair color, eye color, height, weight, gender, license expiration date, organ donor status, driver's license number, fingerprint, medical indicators and driver classification codes.

HB2309 HSCR TRN HMS 2012-1915

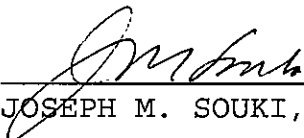


While the collection of some of this information is a result of regulations some businesses must follow, private businesses are also able to keep and use this data for any purpose. Although the protection of a consumer's personal information is a priority for most businesses, the sheer amount of information amassed in databases increases the likelihood that personal information will be misused or stolen, leading to risks of identity theft. This measure attempts to address this issue.

However, your Committee does understand the concerns raised by certain companies and organizations regarding the adverse effects this restriction may have on certain legitimate business practices and that these organizations are currently working on proposed amendments to this measure to address their concerns. Your Committee has urged these businesses and organizations to draft language and present their amendment requests to the Committee on Judiciary should that committee decide to hold a hearing on this measure.

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. 2309 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

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

  
\_\_\_\_\_  
JOSEPH M. SOUKI, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSCR 32-12

**Record of Votes of the Committee on Transportation**

Bill/Resolution No.: <b>HB 2309</b>	Committee Referral: <b>TRN, JUD</b>	Date: <b>2/8/12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>TRN Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. SOUKI, Joseph M. (C)	/			
2. ICHIYAMA, Linda (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. LEE, Marilyn B.				/
6. LUKE, Sylvia	/			
<del>7. OKAMURA, Tomr</del>				
8. SAIKI, Scott K.	/			
9. TAKUMI, Roy M.	/			
10. YAMASHITA, Kyle T.	/			
11. FONTAINE, George R.	/			
12. JOHANSON, Aaron Ling	/			
<b>TOTAL (12)</b>	10			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Linda Ichiyama</i></u>				
Distribution:    Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				