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# A BILL FOR AN ACT

RELATING TO VOTING.

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

1           SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended  
2 by adding a new section to part II to be appropriately  
3 designated and to read as follows:

4           "§11-A Automatic registration. (a) Any person who  
5 properly completes and submits an application for a new or  
6 renewed driver's license, provisional license, instructional  
7 permit, or state identification card, and who is eligible to  
8 vote under this part, shall automatically be registered to vote  
9 as provided in subsection (c).

10           (b) The examiner of drivers of each county shall use  
11 application forms for an original, duplicate, or change of  
12 address driver's license, provisional license, instructional  
13 permit, or a state identification card as voter registration  
14 applications. The forms shall contain spaces for all  
15 information collected by voter registration applications as  
16 required by section 11-15(a). The examiner of drivers of each  
17 county shall transmit the information to the clerk of the county  
18 in which the applicant resides.



1        (c) The clerk shall determine whether the applicant is  
2 currently registered in the general county register. If the  
3 applicant is not currently registered, the clerk shall determine  
4 whether the applicant is eighteen years of age or older and a  
5 citizen of the United States. If the applicant is less than  
6 eighteen years of age, the clerk shall defer the applicant until  
7 the applicant reaches eighteen years of age to determine whether  
8 the applicant is eligible to vote. Upon determination that the  
9 applicant is eligible to vote, the clerk shall number the  
10 applicant's voter information and register the name of the voter  
11 in the general county register as provided in section 11-15."

12        SECTION 2. Chapter 286, Hawaii Revised Statutes, is  
13 amended by adding a new section to part VI to be appropriately  
14 designated and to read as follows:

15        "§286-A Automatic voter registration; driver licensing.

16        (a) Pursuant to section 11-A, a qualified applicant for a motor  
17 vehicle driver's license, provisional license, or instructional  
18 permit shall automatically be registered to vote with the clerk  
19 of the appropriate county upon completion of an application for  
20 a driver's license, provisional license, or instructional  
21 permit.



1        (b) Every qualified applicant identified in subsection (a)  
2 shall be required to authorize the examiner of drivers to  
3 collect and transmit the necessary personal information required  
4 for registering the qualified applicant with the county clerk.  
5 The examiner of drivers shall notify all qualified applicants  
6 identified in subsection (a) that by submitting an application  
7 for a driver's license, provisional license, or instructional  
8 permit, the qualified applicant is consenting to the automatic  
9 registration to vote with the county clerk.

10        (c) For the purposes of this section, "qualified  
11 applicant" means a person who is qualified to register as a  
12 voter under part II of chapter 11."

13        SECTION 3. Chapter 286, Hawaii Revised Statutes, is  
14 amended by adding a new section to part XVI to be appropriately  
15 designated and to read as follows:

16        **"§286-B Automatic voter registration; civil identification**  
17 **card.** (a) A qualified applicant for a new, renewal, or  
18 duplicate civil identification card shall automatically be  
19 registered to vote with the clerk of the appropriate county upon  
20 completion of an application for a civil identification card in  
21 accordance with section 286-303.



1        (b) Every qualified applicant identified in subsection (a)  
2 shall be required to authorize the examiner of drivers to  
3 collect and transmit the necessary personal information required  
4 for registering the qualified applicant with the county clerk.  
5 The examiner of drivers shall notify all qualified applicants  
6 identified in subsection (a) that by submitting an application  
7 for a new, renewal, or duplicate civil identification card, the  
8 qualified applicant is consenting to the automatic registration  
9 to vote with the county clerk.

10        (c) For the purposes of this section, "qualified  
11 applicant" means a person who is qualified to register as a  
12 voter under part II of chapter 11."

13        SECTION 4. Section 286-108, Hawaii Revised Statutes, is  
14 amended by amending subsection (a) to read as follows:

15        "(a) Except as provided in section 286-107.5(a), the  
16 examiner of drivers shall examine every applicant for a driver's  
17 license, except as otherwise provided in this part. The  
18 examination shall include a test of:

19        (1) The applicant's eyesight and any further physical  
20            examination that the examiner of drivers finds  
21            necessary to determine the applicant's fitness to  
22            operate a motor vehicle safely upon the highways;



1           (2) The applicant's ability to understand highway signs  
2           regulating, warning, and directing traffic;

3           (3) The applicant's knowledge of the rules of the road  
4           based on the traffic laws of the State and the traffic  
5           ordinances of the county where the applicant resides  
6           or intends to operate a motor vehicle; provided that  
7           the examination shall specifically test the  
8           applicant's knowledge of the provisions of section  
9           291C-121.5 and section 291C-137; and

10          (4) The actual demonstration of ability to exercise  
11          ordinary and reasonable control in the operation of a  
12          motor vehicle.

13 The examinations shall be appropriate to the operation of the  
14 category of motor vehicle for which the applicant seeks to be  
15 licensed and shall be conducted as required by the director.

16          The examiner of drivers shall require every applicant to  
17          comply with section 286-102.5.

18          The examiner of drivers may waive the actual demonstration  
19          of ability to operate a motorcycle or motor scooter for any  
20          person who furnishes evidence, to the satisfaction of the  
21          examiner of drivers, that the person has completed the



1 motorcycle education course approved by the director in  
2 accordance with section 431:10G-104.

3 ~~[At the time of examination, an application for voter~~  
4 ~~registration by mail shall be made available to every applicant~~  
5 ~~for a driver's license.]~~

6 For the purposes of this section, the term "applicant" does  
7 not include any person reactivating a license under section  
8 286-107.5(a)."

9 SECTION 5. Section 286-303, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "[~~§~~286-303] **Application for identification card.** (a)  
12 Application for the identification card shall be made in person  
13 by any adult or minor. The minimum age for minors to obtain an  
14 identification card shall be ten years of age. In the case of a  
15 minor under the age of fourteen years, the application shall be  
16 made on the minor's behalf by the parent, or by another  
17 individual in loco parentis of the minor who can provide proof  
18 of guardianship. In the case of an incompetent individual, the  
19 application shall be made by the individual having the custody  
20 or control of or maintaining the incompetent individual.

21 (b) Application for renewal of an identification card  
22 issued after November 1, 1998, for an individual eighty years of



1 age or older may be done by mailing in a completed application  
2 and fee, if there is no change in name and citizenship status.  
3 The director shall adopt rules to allow for renewal by mail for  
4 individuals with physical or intellectual disabilities for whom  
5 application in person presents a serious burden.

6 (c) Every application for an identification card or  
7 duplicate of an identification card shall be made on a form  
8 developed by the director and furnished by the examiner of  
9 drivers, signed by the applicant, and signed by the applicant's  
10 parent or guardian if the applicant is under eighteen years of  
11 age. The application shall contain the following information:

- 12 (1) Name and complete address, including the number and  
13 street name, of the applicant's permanent residence;
- 14 (2) The applicant's occupation and any pertinent data  
15 relating thereto;
- 16 (3) The applicant's citizenship status;
- 17 (4) The applicant's date and place of birth;
- 18 (5) General description of the applicant, including the  
19 applicant's gender, height, weight, hair color, and  
20 eye color;
- 21 (6) The applicant's left and right index fingerprints or,  
22 if clear impressions cannot be obtained, other



1 identifying imprints as specified by rules of the  
2 director;

3 (7) The social security number of the applicant; and

4 (8) A digitized frontal photograph of the applicant's full  
5 face.

6 Each applicant shall present documentary evidence as required by  
7 the examiner of drivers of the applicant's age and identity, and  
8 the applicant shall swear or affirm that all information given  
9 is true and correct.

10 (d) The application also shall state whether the applicant  
11 has an advance health-care directive. If the applicant has an  
12 advance health-care directive, the identification card shall  
13 bear the designation "AHCD".

14 [~~(e) The examiner of drivers, in accordance with section~~  
15 ~~11-15, at the time of application, shall make available an~~  
16 ~~application for voter registration to every applicant for an~~  
17 ~~identification card who is eligible to register to vote.]~~

18 [~~(f)~~] (e) The examiner of drivers shall maintain a  
19 suitable, indexed record of all applications.

20 [~~(g)~~] (f) For the purpose of this section, "AHCD", which  
21 stands for "advance health-care directive", means an individual





1 instruction in writing, a living will, or a durable power of  
2 attorney for health care decisions."

3 SECTION 6. Section 286-311, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) ~~[All]~~ Except as provided in sections 286-A and 286-B,  
6 information and records acquired by the examiner of drivers  
7 under this part shall be confidential. All information and  
8 records shall be maintained in an appropriate form and in an  
9 appropriate office in the custody and under the control of the  
10 examiner. The information shall be available only to authorized  
11 individuals under such restrictions as the director shall  
12 prescribe. The examiner may dispose of any application or  
13 identification card, or information or record relating to the  
14 application or identification card, which does not include a  
15 social security number, without regard to chapter 94, whenever,  
16 in the examiner's discretion, retention of the information or  
17 record is no longer required or practicable."

18 SECTION 7. In codifying the new sections added by sections  
19 1 to 3 of this Act, the revisor of statutes shall substitute  
20 appropriate section numbers for the letters used in designating  
21 the new sections in this Act.



1 SECTION 8. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 9. This Act shall take effect upon its approval.  
4

INTRODUCED BY: Shiranne Chun Casland

Shiranne

Will Eze



# S.B. NO. 2380

**Report Title:**

Automatic Voter Registration

**Description:**

Requires all applicants for a new or renewed driver's license, provisional license, instructional permit, or civil identification card, who are eligible to vote, to automatically be registered to vote.

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

