
A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE 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 part VI to be appropriately
3 designated and to read as follows:

4 "§286- Licensing for undocumented immigrants. (a)

5 Notwithstanding section 286-104(7) to the contrary, the examiner
6 of drivers may issue a driver's license with a unique identifier
7 or an instruction permit with a unique identifier under this
8 section to a person who is unable to submit proof satisfactory
9 to the director, that the applicant's presence in the United
10 States is authorized under federal law; provided that the
11 person:

- 12 (1) Meets all other qualifications for licensure;
13 (2) Provides satisfactory proof to the examiner of drivers
14 of the person's identity and Hawaii residency; and
15 (3) Provides a United States Social Security
16 Administration letter stating that the applicant is
17 ineligible to obtain a social security number.

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1 (b) The director may adopt rules to carry out the purposes
2 of this section.

3 (c) The examiner of drivers shall accept various types of
4 documentation as proof of a person's identity and Hawaii
5 residency, including:

6 (1) A valid, unexpired consular identification document
7 issued by a consulate from the person's country of
8 citizenship, or a valid, unexpired passport from the
9 person's country of citizenship;

10 (2) The following documents, which, if in a language other
11 than English, shall be accompanied by a certified
12 translation or an affidavit of translation into
13 English:

14 (A) A marriage license or divorce certificate;

15 (B) A foreign federal electoral photo card;

16 (C) A valid, unexpired foreign driver's license; or

17 (D) An original birth certificate, or other proof of
18 age, as designated by the examiner of drivers;

19 (3) A deed or title to real property;

20 (4) A property tax bill or statement issued within the
21 previous twelve months; or

22 (5) An income tax return.



1 (d) A driver's license, including a temporary license,
2 with a unique identifier or an instruction permit with a unique
3 identifier issued pursuant to this section shall be designed to
4 be clearly distinguishable from the Hawaii's driver's license,
5 temporary driver's license, and instruction permit. The license
6 or permit shall indicate that the license or permit is not
7 acceptable for federal, employment, voter registration, or other
8 public purposes and shall be used solely for driving.

9 (e) If the United States Department of Homeland Security
10 determines that a driver's license with a unique identifier
11 issued pursuant to this section does not satisfy the
12 requirements of title 6 Code of Federal Regulations section
13 37.71, the examiner of drivers shall modify the driver's license
14 with a unique identifier only to the extent necessary to satisfy
15 the federal requirements.

16 (f) The inability to obtain a driver's license with a
17 unique identifier pursuant to this section shall not abrogate or
18 diminish in any respect the legal requirement of every driver in
19 this State to obey the motor vehicle laws of this State,
20 including laws with respect to licensing, motor vehicle
21 registration, and financial responsibility.



1 (g) It shall be a violation to discriminate against a
2 person simply because the person holds or presents a driver's
3 license with a unique identifier issued pursuant to this
4 section.

5 (h) Information collected pursuant to this section shall
6 not be a public record and shall not be disclosed by the
7 examiner of drivers, except as provided by law.

8 (i) A driver's license with a unique identifier issued
9 pursuant to this section shall not be used to consider a
10 person's citizenship or immigration status as a basis for a
11 criminal investigation, arrest, or detention.

12 (j) In addition to any other fees required by this
13 chapter, a person applying for an original driver's license with
14 a unique identifier pursuant to this section may be required to
15 pay a fee to be determined by the examiner of drivers that is
16 sufficient to offset the reasonable administrative costs of
17 implementing the requirements of this section."

18 SECTION 2. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on September 1,
20 2014.



Report Title:

Driver's License with a Unique Identifier; Undocumented
Immigrants

Description:

Establishes a driver's license with a unique identifier for
certain undocumented immigrants. Effective 9/1/2014. (SD1)

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not legislation or evidence of legislative intent.*

