

# **SB 2935**

RELATING TO MOTOR VEHICLE DRIVER LICENSING.

Lists the acceptable identifying documents that driver's license applicants may produce to obtain a license if they are ineligible to receive a social security number. Authorizes the examiner of drivers to license applicants who produce these documents.

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 4, 2014  
1:16 p.m.  
State Capitol, Room 224

**S.B. 2935  
RELATING TO MOTOR VEHICLE DRIVER LICENSING**

Senate Committee(s) on Public Safety, Intergovernmental and Military Affairs  
& Transportation and International Affairs

---

The Hawaii Department of Transportation is providing **comments** on this measure that would allow the issuance of a Hawaii driver's license to individuals unable to provide a valid social security number or a letter from the Social Security Administration indicating that the person is not eligible for a social security number.

The State of Hawaii driver license and state identification card has been certified by the Department of Homeland Security (DHS) as being compliant with the Federal REAL ID Act of 2005. Because DHS has determined that Hawaii's driver licenses and state identification cards are compliant, our residents are able, and will continue to be able to use them to board commercial airlines, enter federal buildings and nuclear facilities.

The passage of this measure would violate the provisions of 6 CFR 37.11(e) of the REAL ID Act, thereby jeopardizing the compliant certification for Hawaii's driver license and state identification cards.

We recommend that the language in H.B. 1673 be considered, if the intent of this measure is to allow the issuance of a "driver license" type card to undocumented immigrants.

Thank you for the opportunity to present testimony.

Testimony of  
GLENN M. OKIMOTO  
DIRECTOR

Deputy Directors  
FORD N. FUCHIGAMI  
RANDY GRUNE  
AUDREY HIDANO  
JADINE URASAKI

IN REPLY REFER TO:

NEIL ABERCROMBIE  
GOVERNOR



PATRICIA McMANAMAN  
DIRECTOR

BARBARA A. YAMASHITA  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 4, 2014

**MEMORANDUM**

TO: The Honorable Kalani English, Chair  
Senate Committee on Transportation and International Affairs  
  
The Honorable Will Espero, Chair  
Senate Committee on Public Safety, Intergovernmental and Military Affairs

FROM: Patricia McManaman, Director

SUBJECT: **S.B. 2935 – RELATING TO MOTOR VEHICLE DRIVER LICENSING**

Hearing: Tuesday, February 4, 2014; 1:16 p.m.  
Conference Room 224, State Capitol

**PURPOSE:** The purpose of this bill is to list the acceptable identifying documents that driver's license applicants may produce to obtain a license if they are ineligible to receive a social security number and authorizes the examiner of drivers to license applicants who produce these documents.

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this bill.

The intention of this bill is in line with the Department of Human Services mission to provide effective programs, services, and benefits, for the purpose of achieving the outcome of empowering those who are the most vulnerable in our State to expand their capacity for self-sufficiency, self-determination, independence, healthy choices, quality of life and personal dignity.

This bill will provide undocumented immigrants the ability to obtain a driver's license so they may contribute to the economy and carry out other daily activities. Many of Hawaii's low-income families are "mixed status households," where an adult family member is undocumented. The undocumented member is unable to assist in routine family functions such as driving and transporting other family members to work, to school, the grocery store, or responding to emergencies, safely and legally. At DHS we are aware of situations where minor children have been medically air lifted to Kapiolani Hospital on Oahu from a neighbor island and parents are unable to fly to Oahu to be with their children due to the lack of government issued identification. The undocumented migrants in California, Colorado, Illinois, Nevada, New Mexico, Oregon, Washington, and a few other states are already enjoying the benefits of a similar legislation.

This measure will ensure that our roads are safer for all because all drivers would have to pass a written and driving test about the rules of the road. In addition, licenses will assist first responders and health care providers in determining the identity of the person they are assisting.

We defer the issues of security, authentication or certification of the proposed documents to appropriate authorities.

Thank you for the opportunity to provide testimony on this bill.



STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
OFFICE OF COMMUNITY SERVICES  
830 PUNCHBOWL STREET, ROOM 420  
HONOLULU, HAWAII 96813  
[www.hawaii.gov/labor](http://www.hawaii.gov/labor)  
Phone: (808) 586-8675 / Fax: (808) 586-8685  
Email: [dlir.ocs@hawaii.gov](mailto:dlir.ocs@hawaii.gov)

February 3, 2014

To: Chair Will Espero  
Vice-Chair Rosalyn Baker  
Senate Committee on Public Safety, Intergovernmental and Military Affairs

Chair J. Kalani English  
Vice-Chair Donovan Dela Cruz  
Senate Committee on Transportation and International Affairs

Date: Tuesday, February 4, 2014  
Time: 1:16 p.m.  
Place: Conference Room 224, State Capitol

From: Mila Kaahanui, Executive Director

**Re: S.B. 2935 Relating To Motor Vehicle Driver Licensing**

POSITION: Strongly Support

**I. OVERVIEW OF PROPOSED LEGISLATION**

The proposal would provide access to Hawaii driver's license to a person who is unable to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law if s/he meets all other qualifications for licensure and provides satisfactory proof to the department of her or his identity and Hawaii residency.

This bill amends the lists of the acceptable identifying documents that driver's license applicants may produce to obtain a license if they are ineligible to receive a social security number.

**II. CURRENT LAW**

Currently, HRS §286-111 governs the process for applications for driver's licenses, instruction permits and related matters. Subsection (d) of that section sets out the basic requirement that the applicant shall furnish his or her Social Security number in addition to other identifying information on the application form for the license. Subsection (e) of the section describes what is to be done if the person does not have a Social Security number and is not eligible to receive one: The person is required to provide a letter from the Social Security Administration stating that the applicant is not eligible to receive a Social Security number. In addition subsection (e) requires the applicant to provide a

government-issued photo identification or other identification documents deemed acceptable by the director of the State Department of Transportation.

This bill would delete the requirement in subsection (e) that the applicant provide a letter from the Social Security Administration and a photo identification or acceptable substitute. That pair of requirements would be replaced by new subsections (f) and (g). Subsection (f) would provide a list of 7 different types of alternative “primary” identification documents, any one of which would be deemed to meet the identification requirement. In the alternative to the documents in subsection (f), subsection (g) would set out a list of 5 alternative “secondary” identification documents, any two or more of which would be deemed to meet the identification requirement.

### **III. COMMENTS ON SENATE BILL 2935**

The Office of Community Services (OCS) was created in 1986 by legislation codified at Chapter 371K, HRS, to be the lead voice and advocate in the State government for Hawaii’s economically disadvantaged communities and individuals. OCS takes seriously its role as advocate as well as being administrator of numerous contracts and Federal and State grants to assist our economically disadvantaged people.

OCS strongly supports SB2935. Access to driver’s license:

- Will reduce the number of uninsured drivers in Hawaii.
- Increase car insurance purchases in Hawaii.
- Will improve lives of undocumented persons in Hawaii. According to a recent Migration Policy Institute report, the major difficulties faced by migrants in Hawaii include:
  - isolation, especially in the case of the Hispanic community, which is dispersed,
  - traveling inter-island for health-related needs and to access the services offered by the United States Citizenship and Immigration Services (biometrics to adjust one's status, etc), and
  - safely driving to work, church, run errands, or to drop children off to school. The need for drivers’ licenses was established as a priority by research participants<sup>1</sup>.

---

<sup>1</sup> Batalova, Jeanne, Monisha Das Gupta, and Sue Patricia Haglund. 2013. *Newcomers to the Aloha State: Challenges and Prospects for Mexicans in Hawai’i*. Washington, DC: Migration Policy Institute.



# HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 4, 2014  
1:16 p.m.  
Conference Room 224

To: The Honorable J. Kalani English, Chair  
and Members of the Senate Committee on Transportation and  
International Affairs

The Honorable Will Espero, Chair  
and Members of the Senate Committee on Public Safety,  
Intergovernmental and Military Affairs

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai'i Civil Rights Commission

Re: S.B. No. 2935

The Hawai'i Civil Rights Commission (HCRC) has enforcement jurisdiction over state laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai'i constitutional mandate that "no person shall be discriminated against in the exercise of their civil rights because of race, religion, sex or ancestry". Art. I, Sec. 5.

S.B. No. 2935, if enacted, would amend HRS Chapter 286, Part VI, to authorize the issuance of driver licenses to persons who do not have Social Security Numbers or

proof that his or her presence in the United States is authorized by federal law. The HCRC offers these comments on the bill.

The HCRC opposes ancestry and race-based discrimination associated with attacks on and denial of rights to undocumented immigrants. It is good public policy that that these residents who are undocumented immigrants be granted licenses to operate motor vehicles, making for improved road safety, with these drivers being qualified through written examinations and road tests, and should result in higher rates of insured drivers on the road. This will help to bring these residents out of the shadows and improve public safety.



DEPARTMENT OF CUSTOMER SERVICES  
**CITY & COUNTY OF HONOLULU**  
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS  
ADMINISTRATION  
P.O. BOX 30300  
HONOLULU, HAWAII 96820-0300

KIRK CALDWELL  
MAYOR



SHERI T. KAJIWARA  
DIRECTOR

PRESTON P. H. K. KO  
ACTING LICENSING ADMINISTRATOR

TESTIMONY OF PRESTON KO, ACTING LICENSING ADMINISTRATOR  
CITY AND COUNTY OF HONOLULU, DEPARTMENT OF CUSTOMER SERVICES  
Tuesday, February 4, 2014, 1:16 p.m., Conference Room 224

SENATE Bill 2935, "RELATING TO Motor Vehicle Driver Licensing"

Position: Opposed

TO: The Honorable J. Kalani English, Chair  
and Members of the Committee on Transportation and International Affairs

The Honorable Will Espero, Chair  
and Members of the Committee on Public Safety, Intergovernmental and  
Military Affairs

The City and County of Honolulu is opposed to S.B. No. 2935 which will allow the issuance of a Hawaii driver's license to individuals who are not able to provide a valid social security number or a letter from the Social Security Administration indicating that the person is not eligible for a social security number.

The State of Hawaii's driver license and state identification card has been certified by the Department of Homeland Security as being compliant with the Federal Real ID Act. As compliant cards, Hawaii's citizens are able to use the Hawaii driver license or state identification cards to board airlines and enter federal buildings.

The passage of this bill will violate the provisions of Section 37.11(e), REAL ID Act, and possibly rescind the compliant certification for Hawaii's driver license and state identification cards.

If the intent of this bill is to allow the issuance of a driver license type card to undocumented immigrants, we recommend that an amended version of H.B. No. 1673 be considered.

The City and County of Honolulu recommends that S.B. No. 2935 be held.

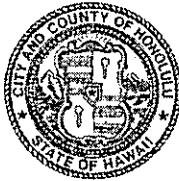
Sincerely,

A handwritten signature in black ink, appearing to read "Preston P. H. K. Ko", is written over a circular stamp or mark.

Preston P. H. K. Ko  
Acting Licensing Administrator

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulupd.org



KIRK W. CALDWELL  
MAYOR

LOUIS M. KEALOHA  
CHIEF

DAVE M. KAJIHIRO  
MARIE A. MCCAULEY  
DEPUTY CHIEFS

OUR REFERENCE  
KK-LC

February 4, 2014

The Honorable Will Espero, Chair  
and Members  
Committee on Public Safety,  
Intergovernmental and Military Affairs  
The Honorable J. Kalani English, Chair  
and Members  
Committee on Transportation  
and International Affairs  
State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chairs Espero and English and Members:

Subject: Senate Bill No. 2935, Relating to Motor Vehicle Driver Licensing

I am Kurt Kendro, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu. The HPD is opposed to the passage of Senate Bill No. 2935, Relating to Motor Vehicle Driver Licensing. The passage of this bill would list acceptable identifying documents that allow driver's license applicants to produce in order to obtain a license if they are ineligible to receive a social security number.

By accepting various sorts of documents for identification, it would require the staff of the examiner of drivers to essentially become experts in fraudulent documents in order to safely and effectively administer the new requirements. Without such expert authentication, the true identity of the applicant can never be verified. This goes against the one of the core tenets for such laws which is identification.

The proposed license appears to clearly state that the bearer is in the state and country illegally, which in all probability would deter the bearer from producing it, as this should spur further investigation from any competent law enforcement official who views the license. This is against another of the supporting core tenets of saving the time of law enforcement officials.

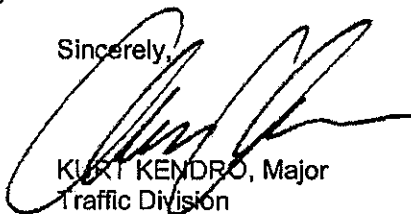
The Honorable Will Espero, Chair  
and Members  
The Honorable J. Kalani English, Chair  
and Members  
Page 2  
February 4, 2014

The issuance of a driver's license has far-reaching effects. It is beyond just the operation of a motor vehicle in the State of Hawaii. A person can then use that driver's license as an identification card to travel anywhere within the United States via airplane or other modes of transportation. This would be possible without having ever verified the actual identification of the individual. Passing this bill risks the security environment beyond the State of Hawaii.

The HPD strongly urges you to oppose Senate Bill No. 2935, Relating to Motor Vehicle Driver Licensing.

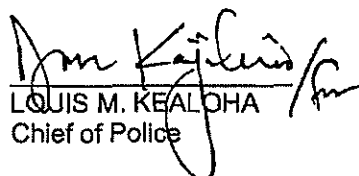
Thank you for the opportunity to testify.

Sincerely,



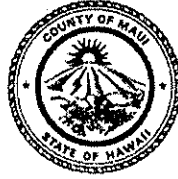
KURT KENDRO, Major  
Traffic Division

APPROVED:



LOUIS M. KEALOHA  
Chief of Police

ALAN M. ARAKAWA  
Mayor



JOHN D. KIM  
Prosecuting Attorney

ROBERT D. RIVERA  
First Deputy Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY  
COUNTY OF MAUI  
150 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
PHONE (808) 270-7777 • FAX (808) 270-7625

CONTACT: RICHARD. K. MINATOYA  
Deputy Prosecuting Attorney  
Supervisor, Appellate, Asset Forfeiture and Administrative Services Division

TESTIMONY  
ON  
SB 2935 - RELATING TO MOTOR VEHICLE DRIVER LICENSING  
February 4, 2014

The Honorable Will Espero  
Chair  
The Honorable Rosalyn H. Baker  
Vice Chair  
and Members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs

The Honorable J. Kalani English  
Chair  
The Honorable Donovan M. Dela Cruz  
Vice Chair  
and Members of the Senate Committee on Transportation and International Affairs

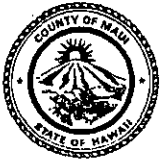
Chair Espero, Vice Chair Baker, Chair English, Vice Chair Dela Cruz, and Members of the Committees:

The Department of the Prosecuting Attorney, County of Maui, OPPOSES SB 24935, Relating to Driver Licensing. SB 2403 will allow establish a list of acceptable identifying documents that driver's license applicants may produce to obtain a license if there are ineligible to receive a social security number, and authorize the examiner of drivers to license applicants who produce those documents.

The Department is concerned about the impact of this bill on the Hawaii drivers license compliance with the requirements of Real ID, which, among other things, is supposed to verify a person's legal presence in the United States. The Committees should keep in mind that if Hawaii drivers licenses will lose their Real ID compliance, this may affect the traveling public trying to clear TSA screening at the airports

Accordingly, the Department of the Prosecuting Attorney, County of Maui, OPPOSES the passage of this bill. We ask that the committee HOLD SB 2935.

Thank you very much for the opportunity to provide testimony on this bill.



ALAN M. ARAKAWA  
MAYOR

OUR REFERENCE  
YOUR REFERENCE

# POLICE DEPARTMENT

## COUNTY OF MAUI

55 MAHALANI STREET  
WAILUKU, HAWAII 96793  
(808) 244-6400  
FAX (808) 244-6411

January 30, 2014



GARY A. YABUTA  
CHIEF OF POLICE

CLAYTON N.Y.W. TOM  
DEPUTY CHIEF OF POLICE

The Honorable Senator Will Espero, Chair  
And Members of the Committee on Public Safety,  
Intergovernmental and Military Affairs  
The Senate  
State Capitol  
Honolulu, HI 96813

The Honorable Senator J. Kalani English, Chair  
and Members of the Committee on  
Transportation and International Affairs  
The Senate  
State Capitol  
Honolulu, HI 96813

RE: Senate Bill No. 2935- Relating to Motor Vehicle Driver Licensing

Dear Chairs Espero and English, and Members of the Committees:

The Maui Police Department opposes of SB No. 2935. This bill lists the acceptable identifying documents that driver's license applicants may produce to obtain a license if they are ineligible to receive a social security number and authorizes the examiner of drivers to license applicants who produce these documents.

The Maui Police Department is in opposition of this bill as the current law appears adequate to address driver's license applicants that cannot obtain a social security number by following the current United States Social Security Administration guidelines.

Also, any additional acceptable documentation should be discussed further by a committee, and a system of verification of any foreign documents should be in place before moving forward with this proposal.

With these stated concerns, the Maui Police Department asks for your opposition to SB No. 2935.

Thank you for the opportunity to testify.

Sincerely,

*Gary A. Yabuta*  
For GARY A. YABUTA  
Chief of Police

William P. Kenoi  
*Mayor*



Harry S. Kubojiri  
*Police Chief*

Paul K. Ferreira  
*Deputy Police Chief*

## County of Hawai'i

### POLICE DEPARTMENT

349 Kapiolani Street • Hilo, Hawai'i 96720-3998  
(808) 935-5311 • Fax: (808) 961-8865

February 3, 2014

Senator J. Kalani English  
Chairperson and Committee Members  
Committee on Transportation and International Affairs  
Senator Will Espero  
Chairperson and Committee Members  
Committee on Public Safety, Intergovernmental and Military Affairs  
415 South Beretania Street, Room 224  
Honolulu, Hawai'i 96813

**RE: SENATE BILL 2935, RELATING TO MOTOR VEHICLE DRIVER LICENSING**

Dear Senators English and Espero:

The Hawai'i Police Department opposes Senate Bill 2935 with its purpose being to list the acceptable identifying documents that driver's license applicants may produce to obtain a license if they are ineligible to receive a social security number. It further authorizes the examiner of drivers to license applicants who produce these documents.

This legislation as written is crafted in a manner to allow undocumented foreign nationals the opportunity of obtaining State of Hawai'i driver's licenses. We believe this measure will have the effect of inviting even more undocumented foreign nationals to our state in direct violation of Federal Law. In effect, we would for all intents and purposes be aiding a small segment of the community who has made a conscious effort to violate Federal Laws which are in place for the benefit of the larger segment of the community. This larger segment of the community has chosen to adhere to laws which have been properly set forth and to controvert the process in place would serve to send the wrong message to the community at large.

For these reasons, we must oppose this legislation.

Thank you for allowing the Hawai'i Police Department to provide comments relating to Senate Bill 2935.

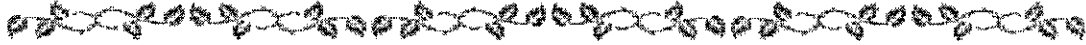
Sincerely,

  
PAUL K. FERREIRA  
ACTING POLICE CHIEF

# COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/email: (808) 927-1214 / [kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



## COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL & MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Rosalyn Baker, Vice Chair

## COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

Sen. Kalani English, Chair

Sen. Donavan Dela Cruz, Vice Chair

Tuesday, February 4, 2014

1:16 p.m.

Room 224

## SUPPORT SB 2935 - DRIVER'S LICENSES

Aloha Chair Espero and English, Vice Chairs Baker and Dela Cruz and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, community initiative promoting smart justice policies for more than a decade. This testimony is respectfully offered on behalf of the 5,800 Hawai'i individuals living behind bars, always mindful that approximately 1,500 Hawai'i individuals are serving their sentences abroad, thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

SB 2935 lists the acceptable identifying documents that driver's license applicants may produce to obtain a license if they are ineligible to receive a social security number. It also authorizes the examiner of drivers to license applicants who produce these documents.

Community Alliance on Prisons supports this measure.

The current law unfairly burdens some of our citizens on the basis of gender. If you are a woman and you have been married or divorced, you have to produce more documentation than a man does, whose name has remained the same. Laws that arbitrarily burden one part of the population more than another on the basis of gender are subject to heightened scrutiny by the Courts and could be the basis for constitutional claims of discrimination.

Survivors of domestic violence who have had to escape their abuser often had to flee without the required paperwork for a driver's license or renewal (proof of legal presence and social security number). Victims need transportation to escape their abusers as well as to promote their financial independence.

Mahalo for this opportunity to testify.



---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 31, 2014 9:59 AM  
**To:** PSMTestimony  
**Cc:** cwatanabe@unitehere5.org  
**Subject:** Submitted testimony for SB2935 on Feb 4, 2014 13:16PM  
**Attachments:** SB 2935 Driver's license.pdf

**SB2935**

Submitted on: 1/31/2014

Testimony for PSM/TIA on Feb 4, 2014 13:16PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cade Watanabe	UNITE HERE Local 5	Support	No

**Comments:**

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

# UNITE HERE!

## LOCAL 5 HAWAII

*Eric Gill, Financial Secretary-Treasurer*

*Hernando Ramos Tan, President*

*Godfrey Maeshiro, Senior Vice-President*

---

Friday, January 31, 2014

Senator Will Espero – Chair  
Senator J. Kalani English – Chair  
Hawaii State Legislature  
Joint Senate Committee on Public Safety and Transportation  
State Capitol  
415 S. Beretania Street

*RE: SB 2935, relating to motor vehicle driver licensing*

Chairs Espero and English, and members of the joint Senate Committee on Public Safety and Transportation:

UNITE HERE Local 5, a local labor organization representing 10,000 hotel, health care and food service workers employed throughout our State, hereby registers our support for Senate Bill 2935, relating to motor vehicle driver licensing.

SB 2935 would provide access to Hawai'i drivers' licenses for persons who cannot show proof of authorized presence or are not given a Social Security number, if additional documentation regarding identity is provided.

As an organization representing thousands of working families, many of whom are immigrants and who serve as the backbone of two of Hawai'i's most important industries (hotel & health care), we believe SB 2935 would mutually benefit the broader public and those directly affected by the proposed measure.

SB 2935 would help to ensure safety on roadways for pedestrians, residents and visitors alike by promoting that every driver is trained, tested and insured. At the same time, SB 2935 would also provide a meaningful path forward for many of our community's immigrant and working families who seek to contribute and live out their lives like any other member of our community.

We thank you for hearing SB 2935 and ask for your support.



**HAWAII CATHOLIC CONFERENCE**

6301 Pali Highway  
Kaneohe, HI 96744-5224

Hearing: February 4, 2014 @ 1:16 p.m.  
Room: 224

**Date:** January 30, 2014

**To:** Chair Will Espero  
Vice-Chair Rosalyn Baker  
Senate Committee on Public Safety, Intergovernmental and Military Affairs

Chair J. Kalani English  
Vice-Chair Donovan Dela Cruz  
Senate Committee on Transportation and International Affairs

**From:** Walter Yoshimitsu, Executive Director

**Re:** **Strong Support of SB 2935 Relating to Motor Vehicle Driver Licensing**

The Hawaii Catholic Conference stands in strong support of SB2935 which would provide access to Hawaii drivers' licenses for persons who cannot show proof of authorized presence or are not given a Social Security number, if additional documentation regarding identity is provided. SB2935 is vital to ensuring roadway safety for pedestrians, residents of and visitors to Hawaii. Ensuring everyone who drives on our roads and highways is trained, tested, and insured promotes public safety, safer communities and economic participation.

Currently, the paperwork requirements mean that many people cannot apply for a driver's license. For example, some immigrants, and many lawfully present immigrants and citizens cannot apply for the driver's license they need to contribute to the economy and carry out other daily activities because of the restrictive paperwork requirements. According to a recent Migration Policy Institute report, the major difficulties faced by migrants in Hawaii include: 1) isolation, especially in the case of the Latino community, which is dispersed, 2) traveling inter-island for health-related needs and to access the services offered by the United States Citizenship and Immigration Services (biometrics to adjust one's status, etc), and 3) safely driving to work, church, run errands, or to drop children off to school. The need for drivers' licenses was established as a priority by research participants<sup>1</sup>.

Unlicensed, uninsured drivers cause damage claims that other policy holders must cover. If these drivers can get licensed and insured, the cost of covering accidents involving uninsured motorists will decline, and everyone will pay lower insurance rates. Since New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33 percent to 9 percent.

Another benefit of the bill is that it fosters community trust with law enforcement. Driver's licenses help law enforcement officers perform their jobs more safely, effectively and efficiently. They enable law enforcement officers to identify the drivers they stop, and check the driver's traffic and criminal record. In addition, licenses will assist first responders and health care providers in determining the identity of the person they are assisting.

Nationwide, state legislatures are creating and moving legislation to ensure roadway safety for all. These policies are being adopted to decrease the number of unlicensed and uninsured drivers and increase public safety. Eleven states, in addition to Puerto Rico and the District of Columbia, have enacted laws to increase access to driver's licenses.

Mahalo for the opportunity to testify.

---

<sup>1</sup> Batalova, Jeanne, Monisha Das Gupta, and Sue Patricia Haglund. 2013. *Newcomers to the Aloha State: Challenges and Prospects for Mexicans in Hawai'i*. Washington, DC: Migration Policy Institute.



Pauahi Tower, Suite 2010  
1003 Bishop Street  
Honolulu, Hawaii 96813  
Telephone (808) 525-5877

**Alison Powers**  
Executive Director

## TESTIMONY OF ALISON POWERS

---

### SENATE COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

### SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senator Will Espero, Chair  
Senator Rosalyn H. Baker, Vice Chair

Tuesday, February 4, 2014

1:16 p.m.

### **SB 2935**

Chair English, Chair Espero, Vice Chair Dela Cruz, Vice Chair Baker and members of the Committees, my name is Alison Powers, Executive Director of the Hawaii Insurers Council. Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately one third of all property and casualty insurance premiums in the state.

Hawaii Insurers Council offers comments on this bill. HIC does not object to the intent of the bill, which is to allow those persons who are ineligible for a social security number to offer acceptable forms of identifying documents to obtain a driver's license.

We respectfully request the bill be amended to include a provision for a unique identifier on these types of driver's licenses in order to track data. One simple way to do that would be to change the letter identifier on the Hawaii driver license number without changing the number of fields.

Thank you for the opportunity to testify.



## CATHOLIC CHARITIES HAWAII

### **TESTIMONY IN SUPPORT OF SB 2935: Relating to Motor Vehicle Driver Licensing**

**TO:** Senator Will Espero, Chair, Senator Rosalyn Baker, Vice Chair, and Members, Committee on Public Safety, Intergovernmental and Military Affairs  
Senator J. Kalani, English, Chair, Senator Donovan Dela Cruz, Vice Chair, and Members, Committee on Transportation and International Affairs

**FROM:** Trisha Kajimura, Social Policy Director, Catholic Charities Hawaii

**Hearing:** Tuesday, February 4, 2014, 1:15 PM, Conference Room 224

Thank you for the opportunity to testify on SB 2935, which will increase access to Hawaii drivers' licenses for people currently ineligible. I am Trisha Kajimura, Social Policy Director for Catholic Charities Hawaii. **I am testifying in support of SB 2935: Relating to Motor Vehicle Driver Licensing.**

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for almost 70 years. CCH has programs serving elders, children, developmentally disabled, homeless and immigrants. Our mission is to provide services to the most vulnerable of the people in Hawai'i.

Immigrants are a vulnerable group that CCH has provided services to for many years. The roots of CCH's immigrant services go back to 1944, when four Maryknoll sisters worked out of the back of the Chancery office on Fort Street Mall near Chinatown to attend to the needs of immigrant families and children. Today we provide English language and acculturation classes as well as low-cost assistance with immigration applications.

SB 2935 will help immigrants deal with some of the challenges of daily life and make roadways safer for everyone. It will increase the amount of trained, tested, and insured drivers in our state. 11% of Hawai'i's drivers are estimated to be uninsured. These uninsured drivers increase the cost of driving for those of us who follow the law.

SB 2935 will also help to improve the relationship between immigrant communities and law enforcement. Driver's licenses help law enforcement officers perform their jobs more safely, effectively and efficiently. They enable law enforcement officers to identify the drivers they stop, and check the driver's traffic and criminal record. In addition, licenses will assist first responders and health care providers in determining the identity of the person they are assisting.

Nationwide, state legislatures are creating and moving legislation to ensure roadway safety for all. These policies are being adopted to decrease the number of unlicensed and uninsured drivers and increase public safety. Eleven states, in addition to Puerto Rico and the District of Columbia, have enacted laws to increase access to driver's licenses.

Thank you for the opportunity to testify, please contact me at (808)527-4810 or [trisha.kajimura@catholiccharitieshawaii.org](mailto:trisha.kajimura@catholiccharitieshawaii.org) if you have any questions.



CLARENCE T. C. CHING CAMPUS • 1822 Ke'eaumoku Street, Honolulu, HI 96822  
Phone (808)527-4810 • [trisha.kajimura@CatholicCharitiesHawaii.org](mailto:trisha.kajimura@CatholicCharitiesHawaii.org)



Aloha United Way

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 01, 2014 11:49 AM  
**To:** PSMTestimony  
**Cc:** jenny@hiappleseed.org  
**Subject:** Submitted testimony for SB2935 on Feb 4, 2014 13:16PM  
**Attachments:** 14 0204 SB 2935 PSM-TIA testimony (drivers license).docx

**SB2935**

Submitted on: 2/1/2014

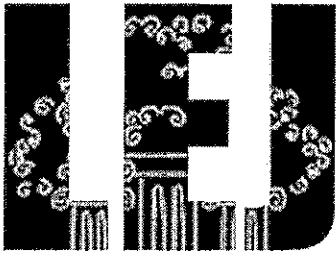
Testimony for PSM/TIA on Feb 4, 2014 13:16PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Lee	Hawaii Appleseed Center for Law & Economic Justice	Support	No

**Comments:**

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)



Testimony of Hawai'i Appleseed Center for Law and Economic Justice  
Supporting SB 2935 Relating to Motor Vehicle Driver Licensing  
Senate Committee on Public Safety, Intergovernmental and Military Affairs  
Senate Committee on Transportation and International Affairs  
Scheduled for Hearing Tuesday, February 4, 2014, 1:16 PM, Room 224

---

*Hawai'i Appleseed Center for Law and Economic Justice is a nonprofit, 501(c)(3) law firm created to advocate on behalf of low-income individuals and families in Hawai'i on civil legal issues of statewide importance. Our core mission is to help our clients gain access to the resources, services, and fair treatment that they need to realize their opportunities for self-achievement and economic security.*

---

Thank you for the opportunity to testify in **strong support** of Senate Bill 2935, which would provide access to Hawai'i driver's licenses for individuals who cannot show proof of authorized presence or are not given a Social Security number, if additional documentation is provided. As it stands, documentation requirements mean that many people—immigrants, regardless of status, as well as citizens—cannot apply for a driver's license. Providing greater access to driver's licenses by loosening these unnecessarily restrictive requirements will improve road safety, increase insurance coverage, promote better relations with law enforcement, and let all of our residents come into compliance with the law.

Immigrants, regardless of status, need to get to work, transport their children, take aging parents to the doctor, and go about their day-to-day activities. Regardless of one's sentiments about immigration, these facts are not going to change. No one should be forced to break the law just to provide and care for their families. Especially for those in rural areas, a car is critical. We should ensure these drivers understand traffic laws and safe driving.

Access to driver's licenses will also help those who are not directly affected. Because licensed drivers can get insurance, the expense of covering accidents involving uninsured motorists will decline and lower insurance rates for everyone. Unlicensed, uninsured drivers cause damage claims that other policy holders must cover. If these drivers can get licensed and insured, the cost of covering accidents involving uninsured motorists will decline, and everyone will pay lower insurance rates. In addition, relations with law enforcement officers will be improved. Officers will be able to identify drivers during stops and efficiently check the driver's traffic and criminal records. During emergency situations, first responders and health care providers will be better able to identify their patient.

A growing number of states recognize these facts: no one is any safer when drivers lack licenses. Those who seek to follow our laws should not be turned away based on documentation. Barring access for these residents only diminishes our safety and well-being. Again, thank you for an opportunity to testify in **strong support** of SB 2935. Let's create a safer, more inclusive Hawai'i for all of our families.



**HEALTHYPACIFIC.ORG**  
**restoringjusticehi@gmail.com**

**LEGISLATIVE TESTIMONY**

**SB2935**

**RELATING TO MOTOR VEHICLE DRIVER LICENSING**  
**Senate Committees on Public Safety, Intergovernmental & Military Affairs**  
**and**  
**Transportation & International Affairs**

February 4, 2014  
1:16 P.M.  
Capitol Room 224

Aloha mai kākou,

Mahalo nui loa for the opportunity to testify in **STRONG SUPPORT** of **SB2935**, which will improve the safety and economy of our state, while giving a fair shake to some of the most disenfranchised yet economically and socially critical members of our community.

**Denying access to drivers licenses for out-of-status immigrants exacerbates the costly, prejudice-driven social ills that are embedded in federal immigration policies.** As Hawai'i should be amply aware, unjustified xenophobia, prejudice and inherent unfairness has been a historic hallmark of federal immigration policies, which facilitated the great suffering and oppression faced by many of our direct ancestors. Even today, immigration status-related racial discrimination, exploitation and social prejudice continue to plague our most vulnerable immigrant communities, who for the most part seek only to contribute to our society and economy, and ensure better lives for their children and grandchildren. Not surprisingly, the current inability of **undocumented persons – who make up 5% of our local workforce, pay \$50 million in local taxes and who nationally pay state and federal income taxes estimated at \$11.2 billion dollars annually<sup>1</sup>** -- to obtain drivers licenses reportedly facilitates racial profiling by police officers, and further isolates already marginalized communities from police and other critical social services necessary to ensure the health and well-being of our larger society. The continued incorporation of

---

<sup>1</sup> See Immigration Policy Center, Unauthorized Immigrants Pay Taxes Too, <http://www.immigrationpolicy.org/just-facts/unauthorized-immigrants-pay-taxes-too> (last accessed February 2, 2014).



federal immigration policy into our drivers licensing statute will only add to such unnecessary and unjustified costs to the economy and social fabric of our island home.

**This bill will promote our economic and social well-being, while sending a strong message to Washington, D.C. and the continent.** By enacting this measure, Hawai'i will promote the security and well-being of our most vulnerable communities, facilitate local economic development that has *always* relied upon immigrant labor, mitigate the further development of social prejudices, improve the safety of our roadways, and reduce insurance costs through greater participation in vehicular insurance programs. The realization of these benefits may also send a clear and strong message to Washington, D.C. and the continental United States regarding the valuable insight Hawai'i may hold, as informed by our unique island values and rich immigrant history.

Therefore, HealthyPacific.Org respectfully urges the Committees to **PASS** SB2935.

Thank you very much for the opportunity to testify on this important measure.



PROTECTING HAWAII'S OHANA, CHILDREN, UNDER SERVED, ELDERLY AND DISABLED

**Board of Directors**

*Howard Garval, Chair*  
*Nanci Kreidman, Vice Chair*  
*Joanne Lundstrom, Vice Chair*  
*Jerry Rauckhorst, Treasurer*  
*Liz Chun, Secretary*  
*Susan Chandler*  
*Jan Dill*  
*Victor Geminiani*  
*Auli'i George*  
*Marya Grambs*  
*John McComas*  
*Robert Naniole*  
*Ruthann Quitiquit*  
*Darcie Scharfenstein*  
*Alan Shinn*  
*Laura Smith*

TO: Senator Will Espero, Chair  
Senator Rosalyn Baker, Vice Chair  
Members, Committee on Public Safety, Intergovernmental & Military Affairs

Senator J. Kalani English, Chair  
Senator Donovan Dela Cruz, Vice Chair  
Members, Committee on Transportation and International Affairs

FROM: Scott Morishige, Executive Director, PHOCUSED

HEARING: Senate Committees on Public Safety, Intergovernmental & Military Affairs and Transportation & International Affairs  
**Tuesday, February 4, 2014 at 1:16 p.m. in Conf. Rm. 224**

**Testimony in Support of SB2935, Relating to Motor Vehicle Driver Licensing.**

Thank you for the opportunity to provide testimony in support of SB2935, which establishes a list of acceptable identifying documents that driver's license applicants may produce to obtain a license if they cannot show proof of authorized presence or are not given a Social Security number. PHOCUSED is a statewide coalition of health, housing, and human services organizations committed to strengthening policies and programs that benefit the marginalized and underserved in Hawaii.

Many immigrants in Hawaii – including those who are lawfully present and are citizens – are unable to obtain a legal driver's license due to current paperwork requirements. When individuals are unable to obtain a license, yet continue to drive to carry out their daily activities, this places the safety of the community at risk. According to the American Automobile Association, unlicensed drivers are nearly five times more likely to be involved in a fatal car crash than licensed drivers. In addition, unlicensed, uninsured drivers cause damage claims that other policy holders must cover.

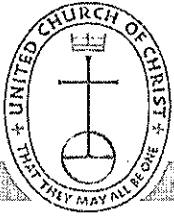
Nationally, 11 states, as well as Puerto Rico and the District of Columbia, have enacted legislation that provides access to a driver's license or card regardless of immigration status. Increasing access not only ensures more licensed drivers on the roads, but also results in a decrease in uninsured drivers. Since New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33% to 9%.

Once again, we support SB2935 and believe this bill promotes public safety, and reduces risk for Hawaii's motorists. We appreciate the opportunity to testify on this important issue. If you have any questions, please do not hesitate to contact PHOCUSED at 521-7462 or e-mail us at [admin@phocused-hawaii.org](mailto:admin@phocused-hawaii.org).

---

**From:** Angela Resendez <angelawhwnmaui@gmail.com>  
**Sent:** Thursday, January 30, 2014 2:13 PM  
**To:** PSMTestimony  
**Subject:** SB2935 Ensuring Road Safety

Angela Resendez  
Women Helping Women  
Immigrant Advocate  
1935 Main Street Suite 202  
Wailuku, Hawaii 96793  
808-242-0775 ext 30



# HAWAI'I CONFERENCE

UNITED CHURCH OF CHRIST

3 February 2014

Mr. Will Espero, Chair  
Ms. Rosalyn Baker, Vice-Chair  
Senate Committee on Public Safety, Intergovernmental and Military Affairs

Mr. J. Kalani English, Chair  
Mr. Donovan Dela Cruz, Vice-Chair  
Senate Committee on Transportation and International Affairs

Dear Mr. Espero, Ms. Baker, Mr. English, Mr. Dela Cruz and Members of the Senate:

**Re:** SB2935  
**Hearing Date, Time:** 02-04-14, 1:16 PM  
**Place:** Conference Room 224

As Conference Minister of the Hawai'i Conference of the United Church of Christ, I write in support of SB2935, which would provide access to Hawai'i drivers' licenses for persons who cannot show proof of authorized presence or are not given a Social Security number, provided that additional documentation regarding identity is provided.

SB2935 is vital to ensuring the safety of our roadways for pedestrians, residents and visitors to Hawai'i. Ensuring that everyone who drives on our roads and highways is trained, tested, and insured promotes public safety, safer communities and economic participation. Nationwide, state legislatures are considering legislation to ensure roadway safety for all. Eleven states, in addition to Puerto Rico and the District of Columbia, have enacted laws to increase access to driver's licenses.

The Hawai'i Conference of the United Church of Christ, the largest Protestant denomination in Hawai'i with 130 churches around the State, includes dozens of churches with members that would benefit from this bill. These are hard-working, gainfully employed, law-abiding citizens. However, when current paperwork requirements prevent some from applying for a driver's license, even when they are lawfully present, such as persons from the Marshall Islands and the Federated States of Micronesia, they cannot apply for a driver's license and are restricted in their ability to work, take children to school, run errands, and other activities normal and necessary for well-being.

Another benefit to the bill is reducing the number of unlicensed, uninsured drivers on our roads who generate damage claims that licensed, insured policy holders are forced to cover. When

New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33 percent to 9 percent. With this bill, the cost of covering accidents involving uninsured motorists will decline, and everyone will pay lower insurance rates.

Yet another benefit of the bill is that it will foster public trust and safety. Driver's licenses help law enforcement officers perform their jobs more safely, effectively and efficiently. They enable law enforcement officers to identify the drivers they stop and check the driver's traffic and criminal record. In addition, licenses will assist first responders and health care providers in determining the identity of the person they are assisting.

Thank you for the opportunity to submit this testimony.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles Buck", written in black ink.

Charles Buck  
Conference Minister



MEDICAL • DENTAL • PREVENTIVE CARE • NDDA SERVICES

277 Ohia Avenue • Honolulu, Hawaii 96815

TO: Will Espero, Chair Senate Committee on Public Safety, Intergovernmental and Military Affairs

FROM: Sheila Beckham, CEO

RE: SB2935

DATE: February 2, 2014

On behalf of Waikiki Health I urge your strong support for SB2935 which provides access to Hawaii drivers' licenses for persons who cannot show proof of authorized presence or are not given a Social Security number.

SB 2935

-is vital to ensuring roadway safety and will ultimately empower individuals denied opportunities to apply for a driver's license which will improve their ability to be viable members of our state—working and obtaining needed health care.

Unlicensed, uninsured drivers cause damage claims that other policy holders must cover. Enabling these individuals, equal members of our Hawaii ohana, will go a long way toward enabling these folks to work, obtain all the services our citizens take for granted and become productive members of society.

I urge your strong support of SB2935.



**Hawai'i Coalition for  
Immigration Reform**

*Personal Dignity, Family Unity, Civil Rights*

To: Chair Will Espero  
Vice-Chair Rosalyn Baker  
Senate Committee on Public Safety, Intergovernmental and  
Military Affairs

Chair J. Kalani English  
Vice-Chair Donovan Dela Cruz  
Senate Committee on Transportation and International  
Affairs

From: Veronika Geronimo  
Co-Coordinator, Hawaii Coalition for Immigration Reform

Hearing Date and Time: 02-04-14 1:16PM

Place: Conference room 224

RE: SB2935 – STRONG SUPPORT

The Hawai'i Coalition for Immigration Reform (HCIR) is a coalition of over seventy faith leaders, attorneys, immigrants, concerned citizens and community organizations committed to advocating for policies and laws that recognize the innate dignity of all persons, respect for family unity and promote the civil rights of immigrants in Hawaii, and all of Hawaii's people. HCIR is in strong support of SB2935 which would provide access to Hawaii drivers' licenses for persons who cannot show proof of authorized presence or are not given a Social Security number, if additional documentation regarding identity is provided. Access to drivers' licenses was determined to be the top policy priority among the members and leaders of our coalition.

SB2935 is vital to ensuring roadway safety for pedestrians, residents of and visitors to Hawaii. By making sure that everyone who drives on our roads and highways obtains proper driver education, pass driving tests and vision exams, this bill will promote public safety, safer communities and economic participation.

Currently, the paperwork requirements mean that many people cannot apply for a driver's license. For example, some immigrants, and many lawfully present immigrants and citizens cannot apply for the driver's license they need to safely drive their children to school, go to work, church, or carry out other daily activities because of the restrictive paperwork requirements. According to a recent Migration Policy Institute report, the major difficulties faced by migrants in Hawaii include: 1) isolation, especially in the case of the Latino community, which is dispersed, 2) traveling inter-island for health-related

needs and to access the services offered by the United States Citizenship and Immigration Services (biometrics to adjust one's status, etc), and 3) safely driving to work, church, run errands, or to drop children off to school. The need for drivers' licenses was established as a priority by research participants<sup>i</sup>.

In addition to keeping our communities and visitors safe, SB2935 supports residents who are important to Hawaii's economy as workers and consumers. Unauthorized immigrants comprise roughly 4.6% of the state's workforce (or 30,000 workers) in 2010, according to a report by the Pew Hispanic Center<sup>ii</sup>. Unauthorized immigrants in Hawaii paid \$50.6 million in state and local taxes in 2010<sup>iii</sup>. Furthermore, if all unauthorized immigrants were removed from Hawaii, the state would lose \$2.0 billion in economic activity<sup>iv</sup>. At a time when the economy is still recovering, Hawaii must support a critical component of its labor force and tax base.

Finally, we offer the following amendments for your consideration to further expand access to drivers' licenses:

**1. Replace SECTION (3)(e) with:**

If the applicant has not been issued a Social Security Number or does not have satisfactory proof that his or her presence in the United States is authorized by federal law, the applicant shall submit one of the primary documents listed under subsection (f) or two of the secondary documents listed under subsection (g). These documents shall also be acceptable as proof of Hawaii residence, if they include the applicant's name and an address in Hawaii.

*This amendment would ensure that individuals who are lawfully present in the US, yet ineligible for a Social Security Number, would gain access to drivers' licenses under SB2935.*

**2. INSERT in SECTION (3)(f):**

A valid, unexpired national identification card issued by a consulate from the applicant's country of citizenship.

*Tonga and French Polynesia issue national IDs, which should be among the list of acceptable documents to prove identity.*

**3. INSERT as SECTION (3)(h):**

Exercise of Discretion by the Department for individuals who, based on their individual circumstances and/or country of origin, lack the above documents.

The agency has discretion to accept a written explanation of why the applicant is unable to provide the documents listed above, along with other documents that, considered together, establish the applicant's identity and/or Hawaii residence.



*We include this waiver process for those who will have trouble obtaining these documents (e.g. because their home country is hostile, doesn't issue identity documents in a timely fashion, or due to individual circumstances such as being homeless, fleeing domestic violence, etc.).*

On behalf of our coalition, we respectfully urge the committee to pass HB2935. Thank you for the opportunity to testify on an issue that affects so many people in our state.

---

<sup>i</sup> Batalova, Jeanne, Monisha Das Gupta, and Sue Patricia Haglund. 2013. *Newcomers to the Aloha State: Challenges and Prospects for Mexicans in Hawai'i*. Washington, DC: Migration Policy Institute.

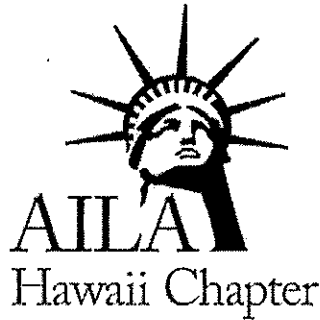
<sup>ii</sup> Jeffrey S. Passel and D'Vera Cohn, *Unauthorized Immigrant Population: National and State Trends, 2010* (Washington, D.C.: Pew Hispanic Center, February 1, 2011), p. 25.

<sup>iii</sup> The Immigration Policy Center, *Unauthorized Immigrants Pay Taxes, Too* (Washington, DC: April 2011).

<sup>iv</sup> The Perryman Group, *An Essential Resource: An Analysis of the Economic Impact of Undocumented Workers on Business Activity in the US with Estimated Effects by State and by Industry* (Waco, TX: April 2008), p. 69.

**CHAIR**  
Maile M. Hirota, Esq.  
735 Bishop Street, Suite 402  
Honolulu, HI 96813  
Tel. (808) 587-9600  
[maile.hirota@gmail.com](mailto:maile.hirota@gmail.com)

**VICE CHAIR**  
KahBo Dye-Chiew, Esq.  
201 Merchant Street, Suite 2302  
Honolulu, HI 96813  
Tel.(808) 542-5572  
[kdyechiew@gmail.com](mailto:kdyechiew@gmail.com)



**TREASURER**  
Eric T. Kawatani, Esq.  
500 Ala Moana Blvd., 4F  
Honolulu, HI 96813  
Tel.(808)529-7300  
[EKawatani@m4law.com](mailto:EKawatani@m4law.com)

**SECRETARY**  
Asako C. Shimazu, Esq.  
737 Bishop Street, Suite 2100  
Honolulu, HI 96813  
Tel.(808)524-7616  
[acs@charhamilton.com](mailto:acs@charhamilton.com)

February 3, 2014

Chair Will Espero  
Vice-Chair Rosalyn Baker  
Senate Committee on Public Safety, Intergovernmental and Military Affairs

Chair J. Kalani English  
Vice-Chair Donovan Dela Cruz  
Senate Committee on Transportation and International Affairs

Hearing Date and Time: 02-04-14 1:16PM

Place: Conference room 224

**RE: SB2935 – STRONG SUPPORT**

We write in strong support of SB2935 which would provide access to Hawaii drivers' licenses for persons who cannot show proof of "legal" presence or who are not given a Social Security number, if additional documentation regarding identity is provided.

SB2935 is vital to ensuring roadway safety for pedestrians, residents of and visitors to Hawaii. Ensuring that everyone who drives on our roads and highways is trained, tested, and insured promotes public safety, safer communities and economic participation.

Currently, the documentation requirements mean that many people are not eligible for a Hawaii driver's license. For example, even many lawfully present foreign and US citizens are not eligible for the driver's license they need to contribute to the economy and to carry out other daily activities because of the restrictive documentation requirements.

According to a recent Migration Policy Institute report, the major difficulties faced by migrants in Hawaii include: 1) isolation, 2) traveling inter-island for health-related needs and to access the services offered by the United States Citizenship and Immigration Services (biometrics in connection with an application), and 3) safely driving to work, to church, to run errands, or to drop children off to school. The need for drivers' licenses was established as a priority by research participants<sup>1</sup>.

Testimony in support of SB2935

February 3, 2014

Page 2

Unlicensed, uninsured drivers cause damage claims that other policy holders must cover. If these drivers can get licensed and insured, the cost of covering accidents involving uninsured motorists will decline, and everyone will pay lower insurance rates. Nationwide, state legislatures are creating and moving legislation to ensure roadway safety for all. These policies are being adopted to decrease the number of unlicensed and uninsured drivers and to increase public safety.

As an association of immigration lawyers, we see people with two distinct issues: one group of people does not have proof of "legal presence" yet has the need to drive legally. The second group has lawful presence under US immigration law, and yet the way the current law is being enforced to show the "legal presence" requirement is overly restrictive. Take the example of an engineer who is in H1B nonimmigrant status working for a local engineering firm. His petition to extend his H1B status is pending with US Citizenship & Immigration Services, and under the USCIS regulations, he is allowed to continue to work and to live in the US while his petition is pending. However, DMV refuses to issue him a renewal on his license, even with the original receipt showing that his extension is pending with USCIS. Here's another example: a nursing student graduate of a local university who is here during the grace period after her Optional Practice Training work authorization has expired and who has married a US citizen. She has filed an application for adjustment of status and may have to wait as many as 90 days for her work authorization to be renewed by USCIS. Both people in these examples have lawful presence, but both are being shut out of drivers' license renewals, even under the current law.

Thank you for the opportunity to testify.

Aloha,

AMERICAN IMMIGRATION LAWYERS ASSOCIATION - HAWAII CHAPTER



Maile M. Hirota  
Chair

---

<sup>1</sup> Batalova, Jeanne, Monisha Das Gupta, and Sue Patricia Haglund. 2013. Newcomers to the Aloha State: Challenges and Prospects for Mexicans in Hawai'i. Washington, DC: Migration Policy Institute.



**Hawai'i Coalition for  
Immigration Reform**

*Personal Dignity, Family Unity, Civil Rights*

To: Chair Will Espero  
Vice-Chair Rosalyn Baker  
Senate Committee on Public Safety, Intergovernmental and  
Military Affairs

Chair J. Kalani English  
Vice-Chair Donovan Dela Cruz  
Senate Committee on Transportation and International  
Affairs

From: Rev. Stanley Bain  
Co-Coordinator, Hawaii Coalition for Immigration Reform

Hearing Date and Time: February 4, 2014, 1:16 p.m.

Place: State Capitol Room 224

RE: SB2935 – STRONG SUPPORT

---

I have been a minister in Hawai'i for the past 38 years, before that in Sarawak, Malaysia and in the states of Virginia and New Jersey. My life has been enriched by these opportunities to live and work among people of many languages, cultures and belief systems. Their impact has convinced me that it is essential for all people to have the opportunity and freedom to develop their skills and gifts to the fullest potential. When our laws impose obstacles and deny opportunity to some, all are denied.

SB2935 is vital to ensuring roadway safety for pedestrians, residents of and visitors to Hawaii. By making sure that everyone who drives on our roads and highways obtains proper driver education, pass driving tests and vision exams, this bill will promote public safety, safer communities and economic participation. Having recently become an octogenarian, yet often needing to walk across four lanes of traffic in a marked crosswalk within 20 seconds, I am keenly aware that many in our age group are at risk of being run down by errant vehicles. My best hope is that the driver who hits me will be licensed and insured.

Currently, the paperwork requirements mean that many people cannot apply for a driver's license. For example, some immigrants, and many lawfully present immigrants and citizens cannot apply for the driver's license they need to safely drive their children to school, go to work, church, or carry out other daily activities because of the restrictive paperwork requirements. Personally it was an insult and an inconvenience when my

about-to-expire driver's license was not acceptable for the purpose of renewing my license, in spite of the fact that I have been a U.S. citizen for the past 80 years. May that not be the case the next time I go for renewal.

Therefore I urge your committees to pass SB2935 out of committee and work to ensure that it moves through the Senate and the House. May Hawai'i continue to show leadership in the nation as a champion for civil rights by joining the eleven states which have already enacted similar laws.

Thank you for this opportunity to present personal testimony.



To: Chair Will Espero  
Vice-Chair Rosalyn Baker  
Senate Committee on Public Safety, Intergovernmental and  
Military Affairs

Chair J. Kalani English  
Vice-Chair Donovan Dela Cruz  
Senate Committee on Transportation and International Affairs

From: Stacey Moniz, Executive Director

Hearing Date and Time: February 4, 2014 1:15 pm

Place: Conference room 224

RE: SB2935 – STRONG SUPPORT

---

I write in strong support of SB2935 which would provide access to Hawaii drivers' licenses for persons who cannot show proof of authorized presence or are not given a Social Security number, if additional documentation regarding identity is provided.

SB2935 is vital to ensuring roadway safety for pedestrians, residents of and visitors to Hawaii. Ensuring everyone who drives on our roads and highways is trained, tested, and insured promotes public safety, safer communities and economic participation.

While some see this as an immigrant issue, many women victims of domestic violence and others are unable to show documentation of their identity, and all should be allowed to obtain a driver's license.

I strongly support SB2935 and ask you to put your votes behind it as well.

Thank you for the opportunity to submit testimony.

1935 Main Street  
Suite 202  
Wailuku, HI 96793

Phone: (808) 242-6600  
Fax: (808) 249-8147

[www.whwmaui.net](http://www.whwmaui.net)



---

**From:** Kevin Block <Kevin.Block@co.maui.hi.us>  
**Sent:** Thursday, January 30, 2014 10:55 AM  
**To:** PSMTestimony  
**Subject:** SB 2935 Tuesday, February 4 @1:15 pm

Aloha,

My name is Kevin Block and I would like to voice my strong support for SB 2935.

I am a stakeholder as I believe all citizens of the State are, however, this issue is particularly close to me.

I am the Director of the Immigrant Services Division for the County of Maui. I am also an immigration attorney. Many of the clients I serve are directly affected by the provisions of the "Lawful Presence" law which went into effect March 5 as part of our States compliance with the Real ID Act. I understand the intent of the law but I have to say that the repercussions for the constituents that I serve have been devastating.

Maui County is a place where you have to drive in order to work, be a parent and take care of basic needs. The new law makes it hard for anyone, citizens and immigrants, to renew their licences. When an individual is thwarted from obtaining their licence their survival needs do not go away and so the result is that they continue to drive only now they do not have a licence or insurance because you must be licenced to be insured.

I also believe that the current law unfairly burdens some of our citizens on the basis of gender. If you are a woman and you have been married or divorced, you have to produce more documentation than a man does whose name has remained the same. Laws that arbitrarily burden one part of the population more than another on the basis of gender are subject to heightened scrutiny by the Courts and could be the basis for constitutional claims of discrimination.

Every day people come to my office who have been to the DMV to get their licence renewed and were unable to. Sometimes it is because they became a citizen many years ago and have subsequently lost their Naturalization Certificate. The process of replacing the Certificate is lengthy and expensive. This is just one of the many and myriad examples of citizens who are now driving without a licence not because they want to, but because they have to.

As far as those that are not lawfully present here, I still do not agree with the public policy of furthering their marginalization but making them ineligible for a licence. I think it would be safer for everyone if all drivers were licenced regardless of their immigration status.

Many of our most vulnerable community members are living very close to the edge, enduring poverty and struggling to service. The State should not be creating added burdens and obstacles.

When I ask someone to come to my office for help right now, I don't know if they will make it here or not because as many as fifty percent of my clients are driving without licences. This is a burden that is unnecessary and creates a public safety crisis.

Please support this bill. It is good for the economy, public safety and it is the right and ethical thing to do in order to support our hard working community members.

Mahalo,  
Kevin Block

Kevin Block

Kevin Block, Esq.

Immigrant Services Coordinator  
**County of Maui**  
Department of Housing and  
Human Concerns  
Phone: 808-270-7131  
E mail: [Kevin.Block@mauicounty.gov](mailto:Kevin.Block@mauicounty.gov)

Confidentiality Notice: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.



---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 03, 2014 11:48 AM  
**To:** PSMTestimony  
**Cc:** cmh@hawaiilawyer.com  
**Subject:** Submitted testimony for SB2935 on Feb 4, 2014 13:16PM  
**Attachments:** Fax transmittal.doc

**SB2935**

Submitted on: 2/3/2014

Testimony for PSM/TIA on Feb 4, 2014 13:16PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clare Hanusz	Individual	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**SB2935**

Submitted on: 2/3/2014

Testimony for PSM/TIA on Feb 4, 2014 13:16PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
John Egan	Individual	Support	No

Chair Will Espero

Vice-Chair Rosalyn Baker

Senate Committee on Public Safety, Intergovernmental and Military Affairs

Chair J. Kalani English

Vice-Chair Donovan Dela Cruz

Senate Committee on Transportation and International Affairs

Hearing Date and Time: 02-04-14 1:16PM

Place: Conference room 224

RE: SB2935 – STRONG SUPPORT

Aloha:

I am writing in my individual capacity in support of SB 2935.

I am a professional Immigration Lawyer practicing here in Honolulu, and I can say from experience that the current rules for documentation for obtaining Hawaii Driver's Licenses have become too strict and have the result of excluding many people from getting licensed.

As an Immigration Lawyer I am of course concerned with the problems faced by immigrants, and I would include the legal immigrants together with those who are here without documentation. To keep our roads safe everyone needs to be trained, licensed and accountable.

However, I also want to say that I see many U.S. citizens here in Hawaii complaining that they also have difficulties meeting the documentation standards. I think this is clear proof that the standard as it stands now is just too tight.

Please continue to work on setting a standard that includes every driver and is reasonable.

Thank you for the opportunity to submit testimony.

John Robert Egan

808 695 3560

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 03, 2014 2:58 PM  
**To:** PSMTestimony  
**Cc:** giambalvon@gmail.com  
**Subject:** Submitted testimony for SB2935 on Feb 4, 2014 13:16PM  
**Attachments:** HI Driver's license - Cito's story.docx

**SB2935**

Submitted on: 2/3/2014

Testimony for PSM/TIA on Feb 4, 2014 13:16PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Noelle Giambalvo	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

In my opinion, there are many potential benefits to providing driver's licenses to undocumented immigrants in the state of Hawaii, primarily increased safety on the roads (by requiring drivers to complete the written exam & road test in order to get licenses).

As a US citizen, this is an issue that has impacted me directly, as my husband and I continue to go through the immigration process with USCIS. My husband "Cito" is from Brazil, and entered the US legally in 2010 under a tourist visa. We met through mutual friends, fell in love, and got married 7 months later. Once we got married, I immediately petitioned to get Cito Permanent US Residence and have been very careful to do everything by the book when it comes to his immigration status. I'm happy to say that after an involved process and plenty of paperwork and fees, my husband was granted Permanent Residence in late 2011, and our application to remove the conditional status was also recently approved, so he's well on his way to US Citizenship. However, it has not been an easy process by any means, and we certainly faced plenty of challenges to get here, especially in regards to his HI driver's license.

Cito initially obtained a HI driver's permit when he arrived in 2010. In order to receive an actual driver's license, he had to take the road test before his I-94 was due to expire. We camped out at the Wahiawa DMV for days, lining up at the crack of dawn to wait in line for a road test appointment. Fortunately, he passed the road test on the first try, and was able to get a driver's license just days before his I-94 (and legal visa status) expired. We were so relieved when he finally received the license, because that meant he could use it as identification to travel via plane within the US, so we could fly to Rhode Island (where I'm from), to meet my family & friends before we got married.

All was well for a couple months, and we progressed with wedding plans, planning to petition for his residence as soon as possible, until disaster struck one day when his wallet (containing the driver's license) and cell phone were stolen at the grocery store. We were desperate to get the driver's license back, because he couldn't get a duplicate without risking deportation, as we had not received our marriage certificate yet or filed with USCIS, even though we were in the process. The loss of that license meant my husband had no US identification, and no driver's license, and was constantly at risk of arrest and deportation.

Cito is an avid outrigger canoe paddler, which is one of the reasons he initially came to Hawaii. He has paddled with several clubs here on Oahu and continues to race competitively in one-man and 6-man outrigger canoe events. In 2011, Cito's OC-6 team from Kamehameha Canoe Club was supposed to compete in a race on the Big Island, but were unable to participate because he could not travel by plane without his HI driver's license to use as ID. Needless to say, he and his teammates were extremely disappointed, as they had all been training and preparing for the race for months, and worked hard to win first place overall in the Men's Novice B division that season. It wasn't just Cito who was negatively impacted because he couldn't get a duplicate driver's license without proof of legal status. All of his teammates who had trained so hard, also lost their opportunity to compete, and I personally lived with the daily fear that he would be arrested and deported, even though we have always made every effort abide by USCIS laws and processes to obtain his legal US residence.

To: Chair Will Espero

Vice-Chair Rosalyn Baker

Senate Committee on Public Safety, Intergovernmental and Military Affairs

Chair J. Kalani English

Vice-Chair Donovan Dela Cruz

Senate Committee on Transportation and International Affairs

From: Samisoni Vakauta

Hearing Date and Time:

Place: Conference room 224

RE: SB2935 – STRONG SUPPORT

I am in strong support of SB2395, as this bill will allow everyone to apply for a driver's license, which will allow everyone one to be properly instructed how to properly drive, enable everyone to obtain insurance and any necessary documents (insurance, safety checks and car registration) for their vehicles. In all this bill will help make Hawaii's road ways more safe as more well educated and drivers with necessary legal paper work (insurance, etc.) will be on the roads. Your support in this bill will help benefit all as road ways would be safer.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 01, 2014 3:13 PM  
**To:** PSMTestimony  
**Cc:** wctanaka@gmail.com  
**Subject:** Submitted testimony for SB2935 on Feb 4, 2014 13:16PM

**SB2935**

Submitted on: 2/1/2014

Testimony for PSM/TIA on Feb 4, 2014 13:16PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne	Individual	Support	No

Comments: Mahalo for the opportunity to strongly support this measure. Denying access to drivers licenses -- which serve a number of important functions for both individuals and our broader society -- to a substantial and important part of our island communities based solely on inherently unfair and arguably racist federal immigration policy is both needless and costly. Please pass this measure so that we can give some of our most disenfranchised community members a fair shake and send a unique island message to the continental United States. Mahalo piha, Wayne Tanaka Kane'ohe 96744

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 02, 2014 8:14 AM  
**To:** PSMTestimony  
**Cc:** hSCSW2014@gmail.com  
**Subject:** \*Submitted testimony for SB2935 on Feb 4, 2014 13:16PM\*

**SB2935**

Submitted on: 2/2/2014

Testimony for PSM/TIA on Feb 4, 2014 13:16PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Khara	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 02, 2014 4:14 PM  
**To:** PSMTestimony  
**Cc:** drodrigues2001@yahoo.com  
**Subject:** Submitted testimony for SB2935 on Feb 4, 2014 13:16PM

**SB2935**

Submitted on: 2/2/2014

Testimony for PSM/TIA on Feb 4, 2014 13:16PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Darlene Rodrigues	Individual	Support	No

Comments: I write in strong support of SB2935 which would provide access to Hawaii drivers' licenses for persons who cannot show proof of authorized presence or are not given a Social Security number, if additional documentation regarding identity is provided. I write as a licensed and insured driver who commutes and drives to town for work and pleasure almost daily. I also write as someone who has been in two car accidents. The first accident was caused by someone who was insured and licensed. Thankfully, we were both unhurt. The second accident involved a driver who took off after causing it. I was not badly hurt but my car was wrecked. You must know that two people stopped to help me. One lady gave me her number and became a witness for the police and the insurance adjuster. The other good samaritan just made sure I was okay and left quickly before I could call the police. He did not provide me with a number or any contact information. Did the driver who caused the accident or the man who stopped to make sure I was okay not stay because they were unlicensed and uninsured? I will never know. What is sure is that the person who caused the accident did not act or behave in a responsible way. I wonder if the man who stopped to help did not stay because he was an unlicensed driver. This bill gives some immigrants and many lawfully present immigrants a chance to drive responsibly and to help contribute to everyone's safety in our community. While we cannot control the actions of every driver out there or stop accidents from happening, we can help increase the odds for safety and drivers taking responsibility by helping license, train and insure more drivers on the road. Currently, some immigrants, and many lawfully present immigrants and citizens cannot apply for a driver's license because of the paperwork requirements. These requirements impede their ability to contribute to the economy and carry out other daily activities. According to a recent Migration Policy Institute report, the major difficulties faced by migrants in Hawaii include: 1) isolation, especially in the case of the Latino community, which is dispersed, 2) traveling inter-island for health-related needs and to access the services offered by the United States Citizenship and Immigration Services (biometrics to adjust one's status, etc), and 3) safely driving to work, church, run errands, or to drop children off to school. The need for drivers' licenses was established as a priority by research participants. This bill benefits all drivers and members of our community. Unlicensed, uninsured drivers cause damage claims that other policy holders must cover. If these drivers can get licensed and insured, the cost of covering accidents involving uninsured motorists will decline, and everyone will pay lower insurance rates. Since New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33 percent to 9 percent. Let's provide ALL members of our community a chance to create a safe community together. Thank you for the opportunity to testify.



Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)