
A BILL FOR AN ACT

RELATING TO DRIVING WITHOUT A LICENSE.

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

1 SECTION 1. Section 286-102, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) No person, except one exempted under section 286-105,
4 one who holds an instruction permit under section 286-110, one
5 who holds a provisional license under section 286-102.6, one who
6 holds a commercial driver's license issued under section
7 286-239, or one who holds a commercial driver's license
8 instruction permit issued under section 286-236, shall operate
9 any category of motor vehicles listed in this section without
10 first being appropriately examined and duly licensed as a
11 qualified driver of that category of motor vehicles.

12 In a prosecution for driving without a license, it shall be
13 prima facie evidence of a violation if a person, upon the
14 request of a law enforcement officer, cannot produce a valid
15 driver's license, instruction permit, provisional license,
16 commercial driver's license, or commercial driver's license
17 instruction permit for the proper category of vehicle being



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1 operated. It is an affirmative defense that at the time the
 2 defendant operated the vehicle, the defendant held a valid
 3 driver's license, instruction permit, provisional license,
 4 commercial driver's license, or commercial driver's license
 5 instruction permit for the proper category of vehicle being
 6 operated."

7 SECTION 2. This Act does not affect rights and duties that
 8 matured, penalties that were incurred, and proceedings that were
 9 begun before its effective date.

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY:



JAN 27 2015



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Report Title:

Driver Licensing; Violations; Evidence; Defense

Description:

Provides that a driver's inability to produce an appropriate driver's license or permit upon request by a law enforcement officer shall be prima facie evidence of a violation. Provides that holding an appropriate license or permit shall be an affirmative defense.

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