
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 register to vote under this part, shall automatically have an
9 application to register to vote submitted to the county clerk as
10 provided in subsection (c).

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



1 include a space to request a permanent absentee ballot. The
2 examiner of drivers of each county shall transmit the
3 information to the clerk of the county in which the applicant
4 resides.

5 (c) Upon receipt of the completed application transmitted
6 from the examiner of drivers, the county clerk shall review, and
7 approve or reject the application in accordance with this part;
8 provided that approved voter registration applications received
9 from the examiner of drivers pursuant to this section shall be
10 treated as having a valid signature for purposes of section
11 11-15(c) whether transmitted electronically or by facsimile
12 transmission. Upon approval of the application, the clerk shall
13 proceed to number the application and register the name of the
14 voter in the general county register as provided in section
15 11-15."

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

19 "§286-A Voter registration. (a) A qualified applicant
20 for a motor vehicle driver's license, provisional license, or
21 instructional permit shall automatically have an application to



1 register to vote transmitted to the clerk of the appropriate
2 county upon completion of an application for a driver's license,
3 provisional license, or instructional permit as required in
4 section 11-A.

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

14 (c) For the purposes of this section, "qualified
15 applicant" means a person who qualifies to register as a voter
16 pursuant to section 11-15."

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

20 "§286-B Voter registration. (a) A qualified applicant
21 for a new, renewal, or duplicate civil identification card shall



1 automatically have an application to register to vote
2 transmitted to the clerk of the appropriate county upon
3 completion of an application for a civil identification card as
4 required by section 11-A.

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

14 (c) For the purposes of this section, "qualified
15 applicant" means a person who qualifies to register as a voter
16 pursuant to section 11-15."

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

19 "(a) Except as provided in section 286-107.5(a), the
20 examiner of drivers shall examine every applicant for a driver's



1 license, except as otherwise provided in this part. The
2 examination shall include a test of:

- 3 (1) The applicant's eyesight and any further physical
4 examination that the examiner of drivers finds
5 necessary to determine the applicant's fitness to
6 operate a motor vehicle safely upon the highways;
- 7 (2) The applicant's ability to understand highway signs
8 regulating, warning, and directing traffic;
- 9 (3) The applicant's knowledge of the rules of the road
10 based on the traffic laws of the State and the traffic
11 ordinances of the county where the applicant resides
12 or intends to operate a motor vehicle; provided that
13 the examination shall specifically test the
14 applicant's knowledge of the provisions of section
15 291C-121.5 and section 291C-137; and
- 16 (4) The actual demonstration of ability to exercise
17 ordinary and reasonable control in the operation of a
18 motor vehicle.

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



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

3 The examiner of drivers may waive the actual demonstration
4 of ability to operate a motorcycle or motor scooter for any
5 person who furnishes evidence, to the satisfaction of the
6 examiner of drivers, that the person has completed the
7 motorcycle education course approved by the director in
8 accordance with section 431:10G-104.

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

12 For the purposes of this section, the term "applicant" does
13 not include any person reactivating a license under section
14 286-107.5(a)."

15 SECTION 5. Section 286-311, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "[+]§286-311[+] Custody and use of records; confidential
18 information. (a) [All] Except as provided in sections 286-A
19 and 286-B, information and records acquired by the examiner of
20 drivers under this part shall be confidential. All information
21 and records shall be maintained in an appropriate form and in an



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1 appropriate office in the custody and under the control of the
 2 examiner. The information shall be available only to authorized
 3 individuals under such restrictions as the director shall
 4 prescribe. The examiner may dispose of any application or
 5 identification card, or information or record relating to the
 6 application or identification card, which does not include a
 7 social security number, without regard to chapter 94, whenever,
 8 in the examiner's discretion, retention of the information or
 9 record is no longer required or practicable."

10 SECTION 6. In codifying the new sections added by sections
 11 1, 2, and 3 of this Act, the revisor of statutes shall
 12 substitute appropriate section numbers for the letters used in
 13 designating the new sections in this Act.

14 SECTION 7. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 8. This Act shall take effect upon its approval.

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Report Title:

Automatic Voter Registration

Description:

Provides that all applicants for a new or renewed driver's license, provisional license, instructional permit, or civil identification card, who are eligible to register to vote, shall 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.

