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# A BILL FOR AN ACT

RELATING TO VOTING.

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

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

4           "**§11-A Applications for a driver's license or civil**  
5 **identification card.** (a) Notwithstanding any law to the  
6 contrary, an affidavit on application for voter registration  
7 shall be a part of the application associated with the issuance  
8 of a civil identification card under section 286-301 and  
9 driver's license under section 286-109.

10           (b) Applications for a civil identification card or  
11 driver's license shall not be processed until the applicant  
12 clearly indicates on the application that the applicant is  
13 declining to register to vote or the portion of the application  
14 related to voter registration is completed.

15           **§11-B Electronic accessibility of voter registration**  
16 **applications associated with the examiner of drivers.** (a) The  
17 examiner of drivers of each county shall ensure that the  
18 contents of the affidavit on application for voter registration



1 provided by applicants in conjunction with their driver's  
2 license and civil identification card application are  
3 electronically stored in a database of each county examiner of  
4 drivers.

5 (b) The examiner of drivers in each county shall  
6 electronically provide to the respective county clerk the voter  
7 registration information set forth in the affidavit on  
8 application for voter registration. This information shall  
9 include a digital copy of the applicant's signature.

10 (c) Upon receipt of the electronic information, the county  
11 clerk shall treat the information as constituting an application  
12 to register under section 11-15.

13 (d) Databases maintained by the counties and the state  
14 department of transportation containing driver's license and  
15 civil identification card information shall be electronically  
16 accessible by the statewide voter registration system to allow  
17 for the timely processing of voter registration applications  
18 made in conjunction with driver's license and civil  
19 identification cards, facilitate verification of information  
20 provided by online voter registration applicants under section



1 11-15.3, and otherwise ensure the integrity of the voter  
2 registration rolls."

3 SECTION 2. Section 286-109, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 **"§286-109 General provision governing the issuance of**

6 **licenses.** (a) Upon payment of the required fee and upon  
7 demonstrating the ability to operate a certain category or  
8 categories of motor vehicles to the satisfaction of the examiner  
9 of drivers, an applicant for a driver's license shall be issued  
10 a single license of a design approved by the director of  
11 transportation upon which is made a notation of:

12 (1) The category or categories of motor vehicles the  
13 applicant may operate;

14 (2) Any restrictive provisions to which the license is  
15 subject;

16 (3) Veteran status, if desired by the applicant; provided  
17 that the notation shall be on the front of the license  
18 and shall not include any designation other than the  
19 term "veteran"; and

20 (4) When the license is issued to a person under twenty-  
21 one years of age, a statement, in clearly legible



1 print that shall contrast with the other information  
2 appearing on the license, which indicates the date on  
3 which the person will attain the age of twenty-one  
4 years.

5 As used in this subsection, "veteran" means any person who  
6 served in any of the uniformed services of the United States and  
7 was discharged under conditions other than dishonorable.

8 (b) The examiner of drivers shall not issue or renew any  
9 driver's license using the driver's social security number on  
10 the driver's license.

11 (c) Statutes of limitations and other provisions of this  
12 chapter notwithstanding, no driver's license or instruction  
13 permit shall be issued or renewed under this section, where the  
14 examiner of drivers is notified by the district judge, traffic  
15 violations bureaus of the district courts, or the judge of the  
16 circuit court that the applicant has failed to respond to a  
17 traffic citation or summons, or failed to appear in court after  
18 an arrest for the violation of any traffic laws of a county,  
19 this chapter or chapter 286G, 287, 290, 291, or 291C, or of any  
20 motor vehicle insurance laws under article 10C of chapter 431,  
21 or of any motorcycle or motor scooter insurance laws under



1 article 10G of chapter 431, and the same remains delinquent and  
2 outstanding, or the applicant, has as of the time of the  
3 application, failed to comply in full with all orders of the  
4 court; provided that the district court with whose order an  
5 applicant has failed to comply in full, may approve the issuance  
6 or renewal of a driver's license or instruction permit other  
7 than a commercial driver's license upon conditions imposed by  
8 the court for the satisfaction of the outstanding court order  
9 and any other conditions as may be imposed by the court, if one  
10 or more of the following conditions are met:

11 (1) The applicant is gainfully employed in a position that  
12 requires driving and will be discharged if the  
13 applicant is unable to drive; or

14 (2) The applicant has no access to alternative  
15 transportation and therefore must drive to work;  
16 provided further that if the applicant has failed to comply in  
17 full with orders of the district court of more than one circuit,  
18 the applicant shall obtain the approval of the district court of  
19 each circuit in which the applicant has an outstanding court  
20 order before a driver's license or instruction permit may be  
21 issued or renewed under this subsection.



1 A driver's license or instruction permit issued or renewed  
2 under this subsection shall be subject to immediate suspension  
3 by the court upon the applicant's failure to remain in full  
4 compliance with all conditions imposed by the court for the  
5 issuance or renewal of the driver's license or instruction  
6 permit. The examiner of drivers may place an indication of  
7 restriction upon a driver's license or instruction permit issued  
8 or renewed under this subsection. Proof of financial  
9 responsibility under section 287-20 shall not apply to the  
10 issuance or renewal of driver's licenses or instruction permits  
11 under this subsection.

12 (d) An application for a driver's license shall include  
13 the information required under section 11-A."

14 SECTION 3. Section 286-301, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 **"[+]§286-301[+] Issuance of identification card or**  
17 **temporary card.** (a) To obtain an identification card from the  
18 examiner of drivers, an individual shall complete an application  
19 pursuant to section 286-303.

20 (b) The examiner of drivers, upon receipt of the  
21 application by any individual who is a resident or a temporary



1 resident of this State, shall issue an identification card to  
2 that individual upon receipt of any appropriate fee established  
3 pursuant to section 286-309.

4 (c) The identification card shall be similar in size,  
5 shape, and design to a driver's license, but shall not entitle  
6 the individual to whom it is issued to operate a motor vehicle.

7 (d) The issuance of an identification card pursuant to  
8 this section shall not place upon the State of Hawaii or any  
9 agency any liability for the misuse or the acceptance of the  
10 identification card as valid identification, which shall be left  
11 entirely to the discretion of any individual to whom such card  
12 is presented.

13 (e) An application for an identification card from the  
14 examiner of drivers shall include the information required under  
15 section 11-A."

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

18 "(a) ~~[All]~~ Except for purposes of sections 286-109 and  
19 286-301, 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



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

14 SECTION 6. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 7. This Act shall take effect on January 7, 2059.





**Report Title:**

Voter Registration; Driver's License; Civil Identification Card

**Description:**

Specifies that an affidavit on application for voter registration shall be a part of the application associated with the issuance of a civil identification card and driver's license. Requires each county examiner of drivers to electronically store the contents of the affidavit on application for voter registration provided by applicants in conjunction with their driver's license and civil identification card applications and provide electronic accessibility of this information. Effective 01/07/2059. (SD2)

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

