

STAND. COM. REP. NO. 772

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 683
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 683, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER
LICENSING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Create a limited purpose driver's license, limited purpose provisional driver's license, and limited purpose instruction permit;
- (2) Provide that limited purpose driver's licenses, limited purpose provisional driver's licenses, and limited purpose instruction permits shall not be acceptable for federal identification and voting purposes; and
- (3) Require satisfactory proof of identity and Hawaii residency.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Planned Parenthood of Hawaii, and Hawaii Coalition for Immigration Reform. Your Committee received testimony in opposition to this measure from the Department of Transportation and one individual. Your Committee received comments on this measure from the Hawaii Insurers Council.



Your Committee finds that the federal REAL ID Act of 2005, Pub. L. No. 109-13, requires states to comply with federally mandated eligibility criteria in issuing driver's licenses, including the requirement of proof of lawful presence in the United States. Accordingly, a person who does not submit satisfactory proof of the person's legal presence in the United States, as authorized by federal law, cannot legally operate a motor vehicle. The REAL ID Act, however, specifically allows states to issue driver's licenses that do not comply with the minimum federal use requirements and standards of the REAL ID Act, a critical exception.

Your Committee further finds that since 2010 when the State implemented the restrictive identification requirements for driver's licenses, a significant number of residents have become unable to carry out necessary daily activities unless they operate motor vehicles without a license and, therefore, without insurance. This measure provides an alternative method to obtain a driver's license.

Your Committee notes that the Department of Transportation will need time to implement this limited purpose driver's license, limited purpose provisional driver's license, and limited purpose instruction permit program. Accordingly, your Committee requests the Department to develop and present a feasible timeline for implementation as this measure moves through the legislative process.

Your Committee has amended this measure by:

- (1) Adopting the language suggested by the Department of Transportation that deletes section 2 and inserts language substantially similar to language under section 3 of H.B. No. 1007 (Regular Session of 2015);
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B.



No. 683, S.D. 1, as amended herein, and recommends that it pass
Third Reading in the form attached hereto as S.B. No. 683, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,




GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 683 SD1	TRA, JDL	2/27/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
ESPERO, Will	✓			
GABBARD, Mike				✓
IHARA, Jr., Les				✓
THIELEN, Laura H.	✓			
SLOM, Sam				✓
TOTAL	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes