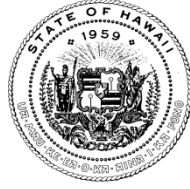


# SB 683

RELATING TO MOTOR VEHICLE DRIVER LICENSING. Creates a limited purpose driver's license, limited purpose provisional driver's license, and limited purpose instruction permit. Provides that limited purpose driver's licenses, limited purpose provisional driver's licenses, and limited purpose instruction permits shall not be acceptable for federal identification purposes. Requires satisfactory proof of identity and Hawaii residency. Effective 1/1/2016.

DAVID Y IGE  
GOVERNOR



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

FORD FUCHIGAMI  
DIRECTOR

Deputy Directors  
JADE BUTAY  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

IN REPLY REFER TO:

February 5, 2015  
2:45 P.M.  
State Capitol, Room 229

**S.B. 683**  
**RELATING TO MOTOR VEHICLE DRIVER LICENSING**

Senate Committee on Transportation

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The Hawaii Department of Transportation supports this bill with amendments relating to Motor Vehicle Driver Licensing provided that the bill does not jeopardize Hawaii's certification as a REAL ID compliant State.

The REAL ID compliant certification allows the holders of the current Hawaii driver's license and State identification card to continue to be accepted by the Transportation Security Administration to board commercial aircraft, access federal facilities and nuclear plants.

We recommend the following amendments:

Section 3 of the bill, subsection (a) (4): "A current home utility bill, lease or rental agreement, or other proof of Hawaii residency, as designated by the [~~director~~] examiner of drivers;"

Section 3, subsection (c): "Notwithstanding any other law, the [~~director~~] examiner of drivers shall not require any applicant for a limited purpose driver's license, limited purpose provisional driver's license, or limited purpose instruction permit to furnish information regarding the applicant's ineligibility for a social security account number. The [~~director~~] examiner of drivers shall not disclose the identity ... ."

Section 3, subsection (d): "A limited purpose driver's license, limited purpose provisional driver's license, or limited purpose instruction permit issued pursuant to this section shall:

- (1) On its face bear the phrase, "Not acceptable for official federal [~~identification~~] purposes"; [~~and~~]

- (2) In the machine readable zone, it shall also state “Not acceptable for official federal purposes”;
- (3) On the reverse side bear the phrase, “This license is issued only as a license to drive a motor vehicle. It does not establish eligibility for employment, voter registration, or public benefits; and
- (4) Be of unique design or color indicator that clearly distinguishes them from the State’s compliant driver’s licenses, provisional driver’s license and instruction permit.”

Section 3, subsection (i): ~~“[If it is to be determined that the requirements under this section do not comply with applicable federal law, the examiner of drivers, under the direction of the department, shall modify the limited purpose license and permit requirements to the extent necessary to satisfy the requirements of federal law.]~~ If the United States of Homeland Security determines that a license or a permit issued pursuant to this section does not satisfy the requirements of section 37.71 of Title 6 of the Code of Federal Regulations, adopted pursuant to paragraph (11) of subdivision (d) of section 202 of the Real ID Act of 2005 (Public Law 109-13, the examiner of drivers, under the direction of the director, shall modify the license or permit only to the extent necessary to satisfy the requirements of that section.”

Section 3, subsection (j): “The ~~[licensing authority]~~ director may adopt rules pursuant to chapter 91 to implement and enforce the requirements of this section.”

Thank you for the opportunity to present testimony.



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

**Board of Directors**

*Howard Garval, Chair  
Joanne Lundstrom, Vice Chair  
Jerry Rauckhorst, Treasurer  
Liz Chun, Secretary  
Susan Chandler  
Victor Geminiani  
Marya Grambs  
Kim Harman  
Katherine Keir  
Jeeyun Lee  
John McComas  
Robert Naniole  
Darcie Scharfenstein  
Alan Shinn*

TO: Senator Clarence Nishihara, Chair  
Senator Breene Harimoto, Vice Chair  
Members, Committee on Transportation

FROM: Scott Morishige, Executive Director, PHOCUSED

HEARING: Senate Committee on Transportation  
**Thursday, February 5, 2015 at 2:45 p.m. in Conf. Rm. 229**

**Testimony in support of SB683, Relating to Motor Vehicle Driver Licensing.**

Thank you for the opportunity to provide testimony **in support** of SB683, which creates a limited purpose driver's license, provisional license, and instruction permit for all Hawaii residents regardless of immigration status. PHOCUSED is a nonprofit membership and advocacy organization that works together with community stakeholders to impact program and policy change for the most vulnerable in our community, including immigrant households.

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 SB683 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).

**Aloha**   
**DREAM**  
**TEAM**

The Aloha DREAM Team stands in **strong support** of SB 683. We recognize this bill as a public safety measure that will benefit both Hawaii residents and the millions of visitors that come to our shores each year by ensuring that all of our drivers are trained, tested and insured.

The current standards set by the REAL ID Act pose a serious threat to our safety because many of our residents cannot produce all the documents required. People like Mr. Washington, a resident of Haleiwa, are forced to drive without a license every day through no fault of their own. Mr. Washington, like many Hawaii residents, resides in a rural location and receives no postal service, making him unable to provide the proof of residence that is currently required by the DMV.

Making Driver's Licenses more accessible to undocumented immigrants is another way in which SB 683 would make our communities safer. In addition to having better trained drivers, these immigrants would be more likely to report crimes if they could show a form of ID that wouldn't give away their immigration status. One woman, Susannah, reported an accident she was involved in last June and was sent to court, where she was almost deported and separated from her husband and 3 children.

The Aloha DREAM Team urges you to **support** SB 683 and stand with the safety of all of Hawaii's people. Mahalo for the opportunity to testify.



## *Nursing Advocates & Mentors, Inc.*

*... a non-profit organization with a mission to address the global nursing shortage by providing guidance and assistance for nursing colleagues to obtain their professional license in nursing.*

*NAMI, P.O. Box 2034 Aiea, HI 96701*

*E-mail: bramosrazon@aol.com*

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### **TESTIMONY IN STRONG SUPPORT OF SB 683**

Senate Committee on Transportation

Feb. 5, 2015, 2:45 p.m. | Hawai'i State Legislature | Room 229

To: Sen. Clarence K. Nishihara, Chair  
Sen. Breene Harimoto, Vice Chair  
Committee Members: Sen. Donovan M. Dela Cruz, Sen. J. Kalani English,  
Sen. Will Espero, Sen. Lorraine R. Inouye, Sen. Michelle N. Kidani,  
Sen. Ronald D. Kouchi, Sen. Sam Slom

From: Beatrice Ramos-Razon, RN, FACDONA  
Co-Founder & President, Nursing, Advocates & Mentors, Inc.

Dear Sen. Nishihara, Chair; Sen. Harimoto, Vice Chair; and Committee Members:

My name is Beatrice Ramos-Razon. As the founder and president of NAMI (Nursing Advocates & Mentors, Inc.), I am proud to submit our strong support for this bill. NAMI's membership is comprised of over 75 volunteer nurses, instructors, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawai'i's people through education, mentoring, advocacy and service.

NAMI strongly supports this bill, because this measure offers a viable solution. It will reduce the sky rocketing financial burdens and risks on society due to traffic accidents that are aggravated when a significant segment of individuals drive without a license, and under the radar of accountability. The state of New Mexico has demonstrated that since 2003, when undocumented immigrants were issued drivers licenses, the rate of uninsured motorists fell from 33% to 9%. Hawai'i could likewise benefit.

Thank you for hearing this bill, and for the opportunity to share the hope that disenfranchised individuals and families can be strengthened by leaders like you, in order to become viable and accountable stakeholders for public safety and well-being.

Sincerely,

Beatrice Ramos-Razon, RN, FACDONA  
President, Nursing Advocates and Mentors, Inc.



Hawai`i Friends for Civil Rights  
Amy Agbayani, Co-Founder & President  
c/o 3432 B2 Kalihi Street, Honolulu, HI 96819

**TESTIMONY IN STRONG SUPPORT OF SB 683**

Senate Committee on Transportation

Feb. 5, 2015, 2:45 p.m. | Hawai`i State Legislature | Room 229

To: Sen. Clarence K. Nishihara, Chair  
Sen. Breene Harimoto, Vice Chair  
Committee Members: Sen. Donovan M. Dela Cruz, Sen. J. Kalani English,  
Sen. Will Espero, Sen. Lorraine R. Inouye, Sen. Michelle N. Kidani,  
Sen. Ronald D. Kouchi, Sen. Sam Slom

From: Amy Agbayani, Ph.D., Co-Founder & President  
Hawai`i Friends for Civil Rights

Dear Sen. Nishihara, Chair; Sen. Harimoto, Vice Chair; and Committee Members:

As the co-founder and president of Hawaii Friends of Civil Rights, I submit strong support for this bill. HFQR is a group dedicated to fulfilling the work of the late Dr. Martin Luther King, Jr. by addressing disparities and discrimination through the promotion of change agents for social justice through education, service and advocacy.

HFQR strongly supports this bill that would enable persons who are ineligible to receive a social security number to show other documentation in order to apply for a driver's license. Concerns over public safety are addressed in this bill. The benefits of registering all drivers in the DMV provides protections to public safety by increasing the number of trained, tested and accountable drivers. Everyone stands to benefit from an inclusive system that promotes civic responsibility, enables people to participate fully in the daily transactions of commerce, and encourages people to care for one another. Surely, if eleven other states with large immigrant populations have already benefitted from the prudence of enacting drivers license laws, Hawai`i can implement those best policy and management practices, as well.

Thank you for hearing this bill, and for the opportunity to provide our full support in your consideration of its passage.

Very Sincerely,

Amy Agbayani, Ph.D.  
Co-Founder and President  
Hawai`i Friends of Civil Rights



## **TESTIMONY IN STRONG SUPPORT OF SB 683**

Senate Committee on Transportation

Feb. 5, 2015, 2:45 p.m. | Hawai'i State Legislature | Room 229

To: Sen. Clarence K. Nishihara, Chair  
Sen. Breene Harimoto, Vice Chair  
Committee Members: Sen. Donovan M. Dela Cruz, Sen. J. Kalani English,  
Sen. Will Espero, Sen. Lorraine R. Inouye, Sen. Michelle N. Kidani,  
Sen. Ronald D. Kouchi, Sen. Sam Slom

From: Rouel Velasco, Chair  
National Federation of Filipino American Associations Region 12

Dear Sen. Nishihara, Chair; Sen. Harimoto, Vice Chair; and Committee Members:

My name is Rouel Velasco, Chair, NaFFAA Region 12, which strongly supports this bill. NaFFAA Region 12 represents the interests of Filipinos in Hawai'i, Guam, and the Commonwealth of Northern Marianas Islands. We are an affiliate of the National NaFFAA. Washington policy-makers, private industry and national advocacy groups recognize NaFFAA as the Voice of Filipinos and Filipino Americans throughout the United States. We are a non-partisan, non-profit national affiliation of more than five hundred Filipino-American institutions and umbrella organizations that span twelve regions throughout the continental United States and U.S. Pacific territories.

NaFFAA supports the intent of this bill, which is to protect the public with an inclusive policy that offers undocumented immigrants to get a driver's license. That will allow them to drive to work, bring their family members to school or to the doctor's, go grocery shopping, be responsibly engaged in the daily transactions of commerce, and more. This will be in the public's best interest, because it will increase accountability and opportunity for undocumented immigrants to contribute positively to traffic safety. We also agree with the bill's comprehensive public safety provisions included.

Thank you for hearing this bill and for the opportunity to submit our strong support.

Sincerely,

Rouel Velasco, Chair, NaFFAA Region 12



# Filipino American Citizens League

Jake Manegdeg, President  
P. O. Box 270126 ★ Honolulu, Hawai'i 96827

## TESTIMONY IN STRONG SUPPORT OF SB 683

Senate Committee on Transportation

Feb. 5, 2015, 2:45 p.m. | Hawai'i State Legislature | Room 229

To: Sen. Clarence K. Nishihara, Chair  
Sen. Breene Harimoto, Vice Chair  
Committee Members: Sen. Donovan M. Dela Cruz, Sen. J. Kalani English,  
Sen. Will Espero, Sen. Lorraine R. Inouye, Sen. Michelle N. Kidani,  
Sen. Ronald D. Kouchi, Sen. Sam Slom

From: Charlene Cuaresma, Vice President, Filipino American Citizens League

Dear Sen. Nishihara, Chair; Sen. Harimoto, Vice Chair; and Committee Members:

My name is Charlene Cuaresma. As vice president of the Filipino American Citizens League, I am very proud to strongly support this bill. The League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

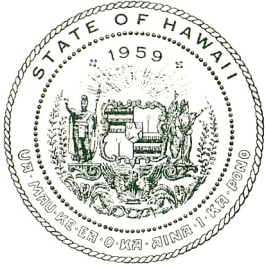
The League sends you our appreciation for hearing this bill. We support this bill because it provides safeguards to ensure that all drivers, including individuals without proper immigration documentation, are offered to produce other forms of documentation, in order to access driver's license training, car insurance, and be held accountable for public safety.

Thank you for the opportunity to speak up, in hopes of pointing our civil society in the direction of strengthening people's ability to participate more fully and responsibly in the daily tasks of acquiring food, shelter, clothing, transportation, health, education and more for themselves, their families, and others. The vitality of Hawai'i's communities and economy depends on our ability to be inclusive for the benefit of all.

Sincerely,

Charlene Cuaresma  
Vice President  
Filipino American Citizens League

HAWAII  
STATE  
COMMISSION  
ON THE  
STATUS  
OF  
WOMEN



Chair  
LESLIE WILKINS

COMMISSIONERS:

ELENA CABATU  
JUDY KERN  
MARILYN B. LEE  
CARMILLE LIM  
AMY MONK  
LISA ELLEN SMITH

Executive Director  
CATHY BETTS, JD

Email:  
Catherine.a.betts@hawaii.gov

Visit us at:  
humanservices.hawaii.gov  
/hscsw/

235 S. Beretania #407  
Honolulu, HI 96813  
Phone: 808-586-5758  
FAX: 808-586-5756

February 5, 2015

To: Senator Clarence K. Nishihara, Chair  
Senator Breene Harimoto, Vice Chair  
Members of the Senate Committee on Transportation

From: Cathy Betts, Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in Strong Support of SB 683, Relating to Motor Vehicle Driver Licensing

Thank you for this opportunity to testify in strong support of SB 683, which creates a limited purpose driver's license, provisional license and instruction permit for Hawaii residents regardless of immigration status. Female immigrants in Hawaii are disproportionately affected by the complete bar on licensure. Women serve as primary caregivers to family members and children, and as such, face real fears when they are required to drive. Particularly in rural areas where public transportation is less accessible, this problem becomes even more apparent.

The Migration Policy Institute reports that one of the top three issues faced by immigrants in Hawaii is the ability to drive safely and legally to work, obtain groceries, drop children off at school and to doctors' appointments. Further, in cases of abuse, allowing licensure of victims ensures a path to safety. Women should not have to choose between breaking the law (driving without a license) and going to apply for a temporary restraining order, or taking a sick child to the doctor.

SB 683 would allow immigrants without legal status to obtain appropriate licensure, ensuring that our roads are safer. We urge you to support SB 683.

Thank you for your time.





3 February 2015

Senator Clarence Nishihara, Chair  
Senator Breene Harimoto, Vice Chair  
Members of the Senate Committee on Transportation

Dear Mr. Nishihara, Mr. Harimoto and Members of the Senate:

**Re: SB 683**  
**Hearing Date, Time: 02-05-15. 2:45 PM**  
**Place: Conference Room 229**

As Conference Minister of the Hawai'i Conference of the United Church of Christ, I write in support of SB 683, 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.

SB 683 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 black ink, appearing to read "Charles Buck". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charles Buck  
Conference Minister



## CATHOLIC CHARITIES HAWAII

### TESTIMONY IN SUPPORT OF SB 683: Relating to Motor Vehicle Driver Licensing

TO: Senator Clarence Nishihara Chair, Senator Breene Harimoto, Vice Chair, and Members, Committee on Transportation

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

Hearing: **Thursday, February 5, 2015, 2:45 PM, Conference Room 229**

Thank you for the opportunity to testify on SB 683, which will increase access to Hawaii drivers' licenses for people currently ineligible. **Catholic Charities Hawaii supports SB 683: Relating to Motor Vehicle Driver Licensing.**

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

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. In Hilo, we have an Immigration Resource Center that provides services to help immigrants make the adjustments and gain the skills critical to attaining a productive life in Hawaii.

SB 683 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 Hawaii's drivers are estimated to be uninsured. These uninsured drivers increase the cost of driving for those of us who follow the law.

SB 683 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.

SB 683 will also help people who are not immigrants but who are having difficulty, due to cost or logistics, obtaining the currently required documents for a driver's license. This would include seniors, especially low-income seniors, people transitioning from homelessness, domestic violence victims and disaster victims.

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)





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

**Alison H. Ueoka**  
Executive Director

## TESTIMONY OF ALISON UEOKA

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SENATE COMMITTEE ON TRANSPORTATION  
Senator Clarence K. Nishihara, Chair  
Senator Breene Harimoto, Vice Chair

Thursday, February 5, 2015  
2:45 p.m.

### **SB 683**

Chair Nishihara, Vice Chair Harimoto, and members of the Committee, my name is Alison Ueoka, 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 thirty-six percent 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 an alternative way 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.



To: Senator Clarence Nishihara, Chair  
Senator Breene Harimoto, Vice Chair  
Members of the Senate Committee on Transportation

From: Khara Jabola Carolus, Legislative Coordinator, Hawai'i Coalition for Immigration Reform

Re: Testimony in Strong Support of SB 683, Relating to Motor Vehicle Driver Licensing

On behalf of the Hawai'i Coalition for Immigration Reform, I would like to thank the Committee for the opportunity to testify in support of SB 683, which would ensure that all motorists in Hawai'i are trained, tested, and licensed, regardless of immigration status. Importantly, this bill also works to further our collective mission to eliminate ancestry and race-based discrimination associated with the denial of basic rights to undocumented immigrants.

The benefit to society in eliminating barriers to driver's licensure far outweighs any justifications for keeping them. The following are key reasons to enact this important measure:

1. SB 683 increases the safety of our roads and highways.

It is clear that our current law needs to be revised and updated to provide full access to proper certification to all motorists in Hawai'i. AAA found that unlicensed drivers are almost five times more likely to be involved in a fatal crash than licensed drivers.<sup>1</sup> According to the Insurance Research Council, about 11% of all drivers in Hawai'i are uninsured and uninsured motorists increase the probability of fatal car crashes.<sup>2</sup> Ensuring that undocumented immigrants are able to obtain a license is a simple matter of public safety.

2. SB 683 encourages economic vibrancy and social participation.

Currently, Hawai'i driver's licenses are unavailable for persons who fail to provide proof of legal status in the United States. According to the Pew Research Center, at least 3.1 percent of Hawai'i's population, or what amounts to 40,000 workers, cannot furnish such proof. These thousands of individuals are unlicensed and, therefore, untested and uninsured. The Migration Policy Institute (MPI) reports that one of the top three difficulties cited by immigrants in Hawai'i is the ability to drive safely and legally to work, church, to run errands, to drop children off to school and drive them to medical appointments. For example, barriers to driver's licenses pose one of the biggest problems for immigrants on Maui and the Big Island where public

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<sup>1</sup> *High-Risk Drivers Fact Sheet* (AAA Foundation for Traffic Safety, undated), [www.aaafoundation.org/sites/default/files/UnleasedToKill2.pdf](http://www.aaafoundation.org/sites/default/files/UnleasedToKill2.pdf).

<sup>2</sup> J. Tim Query & Risa Kumazawa, *Examining the Impact of Issuing Driver's Licenses to Undocumented Immigrants* 1 National Association of Insurance Commissioners (2011), [http://business.nmsu.edu/~tquery/research/UM-NM\\_%20FINAL%20JIR%20VERSION.pdf](http://business.nmsu.edu/~tquery/research/UM-NM_%20FINAL%20JIR%20VERSION.pdf).



transportation is not as frequent as O`ahu.<sup>3</sup> Women immigrants in particular are disproportionately impacted because they are often the primary caretakers of children.

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. Each insured motorist also pays for a portion of the costs for others that drive uninsured. Since New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33% to 9%; This legislation will bring increased revenue into the state and boost the auto insurance and auto sales industries, fuel, and other auto service businesses. Drivers licenses will ensure that people drive safely and legally in order to take care of their families and contribute to the state's economy. As a result of not having a valid drivers license, immigrant community members have trouble accomplishing basic daily tasks such as purchasing groceries.

3. Law enforcement has a compelling interest in licensure for all.

A driver's license increases the willingness of immigrant witnesses and victims to cooperate with law enforcement officers and assist in criminal investigations. Further, police can use their resources more efficiently when drivers have licenses. Every time a police offer stops someone who has no identification, it requires additional manpower to determine the identity of an arrestee. In addition, unlicensed drivers are more likely to leave the scene of a crash than are licensed drivers. For example, many hit-and-runs in California are caused by undocumented immigrants "who flee because they're afraid of being deported and having their vehicles taken because they're driving without licenses."<sup>4</sup> More still, the driver's license database is the largest law enforcement database in the country (containing more information than the IRS database, SS database or state birth certificate databases), thus providing an invaluable police tool. Finally, the bill does not provide a loophole for those drivers whose regular driver's licenses have been revoked, cancelled, or expired.

4. The nation is moving to provide licensure for all motorists, regardless of immigration status.

Since 2013, there has been a significant increase in pro-immigrant efforts to expand access to driver's licenses. Eleven states, plus Washington, D.C., and Puerto Rico, have enacted laws that grant access to a driver's license or card, regardless of immigration status. In 2014, Hawai'i introduced similar legislation but failed to enact the proposed measure.

5. Hawai'i will remain REAL ID compliant.

SB 683 does not endanger the State's compliance with the REAL ID Act of 2005 and will not lose federal grants or funding with the passing of this legislation. Currently, Hawai'i driver's licenses are unavailable for persons who fail to comply with the requirements of the REAL ID Act of 2005, Pub. L. No. 109-13, § 201-202. A person who does not submit satisfactory proof that his or her presence in the United States is authorized by federal law cannot operate a motor vehicle in the State of Hawaii. The REAL ID Act, however, specifically allows for states to create non-REAL ID compliant cards in lieu of or in addition to REAL ID compliant driver's licenses. Hawai'i's drivers licenses will remain untouched. Instead, this bill creates a separate, limited

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<sup>3</sup> Jeanne Batalova, Monisha Das Gupta, & Sue Patricia Haglund, *Newcomers to the Aloha*, MIGRATION POL'Y INSTITUTE 2 (Sept. 2013).

<sup>4</sup> Dennis Romero, *How to Get Away with a Hit-and-Run in Los Angeles*, L.A. Weekly (Dec. 6, 2012) [http://blogs.laweekly.com/informer/2012/12/hit\\_and\\_run\\_los\\_angeles\\_lapd.php](http://blogs.laweekly.com/informer/2012/12/hit_and_run_los_angeles_lapd.php).

purpose driver's license that conforms with the unique identification requirements of the REAL ID Act.

Lastly, we offer the following amendment to be inserted as an important proviso to prevent discriminatory practices:

**§ -286(e)(5)(k) Prohibition on discrimination. It shall be a violation of law to discriminate against a person because he or she holds or presents a license issued under this section.**

On behalf of our coalition, I respectfully urge this committee to pass SB 683. Thank you for the opportunity to testify and for your leadership on this important issue.

Mahalo,

Khara Jabola-Carolus



## **TESTIMONY IN STRONG SUPPORT OF SB 683**

Senate Committee on Transportation

Feb. 5, 2015, 2:45 p.m. | Hawai'i State Legislature | Room 229

To: Honorable Senate Committee on TRA Sen. Clarence K. Nishihara, Chair,  
Honorable Sen. Breene Harimoto, Vice Chair; Honorable TRA Committee  
Members

From: Jovanie de la Cruz, Executive Board Member, Filipino Coalition for Solidarity

Dear Senate Committee on TRA Sen. Clarence K. Nishihara, Chair; Sen. Breene  
Harimoto, Vice Chair; and Senate TRA Committee Members:

My name is Jovanie de la Cruz, Executive Board Member of the Filipino Coalition for Solidarity. The Coalition strongly supports this bill. Since its inception in 1990, the Coalition has represented more than 50 Filipino community leaders, whose aim is to work for social justice issues to empower Filipinos to make socially responsible contributions to Hawai'i and our global neighbors through education, advocacy, and social action.

I strongly support this bill from the vantage points of a community leader and a naturalized U.S. citizen myself. I have seen firsthand the unintended consequences of complicated and restrictive immigration laws. For those who do not have proper documentation, it not only creates extraordinary stress on the ability for families to care for each other, but it also puts society at great risk when it concerns the lack of accountability for traffic safety. According to the American Auto Association, unlicensed drivers are five times more likely to be involved in a fatal car crash than licensed drivers. This bill will remedy this situation by allowing undocumented immigrants an opportunity to be trained, tested, and accountable in order to acquire a driver's license. The public will be well served and all will be protected with this bill.

The Coalition extends our gratitude to you for hearing this important bill and urge this honorable Committee to pass this bill.

Respectfully,

Jovanie de la Cruz, Executive Board Member, Filipino Coalition for Solidarity

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [TRA Testimony](#)  
**Cc:** [espihawaii@juno.com](mailto:espihawaii@juno.com)  
**Subject:** \*Submitted testimony for SB683 on Feb 5, 2015 14:45PM\*  
**Date:** Monday, February 02, 2015 12:06:39 AM

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**SB683**

Submitted on: 2/2/2015

Testimony for TRA on Feb 5, 2015 14:45PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Deanna Espinas	Hawaii Coalition for Immigration Rights	Support	No

Comments:

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Committee: Committee on Transportation  
Hearing Date/Time: Thursday, February 5, 2015, 2:45 p.m.  
Place: Conference Room 229  
Re: Testimony of the ACLU of Hawaii **in Support of S.B. 683**, Relating to Motor Vehicle Licensing

Dear Chair Nishihara and Members of the Committee on Transportation,

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in **support of S.B. 683**, Relating to Motor Vehicle Licensing.

This bill will improve public safety. There are many individuals in Hawaii who currently drive without a license, and without insurance, because they cannot provide proof of lawful status in the United States. Allowing these individuals to obtain licenses will also allow them to obtain insurance, resulting in safer (and more economically secure) communities. Allowing these individuals to obtain licenses also increases the community’s trust of law enforcement (and, with it, willingness to cooperate with law enforcement in criminal investigations).

The ACLU of Hawaii recommends the following amendments to protect those who hold these licenses from unlawful discrimination:

1. **In HRS § 286-\_\_\_(d)(1), place the language regarding federal identification on the reverse of the license, rather than the face.** The Legislature can accomplish the same effect – ensuring that individuals holding this license cannot use the license for federal identification purposes – without drawing attention to the language in a way that may invite discrimination by those viewing the license.
2. **In HRS § 286-\_\_\_(d)(1) and (d)(1), require that this language appear in a font size no larger than the smallest font size otherwise appearing on the card.**
3. **Strengthen the bill’s anti-discrimination provisions.**

We respectfully request that the Committee include these amendments and pass the bill.

American Civil Liberties Union of Hawaii  
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Honolulu, Hawaii'i 96801  
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F: 808-522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
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Chair Nishihara and Committee Members  
February 5, 2015  
Page 2 of 2

Thank you for this opportunity to testify.

Daniel M. Gluck  
Legal Director  
ACLU of Hawaii

*The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for 50 years.*

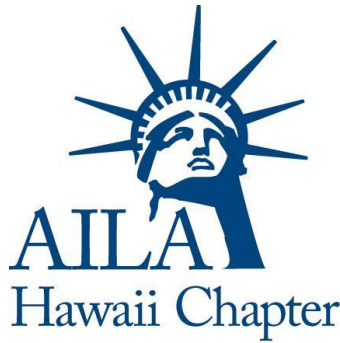
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February 4, 2014

Chair Clarence Nishihara  
Vice-Chair Breene Harimoto  
Members of the Senate Committee on Transportation

Hearing Date and Time: 02-05-2015 2:45 PM

Place: Conference room 229

RE: SB 683 – STRONG SUPPORT

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We write in strong support of SB 683, the “Driver’s Safety Act,” 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.

SB683 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 which they need to work 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 driver’s licenses was established as a priority by research participants.

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

Clare M. Hanusz  
Chair

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<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.



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Testimony of Hawai'i Appleseed Center for Law and Economic Justice  
Supporting SB 683 Relating to Motor Vehicle Driver Licensing  
Senate Committee on Transportation  
Scheduled for Hearing Thursday, February 5, 2015

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

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Thank you for the opportunity to testify in **strong support** of SB 683, which would create a limited purpose driver's license, provisional license, and instruction permit that would be available to all Hawai'i residents, regardless of their ability to show proof of authorized presence in the U.S. As it stands, overly restrictive documentation requirements mean that many people in our community cannot apply for a driver's license. Providing greater access to driver's licenses 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, drive because they need to get to work, transport their children, take aging parents to the doctor, and engage in other day-to-day activities. Regardless of one's sentiments about immigration, these facts are not going to change. Especially for those in rural areas, driving is critical. We should ensure that all drivers understand traffic laws and drive safely. No one should be forced to break the law just to provide and care for their families.

Access to driver's licenses will also help the entire community by increasing insurance coverage. More licensed drivers means more insured drivers, and the expense of covering accidents involving uninsured motorists will decline and lower rates for everyone. In addition, relations with law enforcement officers will be improved. Officers will be able to quickly 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.

While 3.1 percent of Hawai'i's population cannot show proof of lawful presence at all, the stringent documentation requirements create barriers for other populations, including many citizens. Low-income people are disproportionately impacted by the arduous documentation requirements. Individuals experiencing homelessness have particular difficulty maintaining their documents. Other populations affected include elders and people fleeing domestic violence situations or natural disasters—anyone who has financial or logistical challenges accessing certain documents.

A growing number of states recognize these facts—no one is any safer when drivers lack licenses—and have identified limited purpose licenses as an effective solution. Those who seek to follow our laws should not be turned away based on their ability to provide particular documents when there are other ways to prove their identity and Hawai'i residency, and no driver should be driving unlicensed. Barring access for these residents only diminishes our safety and well-being. Creating limited purpose drivers licenses would advance social and economic justice as well as safety. Again, thank you for an opportunity to testify in **strong support** of SB 683 to create a safer, more inclusive Hawai'i for all of our families.

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**To:** [TRA Testimony](#)  
**Cc:** [april.alohadreamteam@gmail.com](mailto:april.alohadreamteam@gmail.com)  
**Subject:** Submitted testimony for SB683 on Feb 5, 2015 14:45PM  
**Date:** Tuesday, February 03, 2015 1:46:28 PM  
**Attachments:** [TRA\\_SB683testimony](#)

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**SB683**

Submitted on: 2/3/2015

Testimony for TRA on Feb 5, 2015 14:45PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
April Kamilah Bautista	Individual	Support	No

Comments:

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**Subject:** Submitted testimony for SB683 on Feb 5, 2015 14:45PM  
**Date:** Monday, February 02, 2015 7:47:47 PM

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**SB683**

Submitted on: 2/2/2015

Testimony for TRA on Feb 5, 2015 14:45PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darlene Rodrigues	Individual	Support	No

Comments: I strongly support SB683 as it creates safer streets by allowing for limited drivers, provisional licenses and learner permits for Hawai'i residents regardless of immigration status. It will help boost the economy by allowing residents in our community a chance to work because they can drive with a legal license. It will make our streets safer. Licensed drivers have access to driver safety and education, and have to pass eye and medical exams to ensure safe driving. This measure helps EVERYONE in our community. I strongly urge you to pass this measure!

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To: Senator Clarence Nishihara, Chair  
Senator Breene Harimoto, Vice Chair  
Members of the Senate Committee on Transportation

From: Renee Leotele Togafau

Re: **Testimony in Strong Support of SB 683, Relating to Motor Vehicle Driver Licensing**

I write in strong support of SB 683, which would create a limited purpose driver's license expanding access to all Hawai'i residents regardless of immigration status.

This bill advances 3 important issues:

- Ensures safer roads and highways
- Encourages economic and social participation
- Makes law enforcement sense

At least 3.1 percent of Hawai'i's population cannot provide proof of legal presence in the United States. Barriers to driver's licenses are among the largest problems for undocumented workers. And on islands such as Maui and Big Island where public transportation is limited, access to driver's licenses are extremely important for working class individuals.

SB 683, if passed, would promote safer communities, economic participation and access without fear for those who contribute to our society. Immigrant witnesses and victims would be more willing to cooperate with law enforcement and aid in criminal investigation. On the same note, expanding driver's license access would promote efficiency for law enforcement to determine the identity of arrestee(s).

In addendum, after discussions with key stakeholders, I would suggest offering the following provisions to further strengthen the proposed legislation:

**§ -286(e)(5)(k) Prohibition on discrimination. It shall be a violation of law to discriminate against a person because he or she holds or presents a license issued under this section.**

I appreciate the opportunity to provide testimony in strong support of SB 683.

Mahalo,

  
\_\_\_\_\_

Date: February 4, 2015

To: Senator Clarence Nishihara, Chair  
Senator Breene Harimoto, Vice Chair  
Members of the Senate Committee on Transportation

From: Ashley Galacgac

Re: Testimony in Strong Support of SB 683, Relating to Motor Vehicle Driver Licensing

Meeting: February 5, 2015, 2:45PM, Conference Room 229

My name is Ashley Galacgac. I write to you in strong support of SB 683. Born, raised, and educated here, I am blessed to call Hawai'i home. I am a proud graduate of the University of Hawai'i at Mānoa and currently a graduate student in the College of Education. As an aspiring educator, it has been my commitment to improve the lives of the people of Hawai'i. I am compelled to urge the passing of this bill to ensure economic and social participation of thousands who contribute to Hawai'i's vibrancy.

Moreover, SB 683 will improve traffic safety. By making sure everyone who drives on our roads and highways obtains proper driver education, passes driving tests and vision exams, this bill will promote safer communities, economic participation, and access without fear for those who contribute to our society. The safe commute to work, to school, and other places to care for ones family and community benefits all.

In addendum, after discussions with key stakeholders, I support the offering of the following additional provision as an amendment to strengthen the bill:

§ -286(e)(5)(k) Prohibition on discrimination. It shall be a violation of law to discriminate against a person because he or she holds or presents a license issued under this section.

In closing, thank you for your time and allowing me to express my strong support of SB 683.

Aloha,  
Ashley Galacgac