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# A BILL FOR AN ACT

RELATING TO VOTER REGISTRATION.

**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 designated  
3 and to read as follows:

4           "§11-    Applications for driver's licenses or  
5 identification cards. (a) Notwithstanding any law to the  
6 contrary, the affidavit application for voter registration  
7 required by section 11-15 shall be a part of the application  
8 required for the issuance of a driver's license under section  
9 286-109 and an identification card under section 286-301.

10           (b) An application for a driver's license or an  
11 identification card shall not be processed until the applicant  
12 has:

13           (1) Been confirmed electronically to be a registered voter;  
14           or

15           (2) Applied to register to vote or affirmatively declined  
16           to register to vote on the application form.



1        (c) If an applicant for a driver's license or an  
2 identification card is a registered voter, the application shall  
3 serve to automatically update the applicant's voter registration  
4 residence address, mailing address, or name, as may be  
5 applicable. A notice to this effect shall be stated on any  
6 application or change of address or name form used by the  
7 examiner of drivers.

8        (d) The examiner of drivers and the department of  
9 transportation shall indicate in their respective databases  
10 whether the holder of a driver's license or an identification  
11 card is a registered voter, in addition to any other information  
12 referred to in subsection (e).

13        (e) The examiner of drivers shall electronically transmit  
14 to the office of elections, on a real time basis, the following  
15 information associated with each applicant who is a United States  
16 citizen that has not affirmatively declined to register to vote  
17 or who is a registered voter:

- 18        (1) Name;
- 19        (2) Date of birth;
- 20        (3) Last four digits of the social security number;
- 21        (4) Driver's license number or identification card number;



- 1        (5) Gender;
- 2        (6) Residence address;
- 3        (7) Mailing address;
- 4        (8) Digitized signature;
- 5        (9) Electronic copy of the application;
- 6        (10) Whether the applicant is a registered voter;
- 7        (11) Whether the applicant has fully completed the voter
- 8                registration portion of the application;
- 9        (12) Whether the applicant chose to become a permanent
- 10               absentee voter; and
- 11        (13) Other information specified by the chief election
- 12               officer.
  
- 13        (f) Databases maintained or operated by the counties or the
- 14        department of transportation containing driver's license and
- 15        identification card information, including any documents or
- 16        images, shall be electronically accessible by election officials
- 17        and the statewide voter registration system, to allow for the
- 18        timely processing of voter registration applications, facilitate
- 19        verification of information provided by online voter registration
- 20        applicants under section 11-15.3, ensure the integrity of the
- 21        voter registration rolls, or for any other election purpose."



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

3 "§286-109 General provision governing the issuance of  
4 licenses. (a) Upon payment of the required fee and upon  
5 demonstrating the ability to operate a certain category or  
6 categories of motor vehicles to the satisfaction of the examiner  
7 of drivers, an applicant for a driver's license shall be issued  
8 a single license of a design approved by the director of  
9 transportation upon which is made a notation of:

- 10 (1) The category or categories of motor vehicles the  
11 applicant may operate;
- 12 (2) Any restrictive provisions to which the license is  
13 subject;
- 14 (3) Veteran status, if desired by the applicant; provided  
15 that the notation shall be on the front of the license  
16 and shall not include any designation other than the  
17 term "veteran"; and
- 18 (4) When the license is issued to a person under twenty-  
19 one years of age, a statement, in clearly legible  
20 print that shall contrast with the other information  
21 appearing on the license, which indicates the date on



1           which the person will attain the age of twenty-one  
2           years.

3 As used in this subsection, "veteran" means any person who  
4 served in any of the uniformed services of the United States,  
5 including veterans of the Korean conflict and persons who served  
6 in the armed forces of the Republic of Korea, who fought under  
7 the command of the United Nations led by the United States,  
8 during the Korean conflict and are currently United States  
9 citizens, and was discharged under conditions other than  
10 dishonorable.

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

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



1 this chapter or chapter 286G, 287, 290, 291, or 291C, or of any  
2 motor vehicle insurance laws under article 10C of chapter 431,  
3 or of any motorcycle or motor scooter insurance laws under  
4 article 10G of chapter 431, and the same remains delinquent and  
5 outstanding, or the applicant, has as of the time of the  
6 application, failed to comply in full with all orders of the  
7 court; provided that the district court with whose order an  
8 applicant has failed to comply in full, may approve the issuance  
9 or renewal of a driver's license or instruction permit other  
10 than a commercial driver's license upon conditions imposed by  
11 the court for the satisfaction of the outstanding court order  
12 and any other conditions as may be imposed by the court, if one  
13 or more of the following conditions are met:

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

17 (2) The applicant has no access to alternative  
18 transportation and therefore must drive to work;  
19 provided further that if the applicant has failed to comply in  
20 full with orders of the district court of more than one circuit,  
21 the applicant shall obtain the approval of the district court of



1 each circuit in which the applicant has an outstanding court  
2 order before a driver's license or instruction permit may be  
3 issued or renewed under this subsection.

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

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

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

19 "[+]§286-301[+] Issuance of identification card or  
20 temporary card. (a) To obtain an identification card from the



1 examiner of drivers, an individual shall complete an application  
2 pursuant to section 286-303.

3 (b) The examiner of drivers, upon receipt of the  
4 application by any individual who is a resident or a temporary  
5 resident of this State, shall issue an identification card to  
6 that individual upon receipt of any appropriate fee established  
7 pursuant to section 286-309.

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

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

17 (e) An application for an identification card from the  
18 examiner of drivers shall include the information required under  
19 section 11- ."

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





1           "(a) [~~All~~] Except for purposes of voter registration as  
2 specified in sections 11- , 286-109 and 286-301, information and  
3 records acquired by the examiner of drivers under this part shall  
4 be confidential. All information and records shall be maintained  
5 in an appropriate form and in an appropriate office in the  
6 custody and under the control of the examiner. The information  
7 shall be available only to authorized individuals under such  
8 restrictions as the director shall prescribe. The examiner may  
9 dispose of any application or identification card, or information  
10 or record relating to the application or identification card,  
11 which does not include a social security number, without regard  
12 to chapter 94, whenever, in the examiner's discretion, retention  
13 of the information or record is no longer required or  
14 practicable."

15           SECTION 5. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17           SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

*Sen. Quilley*



D. L. Holt  
James J. [unclear]

George [unclear]  
Nicole E. [unclear]  
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JAN 24 2017



# H.B. NO. 1290

**Report Title:**

Voter Registration; Examiner of Drivers; Driver's Licenses;  
Identification Cards

**Description:**

Makes voter registration application affidavit a mandatory part of all driver's license and identification card applications. Requires sharing of information among the counties, Department of Transportation, and election personnel.

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

