

JAN 20 2017

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; provided that the
10 affidavit meets the requirements of section 11-15(a).

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

16 §11-B Electronic accessibility of voter registration
17 applications associated with the examiner of drivers. (a) The



1 examiner of drivers of each county shall ensure that the
2 contents of the affidavit on application for voter registration
3 provided by applicants in conjunction with their driver's
4 license and civil identification card application are
5 electronically stored in a database of each county examiner of
6 drivers.

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

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

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



1 provided by online voter registration applicants under section
2 11-15.3, and otherwise ensure the integrity of the voter
3 registration rolls."

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

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

- 13 (1) The category or categories of motor vehicles the
14 applicant may operate;
- 15 (2) Any restrictive provisions to which the license is
16 subject;
- 17 (3) Veteran status, if desired by the applicant; provided
18 that the notation shall be on the front of the license
19 and shall not include any designation other than the
20 term "veteran"; and



1 (4) When the license is issued to a person under twenty-
2 one years of age, a statement, in clearly legible
3 print that shall contrast with the other information
4 appearing on the license, which indicates the date on
5 which the person will attain the age of twenty-one
6 years.

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

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

18 (c) Statutes of limitations and other provisions of this
19 chapter notwithstanding, no driver's license or instruction
20 permit shall be issued or renewed under this section, where the
21 examiner of drivers is notified by the district judge, traffic



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

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



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

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

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



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

3 "[~~§~~286-301~~§~~] Issuance of identification card or
4 temporary card. (a) To obtain an identification card from the
5 examiner of drivers, an individual shall complete an application
6 pursuant to section 286-303.

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

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

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



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

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

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

20 SECTION 5. In codifying the new sections added by section
21 1 of this Act, the revisor of statutes shall substitute



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1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 6. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 7. This Act shall take effect on January 1, 2018.

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INTRODUCED BY:

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S.B. NO. 246

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 1/1/2018.

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

