

JAN 20 2017

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
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 a
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 has:

12 (1) Been confirmed electronically as already being a
13 registered voter; or

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

16 (c) If an applicant for a civil identification card or
17 driver's license is already a registered voter, the application



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1 shall serve to automatically update the applicant's voter
2 registration residence address, mailing address, or name, as may
3 be applicable. A notice to this effect shall be stated on any
4 application or change of address or name form utilized by the
5 examiner of drivers.

6 (d) The examiner of drivers and the department of
7 transportation shall maintain records indicating whether a civil
8 identification card or driver's license holder is a registered
9 voter, in addition to the information referred to in subsection
10 (e).

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

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



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

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

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



1 of drivers, an individual shall complete an application pursuant
2 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-A."

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

14 SECTION 5. In codifying the new sections added by section
15 1 of this Act, the revisor of statutes shall substitute
16 appropriate section numbers for the letters used in designating
17 the new sections in this Act.

18 SECTION 6. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



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1 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY:


By Request



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Report Title:

Hawaii State Office of Elections Package; Voter Registration;
Civil Identification Card; Driver's License

Description:

Requires an application for voter registration to be part of the applications associated with the issuance of a civil identification card under section 286-301 and a driver's license under section 286-109.

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

