

**Testimony by:**  
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IN REPLY REFER TO:

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

January 31, 2018  
1:15 p.m.  
State Capitol, Room 225

**S.B. 2528**  
**RELATING TO DRIVERS LICENSING**

Senate Committee on Transportation and Energy

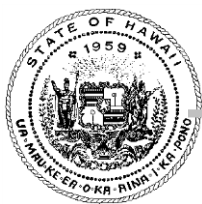
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The Department of Transportation (DOT) **supports** S.B. 2528 relating to driver's licensing.

The proposed amendment to Section 286-104.5 addresses the need for Hawaii's law to match the Department of Homeland Security's (DHS) Final Rule. The DHS' final rule that relates to the REAL ID Act of 2005 allows for only one REAL ID-compliant credential whether a driver's license or state civil identification card.

The proposed amendment to Section 286-104.5 addresses the situation that may occur when a person elects to hold a state civil identification card as their REAL ID-compliant credential and permits that person to obtain a non-compliant limited purpose driver's license.

Thank you for the opportunity to provide testimony.



# HAWAI‘I CIVIL RIGHTS COMMISSION

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January 31, 2018  
Rm. 225, 1:15 p.m.

To: Senator Lorraine Inouye, Chair  
Members of the Senate Committee on Transportation and Energy

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

## S.B. No. 2528

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services (on the basis of disability). The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

S.B. No. 2528 amends H.R.S. § 286-104.5, which provides for the issuance of REAL ID Act compliant limited purpose driver’s licenses, to allow the issuance of a limited purpose driver’s license, a limited purpose provisional driver’s license, or a limited purpose instruction permit to “every person ... who voluntarily chooses not to obtain a state civil identification card that is in compliance with the REAL ID Act of 2005.”

The intent of the bill is unclear in that it mandates the issuance of a limited purpose driver’s license or permit to any person who chooses not to obtain a REAL ID Act compliant state civil identification card which, in effect, provides for the issuance of limited purpose driver’s licenses or permits as a form of limited purpose identification.

To the extent that the intent of the S.B. No. 2528 is to provide for a limited purpose civil identification card that is in compliance with the REAL ID Act of 2005, as form of identification for an alien who cannot provide proof of authorized presence in the United States, the HCRC supports the intent of the bill. Provision of a REAL ID Act compliant form of identification in lieu of a driver’s license, for those who

cannot or do not drive, would provide limited use proof of identity and residence useful for many purposes.

**HCRC supports the intent of S.B. No. 2528, to the extent that it is intended to provide limited purpose identification to those who cannot or choose not to obtain a REAL ID Act compliant state civil identification card. We suggest that if that is the intent of the legislature, it might be accomplished by amending H.R.S. chapter 286, part XVI, by adding a new section modeled after § 286-104.5, but providing for the issuance of a limited purpose state civil identification card.**

**SB-2528**

Submitted on: 1/31/2018 8:24:08 AM

Testimony for TRE on 1/31/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
amy agbayani	Filipina Advocacy Network FAN	Support	Yes

Comments:

Chair Inouye and members of the committee

Filipina Advocacy Network (FAN) supports policies and programs that seek equity, inclusion of all persons and advocacy for all persons. Filipinos are the second largest ethnic group in the state; the largest immigrant group arriving annually and an estimated 40% of undocumented persons. This bill (with amendments) would be of great benefit to persons in Hawai'i who do not have documentations to receive specific benefits and identification cards.

FAN supports S.B. No. 2528 if the intent is to provide for a limited purpose civil identification card that is in compliance with the REAL ID Act of 2005, as form of identification for an alien who cannot provide proof of authorized presence in the United States. Provision of a REAL ID Act compliant form of identification in lieu of a driver's license, for those who cannot or do not drive, would provide limited use proof of identity and residence useful for many purposes.

FAN supports the intent of S.B. No. 2528, to the extent that it is intended to provide limited purpose identification to those who cannot or choose not to obtain a REAL ID Act compliant state civil identification card. We suggest that if that is the intent of the legislature, it might be accomplished by amending H.R.S. chapter 286, part XVI, by adding a new section modeled after § 286-104.5, but providing for the issuance of a limited purpose state civil identification card.

Amy Agbayani