



Testimony on behalf of the
Hawai'i State Commission on the Status of Women
Khara Jabola-Carolus, Executive Director

Prepared for the House Committee on Transportation

In Support of HB1165
Wednesday, February 13, 2019, at 10:00 a.m. in Room 423

Dear Chair Aquino, Vice Chair Hashimoto, and Honorable Members,

The Hawai'i State Commission on the Status of Women **supports** HB1165, which would require a third option of gender identification for driver's license and state identification card applicants. Hawai'i has the largest percentage of transgender individuals in the United States. Binary gender and sex markers on state driver's licenses cause difficulty and invasive questioning in everyday transactions for this community. Indeed, sex and gender markers **increase the likelihood of discrimination** for transgender and gender non-conforming people when seeking employment, registering to vote, applying for insurance, interacting with law enforcement, opening a bank account, renting an apartment, and the list goes on.

Sex and gender are distinct concepts although the state uses the terms inconsistently, and often interchangeably which exacerbates mythological binaries. For example, the federal REAL ID Act requires that state driver's licenses mark "the person's gender." At present, Hawai'i's regular driver's license is technically non-compliant with the REAL ID Act because lists "sex." Sex implies chromosomes and particular body parts relevant to reproduction. Gender is the story that a society tells about sex differences. These stories are currently "steeped in stereotypes of female inferiority," and so deeply ingrained that we experience them as if they are unchangeable and biological.¹ Gender (expectations and stereotypes) is at the heart of sexism and the subordinate status of women and all people who exhibit a feminine rather than typically masculine appearance or demeanor. In most states, non-binary genders are not legally recognized.

HB1165 would align our identification documents with the reality that gender is a mutable, performative characteristic that is personally changeable at any time. All people may

¹ Fogg Davis, H., Beyond Trans Does Gender Matter?

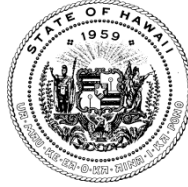
present themselves at any time in a way that associates them with the “wrong” sex or gender, and can be misgendered by state administrators such as law enforcement.

The Commission is informed that total elimination of sex and gender from this specific license category would run afoul of the federal REAL ID Act. Accordingly, the Commission asks that the Committee pass this important measure with the following suggested amendments:

1. Page 3, Line 14
 - "Gender category" includes the ~~options~~ **designations of F, M, or X** ~~female, male, or non-binary.~~
2. Page 4, Line 20
 - The department of transportation shall not require documentation for an applicant's selection of ~~birth~~ gender category or ~~an applicant's~~ request for an amendment to a gender category other than the applicant's self-certification of their ~~chosen~~ gender category, **regardless of the sex or gender designation displayed on any other documentation submitted.**; ~~provided that the department shall not be prohibited from requiring documentation that may incidentally show an applicant's birth gender category if such documentation is necessary to establish that the applicant is legally entitled to a license.~~

Mahalo,

Khara Jabola-Carolus



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

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

February 13, 2019
10:00 a.m.
State Capitol, Room 423

H.B. 1165
RELATING TO GENDER IDENTIFICATION.

House Committee on Transportation

The Department of Transportation (DOT) **supports** of H.B. 1165.

The DOT seeks clarification from the Department of Homeland Security as we understand that gender is a required field for REAL ID compliant driver's licenses and REAL ID compliant identification cards.

There is also a need to capture the sex at birth information of applicants for driver's licenses and state identification cards. The United States Selective Service System requires male U.S. citizens and male immigrants between the ages of 18 to 25 years old to be registered with the System. The examiner of drivers transmits the information to the Selective Service System that is required to register those male U.S. citizen and male immigrant applicants for driver's licenses and state identification cards between the ages of 18 to 25 years old. Applicants' personal information, including the sex at birth information, is protected by existing laws and administrative rules.

Thank you for the opportunity to provide testimony.



February 11, 2019

House's Committee on Transportation
Hawaii State Capitol
415 South Beretania Street, Room 423
Honolulu, HI 96813

Hearing: Wednesday, February 13, 2019 – 10:00 a.m.

RE: **STRONG SUPPORT for House Bill 1165** – RELATING TO GENDER IDENTIFICATION

Aloha Chair Aquino, Vice Chair Hashimoto and fellow committee members,

I am writing in STRONG SUPPORT for House Bill 1165 on behalf of the LGBT Caucus of the Democratic Party of Hawai'i. HB 1165 excludes gender or sex markers from limited purpose driver's licenses and limited purpose provisional driver's licenses.

HB 1165 is one of the priorities for the LGBT Caucus and is a continuation of the work we have done to help ensure all are treated equally and fairly. The idea of gender binary is a fallacy and this bill will help correct this misconception. Gender identity is a spectrum and people fall somewhere along it, from female to agender to male. This needs to be reflected on those do not identify as strictly female or male on their provisional driver's licenses.

For the State of Hawaii to require everyone to pick either female or male on their driver's license or state ID is requiring them to lie. By passing this bill you will be making Hawaii more accepting of our fellow 'ohana members that do not adhere to the gender binary. To understand more about our non-binary 'ohana we encourage you to read ["Understanding Non-Binary People" from the National Center for Transgender Equality.](#)

Currently 3 other states (California, Minnesota & Oregon) and the District of Columbia have a variation of this law. The LGBT Caucus of the Democratic Party of Hawaii asks that you pass HB 1165 to help make Hawaii a more inclusive state for all.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair

National Center for Transgender Equality
FAQ: GENDER-NEUTRAL IDS What is a gender-neutral ID?

A gender-neutral ID displays an alternate marker that is not an “M” (male) or “F” (female) to fill the sex or gender field of the ID. The gender-neutral marker is typically an “X” marker which stands for “Undisclosed” or “Other.”

Why are gender-neutral IDs important?

Many people have a gender identity that is not male or female and may use terms like “non-binary” to describe their gender identity. A gender-neutral ID allows them to display a more accurate gender marker on their ID. A gender-neutral ID also allows people of any gender to have increased privacy around gender on their state ID.

Do I have to identify as non-binary to get a gender-neutral ID?

No. People of any gender may choose not to disclose their gender on their ID by opting for a gender-neutral marker.

If I am a transgender man or transgender woman, do I have to get a gender-neutral ID?

No. The gender-neutral option “X” is in addition to the options of “M” or “F.” A transgender woman can still change the gender marker on her ID to “F” and a transgender man can still have “M” on his ID.

Do I need a provider to certify my request for a gender-neutral ID?

No. Current states with gender-neutral options allow all applicants to determine the gender marker that is most appropriate for them and no longer require documentation from a medical or mental health provider. This allows people who may have limited access to medical providers to get appropriate ID, and also allows people who seek to have an “X” gender marker for privacy reasons to do so.

What if my gender-neutral ID does not match the gender marker on my other IDs and documents?

If you have different gender markers listed on various IDs or records, it may cause confusion or raise eyebrows when interacting with officials or applying for services. However, legally speaking, it is not a problem to have records and IDs with different gender markers, and officials should still be able to verify your identity.

Can I use my gender-neutral ID to travel and go through TSA or airport security?

TSA does not yet have an official policy on how they process IDs with gender neutral markers, despite the fact that various other countries issue IDs with “X” designations. Airlines are required to collect name and gender information and submit it to TSA before each flight, and airlines currently only have M or F options. It is ideal to bring an ID to fly that has a gender marker that matches the gender you submitted to the airline. However, if you don't have an ID with a gender marker that matches what you submitted to the airline you can likely still get through security, though you may receive additional scrutiny or questioning.

Will my ID be compliant with federal and international laws?

Yes. The REAL ID Act requires states to list a gender on licenses, but the Department of Homeland Security explicitly states that they “leave the determination of gender up to the States [...]” An X gender marker is consistent with the practice of the International Civil Aviation Association (ICAO), an agency of the United Nations, which uses an internationally-recognized passport format that allows for M, F, or X gender markers.



Advocating for Queer/Trans Equity and Social Justice

DATE: February 13, 2019

TO: Chair Aquino, Vice Chair Hashimoto and Honorable Members,

RE: Supporting HB1165 Relating to Gender Identification

On behalf of the Hawai'i Queer/Transgender Community Alliance, an alliance of local organizations advocating for the health and well-being of Hawai'i's Queer/Trans communities, **we are writing to express our strong support for HB1165 relating to gender identification.**

- A third option for gender markers is needed on driver's licenses and state identification cards
- Using gender markers increases the likelihood of discrimination
- Providing a third option for these forms of identification will help transgender and gender-nonconforming people when seeking employment, registering to vote, applying for insurance, interacting with law enforcement, opening a bank account or renting an apartment

Your vote in support of HB1165 will increase the quality of life for a lot of Hawai'i voters. The Hawai'i Queer/Transgender Community Alliance is a coalition of stakeholders across Hawai'i dedicated to increasing the health and well-being of sexual and gender minority people (e.g. lesbian, gay, bisexual, transgender, māhū, gender nonconforming, queer, and other persons) in our islands. We strive for the betterment of our communities through collective action including policy change, research, data collection, and capacity building. In our efforts, we humbly and intentionally acknowledge that sexual and gender identities intersect with many other identities including age, race, socioeconomic status, disability, country of origin, citizenship status, and more.

With aloha and gratitude,
Founding Board Members,
Hawai'i Queer/Transgender Community Alliance
Cathy Kapua, Camaron Miyamoto, Thaddeus Pham,
Kaleo Ramos, Ranjani Starr and the JAQL-Honolulu Chapter

HawaiiQueerTransgenderCommunityAlliance@gmail.com

HB-1165

Submitted on: 2/12/2019 9:34:52 AM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Valor Grimm	Individual	Support	No

Comments:

February 12, 2019

Dear Chair Aquino, Vice Chair Hashimoto, and Honorable Members,

GLSEN Hawai'i **supports** HB1165, which would require a third option of gender identification for driver's license and state identification card applicants. Hawai'i has the largest percentage of transgender individuals in the United States. Binary gender and sex markers on state driver's licenses cause difficulty and invasive questioning in everyday transactions for this community. Indeed, sex and gender markers **increase the likelihood of discrimination** for transgender and gender non-conforming people when seeking employment, registering to vote, applying for insurance, interacting with law enforcement, opening a bank account, renting an apartment, and the list goes on.

Sex and gender are distinct concepts although the state uses the terms inconsistently, and often interchangeably which exacerbates mythological binaries. For example, the federal REAL ID Act requires that state driver's licenses mark "the person's gender." At present, Hawai'i's regular driver's license is technically non-compliant with the REAL ID Act because lists "sex." Sex implies chromosomes and particular body parts relevant to reproduction. Gender is the story that a society tells about sex differences. These stories are currently "steeped in stereotypes of female inferiority," and so deeply ingrained that we experience them as if they are unchangeable and biological.^[1] Gender (expectations and stereotypes) is at the heart of sexism and the subordinate status of women and all people who exhibit a feminine rather than typically masculine appearance or demeanor. In most states, non-binary genders are not legally recognized.

HB1165 would align our identification documents with the reality that gender is a mutable, performative characteristic that is personally changeable at any time. All people may present themselves at any time in a way that associates them with the "wrong" sex or gender, and can be misgendered by state administrators such as law enforcement.

The Commission is informed that total elimination of sex and gender from this specific license category would run afoul of the federal REAL ID Act. Accordingly, the Commission asks that the Committee pass this important measure with the following suggested amendments:

1. Page 3, Line 14
 - "Gender category" includes the ~~options~~ **designations** of **F, M, or X** ~~female, male, or non-binary~~.
2. Page 4, Line 20
 - The department of transportation shall not require documentation for an applicant's selection of ~~birth~~ gender category or an applicant's request for an amendment to a gender category other than the applicant's self-certification of their ~~chosen~~ gender category, **regardless of the sex or gender designation displayed on any other documentation submitted**.; ~~provided that the department shall not be prohibited from requiring documentation that may incidentally show an applicant's birth gender category if such documentation is necessary to establish that the applicant is legally entitled to a license.~~

Mahalo,

Sincerely,

Valor Grimm, MS MFTT

Community School Mental Health Coordinator, Project HI-AWARE, HIDOE, Central District

[\[1\]](#) Fogg Davis, H., Beyond Trans Does Gender Matter?

HB-1165

Submitted on: 2/12/2019 9:35:48 AM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:



Testimony on behalf of the
GLSEN-HI
Causha A. Spellman, Policy Coordinator

Prepared for the House Committee on Transportation

In Support of HB1165
Wednesday, February 13, 2019, at 10:00 a.m. in Room 423

Dear Chair Aquino, Vice Chair Hashimoto, and Honorable Members,

GLSEN-HI strongly **supports** HB1165, which would require a third option of gender identification for driver's license and state identification card applicants. Hawai'i has the largest percentage of transgender and gender non-conforming individuals in the United States per capita. Binary gender and sex markers on state driver's licenses cause difficulty and invasive questioning in everyday transactions for this community. Sex and gender markers **increase the likelihood of discrimination** for transgender and gender non-conforming people when seeking employment, registering to vote, applying for insurance, interacting with law enforcement, opening a bank account, renting an apartment, etc.

Sex and gender are distinct concepts, although the state uses the terms interchangeably and inconsistently which exacerbates mythological binaries. For example, the federal REAL ID Act requires that state driver's licenses mark "the person's gender." However, at present, Hawai'i's regular driver's license is technically non-compliant with the REAL ID Act because lists "sex." Sex implies an individual's assignment at birth, based only on chromosomes, hormones, and physical characteristics relevant to reproduction. Gender refers to an individual's concept of themselves. Unfortunately, gender is also upheld by societal norms currently "steeped in stereotypes of female inferiority," and so deeply ingrained that we experience them as if they are unchangeable and biological.¹ Gender (expectations and stereotypes) is at the heart of sexism and the subordinate status of womxn and all people who exhibit a feminine, rather than stereotypically masculine, appearance or demeanor. In most states, non-binary genders are not legally recognized.

HB1165 would align our identification documents with the reality that gender socially constructed characteristic that is personally changeable at any time. All people may present

¹ Fogg Davis, H., Beyond Trans Does Gender Matter?

themselves at any time in a way that associates them with the “wrong” sex or gender, and can be misgendered by state administrators such as law enforcement.

GLSEN-HI is informed that total elimination of sex and gender from this specific license category would run afoul of the federal REAL ID Act. Accordingly, the GLSEN-HI asks that the Committee pass this important measure with the following suggested amendments:

1. Page 3, Line 14
 - "Gender category" includes the ~~options~~ **designations of F, M, or X** ~~female, male, or non-binary.~~
2. Page 4, Line 20
 - The department of transportation shall not require documentation for an applicant's selection of ~~birth~~ gender category or ~~an applicant's~~ request for an amendment to a gender category other than the applicant's self-certification of their ~~chosen~~ gender category, **regardless of the sex or gender designation displayed on any other documentation submitted.**; ~~provided that the department shall not be prohibited from requiring documentation that may incidentally show an applicant's birth gender category if such documentation is necessary to establish that the applicant is legally entitled to a license.~~

Mahalo,

Causha A. Spellman

HB-1165

Submitted on: 2/12/2019 7:23:58 PM

Testimony for TRN on 2/13/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Littenberg	Pacific Survivor Center	Support	No

Comments:

LATE

HB-1165

Submitted on: 2/13/2019 8:15:34 AM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carla Houser	RYSE (Residential Youth Services & Empowerment)	Support	No

Comments:

HB-1165

Submitted on: 2/11/2019 9:30:18 AM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Individual	Oppose	No

Comments:

I do not agree with this polictical view, but as a compromise perhaps consider adding "Non-Binary" (Biological Male) or "Non-Binary" (Biological Female)

HB-1165

Submitted on: 2/11/2019 10:38:51 AM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly	Individual	Support	No

Comments:

Dear Chair Aquino, Vice Chair Hashimoto, and members of Committee on Transportation,

Thank you for this opportunity to submit a testimony in support of HB1164, which would require a third option of gender identification for driver's license and state identification card applicants.

Hawai'i has the largest percentage of transgender individuals in the United States. In fact, mahu, or transgendered individuals and transvestites, were viewed by the ancient Hawaiians as a normal element of the old social culture. Mahu were not merely tolerated; they were regarded as a legitimate and contributory part of the ancient Polynesian community. (Source: ["RaeRae and Mahu: third polynesian gender", NIH](#))

Binary gender and sex markers on state driver's licenses cause difficulty and invasive questioning in everyday transactions for this community. Indeed, sex and gender markers increase the likelihood of discrimination for transgender and gender non-conforming people when seeking employment, registering to vote, applying for insurance, interacting with law enforcement, opening a bank account, renting an apartment, and the list goes on.

I support HB1165 because it could reduce discrimination and violence against transgender and gender non-conforming people. Mahalo.

HB-1165

Submitted on: 2/11/2019 10:41:50 AM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	Yes

Comments:

As a concerned citizen and public health professional, I fully **support** HB1165, which would require a third option of gender identification for driver's license and state identification card applicants.

Since Hawai'i has the largest percentage of transgender individuals in the United States, it is a social and public health priority for this bill to pass. Binary gender and sex markers on state driver's licenses cause difficulty and invasive questioning in everyday transactions for this community. Indeed, sex and gender markers **increase the likelihood of discrimination** for transgender and gender non-conforming people when seeking employment, registering to vote, applying for insurance, interacting with law enforcement, opening a bank account, renting an apartment, and the list goes on.

Sex and gender are distinct concepts although the state uses the terms inconsistently, and often interchangeably which exacerbates mythological binaries. For example, the federal REAL ID Act requires that state driver's licenses mark "the person's gender." At present, Hawai'i's regular driver's license is technically non-compliant with the REAL ID Act because lists "sex." Sex implies chromosomes and particular body parts relevant to reproduction. Gender is the story that a society tells about sex differences. These stories are currently "steeped in stereotypes of female inferiority," and so deeply ingrained that we experience them as if they are unchangeable and biological.^[1] Gender (expectations and stereotypes) is at the heart of sexism and the subordinate status of women and all people who exhibit a feminine rather than typically masculine appearance or demeanor. In most states, non-binary genders are not legally recognized.

HB1165 would align our identification documents with the reality that gender is a mutable, performative characteristic that is personally changeable at any time. All people may present themselves at any time in a way that associates them with the "wrong" sex or gender, and can be misgendered by state administrators such as law enforcement.

I ask that the Committee pass this important measure with the following suggested amendments:

1. Page 3, Line 14

- "Gender category" includes the ~~options~~ **designations** of **F, M, or X** ~~female, male, or non-binary.~~
2. Page 4, Line 20
- The department of transportation shall not require documentation for an applicant's selection of ~~birth~~ gender category or an applicant's request for an amendment to a gender category other than the applicant's self-certification of their ~~chosen~~ gender category, **regardless of the sex or gender designation displayed on any other documentation submitted.**; ~~provided that the department shall not be prohibited from requiring documentation that may incidentally show an applicant's birth gender category if such documentation is necessary to establish that the applicant is legally entitled to a license.~~

Mahalo for your time!

[\[1\]](#) Fogg Davis, H., Beyond Trans Does Gender Matter?

HB-1165

Submitted on: 2/11/2019 11:49:17 AM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erik Meade	Individual	Support	No

Comments:

Please resolve this instance of discrimination by supporting HB1165 with the ammendments detailed in the testimony by Hawai'i's Commission on the Status of Women. Thank-you.

HB-1165

Submitted on: 2/11/2019 12:04:31 PM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jen Jenkins	Individual	Support	No

Comments:

Dear Chair Aquino, Vice Chair Harimoto, and Honorable Committee Members:

Thank you for having Lambda Law Student Association and GLSEN Hawai'i for our No License to Discriminate Lobby Day on Friday, February 8th. HB1165 would require a third option of gender identification for driver's license and state identification card applicants.

A gender-neutral designation allows people whose gender is not male or female, such as māhā, to display a more accurate gender marker on their driver's license. A driver's license that has an incorrect gender "outs" a transgender person in any situation where they need to show their license, such as traveling, applying for jobs or schools, entering any public establishments that require ID, or obtaining any other benefits that require proof of identity.

It is important that this is a legislative change because of the over 1,000 youth in Hawaii that identify as transgender as well as the over 8,000 adults (more than any other state) that identify as transgender.

Respectfully,

Jenifer Jenkins

HB-1165

Submitted on: 2/11/2019 12:23:10 PM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andres Gonzalez	Individual	Support	No

Comments:

HB-1165

Submitted on: 2/11/2019 12:36:11 PM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Wild	Individual	Support	No

Comments:

HB-1165

Submitted on: 2/11/2019 12:48:19 PM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Smith	Individual	Oppose	No

Comments:

This bill violates the Federal Real ID Act of 2005.

A Real ID-compliant form of identification requires the following pieces of data:

- Full legal name
- Signature
- Date of birth
- **Gender**
- Unique identifying number
- Principal residence address
- Front-facing photograph of the applicant

February 11, 2019
House Committee on Transportation
Ashley B. Kaono

RE: STRONG SUPPORT FOR HB 1165

Dear Chair Aquino, Vice Chair Hashimoto and Esteemed Committee Members:

As Section 1 of **HB1165** remarks, Hawaii has the largest number of individuals who identify as transgender in the United States.

As a law student who has done research on transgender discrimination cases across the nation I've seen just how terrible discrimination can be for transgendered individuals in the realm of employment and labor. I have no doubt that each of the employers in the cases I've read, possessed a copy of the transgendered employee's state issued ID whether that was a license or something else. While I can't say that was the only factor in the employers decision to treat these individuals differently, I'm certain that had the ID not been marked or provided a third option, it may have afforded less of a motivation for such heinous treatment.

Hawaii's legislature and many in our community pride ourselves on being socially progressive and often at the forefront of issues regarding civil rights and equality in the United States. We are after all one of the only states which protects gender identity or expression in our employment practices and public accommodation statutes.

Providing options is almost always better than forcing people into one of two categories. Life as we know does not always fit nicely into what we often refer to as "black and white". What we know to be true however is that there are always exceptions and many grey areas. As I've mentioned, our current statutes already reflect this.

And so, providing another option to an individual who either identifies as transgender, or does not wish to identify their gender at all, is another powerful example of how Hawaii can remain a leader among the other states when it comes to aligning with progressive values relating to equality for all.

I strongly urge the members of the House Transportation Committee to pass HB 1165.

HB-1165

Submitted on: 2/11/2019 3:13:54 PM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Darien Chow	Individual	Support	No

Comments:

I, as an individual, support HB1165, which would require a third option of gender identification for the Hawaii driver's license and state identification card applicants. Hawai'i has a transgender population of over 8,000 individuals, making it the largest in any state in the United States.

Binary gender and sex markers on state driver's licenses cause invasive questioning in everyday transactions for the community of Hawaii. Furthermore, sex and gender markers increase the likelihood of discrimination for transgender and gender non-conforming people when looking for jobs, registering to vote, interacting with law enforcement, opening a bank account, and so on.

HB1165 would help with identification documents and the reality that gender is a characteristic that is personally changeable and at the discretion of the individual. This would especially be true for those with family members who are affected and shamed for being who they are.

HB-1165

Submitted on: 2/11/2019 8:56:08 PM

Testimony for TRN on 2/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lea Minton	Individual	Support	No

Comments:

I strongly support HB1165 and urge you to make the amendments as recommended by the Hawaii Commission on the Status of Women in order to give freedom to persons to identify their gender on identification.

Leslee D. Matthews, Esq., LMSW

February 13, 2019

Representative Henry J.C. Aquino, Chair
Representative Troy N. Hashimoto, Vice-Chair
House Committee on Transportation

Testimony in SUPPORT of HB1165

Dear Senators Inouye and Harimoto,

I am writing in strong support of HB 1165. The purpose of the bill is to reduce discrimination for our transgender ohana. As the former Vice-President of the William S. Richardson School of Law's LGBT Advocacy organization, LAMBDA Law Student Association, I had the pleasure and honor of hearing first hand the stories of our diverse membership and those for whom we advocate. As we know, transgender individuals experience some of the highest rates of discrimination and bullying. This measure helps to combat the discrimination and allow driver's licenses to have the gender categories of female, male and non-binary. As a Social Worker, I have counseled people in the LGBT community. Transgender individuals have an increased risk of being the victims of hate crimes and succumbing to suicide. The time is now for Hawai'i to be at the forefront of human rights and to take a stand against discrimination. I thank you for hearing this measure and I thank you in advance for your support of this measure.

Aloha,

Leslee D. Matthews, Esq., LMSW

Attorney | Social Worker | Advocate

HB-1165

Submitted on: 2/13/2019 1:56:40 AM

Testimony for TRN on 2/13/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Coco Iwamoto	Individual	Support	No

Comments:

Testimony in STRONG SUPPORT of HB1165

Codifying that a driver may self-declare their own gender category without documentation is similar to allowing someone to self-declare their own weight, hair color, eye color, or height. (Could you imagine if we made people stand on a scale at the DMV?)

Transgender drivers should not be put through unnecessary verification just to be identified as a capable driver.

Allowing a driver to self-identify their own gender category, including the option of "non-binary", may provide the most accurate description for identification purposes. Because of the potentially oppressive social constructs and cultural mores around the gender categories such as "male" & "female", selecting "non-binary" may be the best option for a driver to self-identify as on a license.