
A BILL FOR AN ACT

RELATING TO IDENTIFICATION CARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 286, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 **"PART . ELECTRONIC CREDENTIALS**

5 **§286-A Definitions.** As used in this part:

6 "Credential" means a driver's license, provisional license,
7 instruction permit, limited purpose driver's license, limited
8 purpose provisional driver's license, limited purpose
9 instruction permit, or civil identification card issued in
10 accordance with this chapter.

11 "Credential holder" means the individual who has been
12 issued a physical or electronic credential.

13 "Data element" means a distinct component of a credential
14 holder's information that is found on the credential holder's
15 record maintained by the examiner of drivers.



1 "Electronic credential" means an electronic extension of a
2 physical credential that conveys identity and driving privilege
3 information.

4 "Electronic credential system" means a digital process for
5 providing electronic credentials, requesting and transmitting
6 electronic credential data elements, and performing tasks to
7 maintain the electronic credential system.

8 "Provision" means the initial loading of an electronic
9 credential onto a device.

10 "Relying party" means the entity to which the credential
11 holder is presenting the electronic credential.

12 "Verification process" means a method of authenticating the
13 electronic credential through the use of secure encrypted
14 communication.

15 **§286-B Electronic credential system; development. (a)**

16 The director shall develop an electronic credential system;
17 provided that the director may contract with one or more
18 entities to develop an electronic credential system.

19 (b) The director shall adopt rules pursuant to chapter 91
20 to effectuate the purposes of this part, including rules
21 relating to:



- 1 (1) The design of the electronic credential system.
- 2 (2) The assessment of reasonable fees for the services
- 3 provided under this part;
- 4 (3) The validity period for electronic credentials; and
- 5 (4) Electronic credential authentication procedures.

6 **§286-C Issuance of electronic credentials.** The examiner
7 of drivers may issue an electronic credential to any individual
8 who is otherwise eligible to possess a physical credential;
9 provided that the data elements that are used to build an
10 electronic credential shall match the individual's record
11 maintained by the examiner of drivers.

12 **§286-D Verification; privacy; tracking.** (a) Before
13 acceptance of an electronic credential, each relying party shall
14 authenticate the electronic credential in accordance with rules
15 adopted pursuant to section 286-B(b)(3).

16 (b) Each relying party shall only:

17 (1) Request electronic credential data elements that are
18 necessary to complete the transaction for which that
19 data is being requested; and

20 (2) Retain electronic credential data elements for which
21 the relying party explicitly obtained consent from the



1 electronic credential holder; provided that the
2 relying party shall inform the electronic credential
3 holder of the use and retention period of the
4 electronic data elements.

5 (c) The director shall ensure that the electronic
6 credential system maximizes the privacy of the credential holder
7 in accordance with federal and state law and does not track or
8 compile information without the credential holder's consent.

9 (d) The examiner of drivers shall only compile or
10 disclose, or both, information regarding the use of the
11 credential as required by federal or state law.

12 (e) Electronic credential data shall be subject to all
13 relevant state data security and privacy protection laws and
14 regulations.

15 **§286-E Acceptance of electronic credentials.** (a) Each
16 electronic credential holder shall have a valid driver's license
17 in the electronic credential holder's immediate possession at
18 all times when operating a motor vehicle in accordance with
19 section 286-116.

20 (b) The director shall ensure that the electronic
21 credential system does not require the electronic credential



1 holder to display or relinquish possession of the electronic
2 credential holder's mobile device to relying parties for the
3 acceptance of an electronic credential.

4 (c) Upon demand by a law enforcement officer, an
5 electronic credential holder shall display the electronic
6 credential holder's physical credential.

7 (d) No law or regulation requiring an individual to
8 surrender their physical credential to a law enforcement officer
9 shall apply to the mobile device on which an electronic
10 credential has been provisioned."

11 SECTION 2. In codifying the new sections added by
12 section 1 of this Act, the revisor of statutes shall substitute
13 appropriate section numbers for the letters used in designating
14 the new sections in this Act.

15 SECTION 3. This Act shall take effect upon its approval.

16

INTRODUCED BY: 
JAN 18 2024



H.B. NO. 1783

Report Title:

Transportation; Electronic Credentials; Identification; Driver's Licenses; Civil Identification Cards

Description:

Authorizes and establishes a regulatory framework for the issuance, use, and acceptance of electronic credentials.

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