
A BILL FOR AN ACT

RELATING TO DIGITAL IDENTIFICATION.

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 section to part XVI to be appropriately
3 designated and to read as follows:

4 "§286- Digitized identification cards; acceptance;
5 liability. (a) When a person requests a consumer to produce a
6 valid identification for the purpose of furnishing proof of the
7 consumer's identification or age, the person may accept a state-
8 issued digitized identification card as a valid form of
9 identification.

10 (b) A digital copy, photograph, or image of a digitized
11 identification card that is not downloaded through a state-
12 approved application on a mobile device shall not be considered
13 a valid digitized identification card as provided for by this
14 section.

15 (c) The display of a digitized identification card shall
16 not serve as consent or authorization for a person to search,
17 view, or access any other data or application on the consumer's



1 mobile device. When a consumer presents their mobile device to
2 a person for the purpose of displaying a digitized
3 identification card, the person shall promptly return the mobile
4 device to the consumer once the person has had an opportunity to
5 verify the identity or age of the consumer and the current
6 status of the license or identification card.

7 (d) The State, or any of its agencies; a private business;
8 legal entity; or person shall not be held liable in any manner
9 legally or otherwise as a result of the use or misuse of a
10 digitized identification card.

11 (e) Beginning July 1, 2027, all state and county law
12 enforcement agencies may accept digitized identification cards
13 as a method to prove a person's identity where a physical
14 license or identification card is currently required.

15 (f) This section shall not apply to a location of business
16 in the State where a physical copy of an individual's current
17 driver's license, valid passport, or visa issued by the federal
18 government or another country, or other card of identity, is
19 held in compliance with state or federal law.

20 (g) The department shall establish rules pursuant to
21 chapter 91 to implement the purposes of this section.



1 (h) For the purposes of this section:

2 "Consumer" means any individual who uses, purchases, or
3 leases goods or services.

4 "Digitized identification card" means a data file available
5 on any mobile device that has connectivity to the Internet
6 through a state-approved application that allows the mobile
7 device to download the data file from a respective examiner of
8 drivers or an authorized representative of the examiner of
9 drivers that contains all of the data elements visible on the
10 face and back of a license or identification card and displays
11 the current status of the license or identification card;
12 provided that "current status" includes valid, expired,
13 cancelled, suspended, disqualified, active, inactive, member,
14 nonmember, eligible, or ineligible.

15 "Person" means any individual, firm, partnership,
16 corporation, association, union, public or private education
17 institution, or other organization, including but not limited to
18 a bar or restaurant that is engaged in trade or commerce within
19 the State.

20 "Trade" or "commerce" means the advertising, offering for
21 sale, sale, or distribution of any services, including



1 educational services, and any property, corporeal or
2 incorporeal, immovable or movable, and any other article,
3 commodity, or thing of value wherever situated, and includes any
4 trade or commerce directly or indirectly affecting the people of
5 the State."

6 SECTION 2. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun before its effective date.

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 2077.



Report Title:

Digitized Identification Cards; Valid Identification

Description:

Allows digitized identification cards to be accepted as a valid form of identification, under certain conditions. Authorizes state and county law enforcement agencies to accept a digitized identification card as proof of a person's identity beginning 7/1/2027. Effective 7/1/2077. (SD1)

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