

A Bill for an Act Relating to the Renewal of Driver Licenses.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 286-106, Hawaii Revised Statutes, is amended to read:

**“Sec. 286-106 Expiration of licenses.** Every driver’s license issued under this part, whether an original issuance or a renewal, shall expire on the fourth birthday of the licensee following the date of the issuance of the license, unless sooner revoked or suspended; provided that the license shall expire on the second birthday of the licensee following the issuance of the license if at that time the licensee:

- (1) Is sixty-five years of age or older;
- (2) Has been convicted of violations of the traffic laws of the State and of county traffic ordinances in the previous two years which, under the provisions of section 286-128, total nine points;
- (3) Is twenty-four years of age or younger; or
- (4) Exhibits a physical condition or conditions which the examiner of drivers reasonably believes has impaired the driver’s ability to drive, unless the licensee:
  - (A) Obtains a certificate from a licensed physician that his physical condition or conditions do not impair his ability to drive; or

- (B) Is able to correct the physical impairment, or by using a vehicle adapted to overcome the physical impairment is to the satisfaction of the examiner of drivers able to drive safely.

SECTION 2. Section 286-107, Hawaii Revised Statutes, is repealed.

SECTION 3. Chapter 286, Hawaii Revised Statutes, is amended by adding a new section which reads:

**“Sec. 286-107 License renewals; procedures and requirements.** (a) The examiner of drivers may accept an application for a renewal of a driver's license made not more than six months prior to the date of expiration.

If, however, within the twelve months' period immediately preceding the expiration of the license for which a renewal application is made, the applicant for renewal has been convicted for violations of State traffic laws or county traffic ordinances for which the courts have imposed, under section 286-128, a total of six or more points, or if the renewal is not applied for within ninety days after the expiration of the license, the applicant for renewal shall be treated as an applicant for a new license and examined as provided in Section 286-108.

(b) Except as otherwise provided in subsection (c) an applicant for a renewal of a driver's license shall appear in person before the examiner of drivers and the examiner of drivers shall administer such physical examinations as the State highway safety coordinator deems necessary to determine the applicant's fitness to continue to operate a motor vehicle.

(c) Any resident of this State who holds a category (1), (2) or (3) license and who by reason of his temporary absence from the State is unable to appear in person before the examiner of drivers to apply for a renewal of his driver's license, may, if he is not disqualified from renewing his license under subsection (a), apply for a renewal by mail. His request to have his license renewed by mail must be received by the examiner of drivers within ninety days after the expiration of his license. The examiner of drivers shall upon receipt of the request, furnish the applicant with all necessary forms and instructions. An application for renewal made pursuant to this subsection shall be accompanied by a statement from a licensed physician certifying that the applicant had been examined by him not more than six months prior to the expiration date of the applicant's license and that the applicant had been found by such examination to have met the physical requirements established by the State highway safety coordinator for the renewal of licenses. The application for renewal shall also be accompanied by:

- (1) a notarized statement of the applicant certifying
  - (A) to the fact that he is a resident of this State;
  - (B) to the fact that he does not possess any valid license to operate the same or similar category or categories of motor vehicles, issued by another licensing authority (unless such license is concurrently surrendered); and
  - (C) to the fact that he has not been convicted for violations of State traffic laws or county traffic ordinances which under section 286-128 total six or more points, within the twelve month period

immediately preceding the expiration of the license for which the renewal application is made; and

(2) such other information as may be required by the examiner of drivers which is reasonably necessary to confirm the identity of the applicant and his fitness to continue to operate a motor vehicle.

(d) An applicant for a renewal of his driver's license whether applying pursuant to subsections (b) or (c) shall pay the fee determined by the council of the appropriate county. Payment of the fee shall be by certified check or money order, tendered together with the application.

(e) No driver's license shall be renewed by the examiner of drivers unless the examiner of drivers is satisfied of the applicant's fitness to continue to operate a motor vehicle and unless the fee required by subsection (d) is tendered together with the application for renewal.

(f) A driver's license renewed pursuant to subsection (c) may validly be issued without incorporating a photograph of the licensee.

(g) No driver's license shall be renewable by mail for more than two consecutive renewals whether the license expires, under section 286-106, on the fourth birthday after issuance or on the second birthday after issuance.

(h) The State highway safety coordinator shall adopt rules and regulations pursuant to chapter 91, necessary for the purposes of this section, including rules and regulations governing the effect to be given to convictions for violations of traffic laws of a foreign jurisdiction, upon license renewal procedures."

SECTION 4. Notwithstanding the requirement of section 286-107(c), Hawaii Revised Statutes, which limits requests for renewals by mail to only those received within ninety days after expiration of the license, any resident of this State who holds a category (1), (2) or (3) license which expired prior to the effective date of this Act who otherwise qualifies under section 286-107(c), Hawaii Revised Statutes, to have his license renewed by mail, shall have a grace period of not more than six months after the effective date of this Act within which to request a renewal of his expired license. The examiner of drivers shall renew the license of any person requesting a renewal under this section if all other applicable requirements for renewal are met.

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

SECTION 6. This bill shall take effect upon its approval.

(Approved May 31, 1974.)

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\*Edited accordingly.