

ACT 36

H.B. NO. 3506

A Bill for an Act Relating to Motor Vehicle Driver Licensing.

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

SECTION 1. Section 286-104, Hawaii Revised Statutes, is amended to read as follows:

“§286-104 What persons shall not be licensed. The examiner of drivers shall not issue any license hereunder:

- (1) To any person whose license has been suspended by a court of competent jurisdiction during the suspension period; nor to any person whose license has been revoked until the expiration of one year after the date of the revocation, or until the expiration of the period of revocation specified by law, whichever is greater; nor to any person who, while unlicensed, has within two years been convicted of driving while drunk;
- (2) To any person who is required by this part to take an examination, unless such person has successfully passed the examination;
- (3) To any person who is required under the motor vehicle financial responsibility laws of this State to deposit proof of financial responsibility and who has not deposited such proof;

- (4) To any person when the examiner of drivers has good cause to believe that such person by reason of physical or mental disability would not be able to operate a motor vehicle with safety upon the highways; or
- (5) To any person who is under seventeen years of age; provided that a person who is fifteen or sixteen years of age may be granted a special license upon satisfying the requirements of sections 286-108 and 286-109, which license may be suspended or revoked by a judge having jurisdiction over the holder of the special license. Upon revocation of the special license, the person shall not be eligible to operate a motor vehicle on the highway until the person is seventeen years of age and has again satisfied the requirements of section¹ 286-108 and 286-109[;
- (6) To any person who has been ordered to be hospitalized under chapter 334 or committed under chapter 333F unless the director of health certifies to the examiner of drivers that the person is mentally competent and may be examined to determine the person's fitness to operate a motor vehicle].

Any person denied a license under this or any other section of this part shall have a right of appeal as hereinafter provided."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 22, 1996.)

Note

- 1. Prior to amendment "sections" appeared here.