

ACT 295

S.B. NO. 2863

A Bill for an Act Relating to Advance Health-Care Directives.

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

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

“§286- Designation of advance health-care directive. On the application form for any driver’s license or license renewal, the examiner of drivers shall ask the applicant to designate whether the applicant has an advance health-care directive. The examiner of drivers shall issue or renew a license bearing the designation “advance health-care directive”, a symbol, or an abbreviation thereof, for those applicants who have so indicated. “Advance health-care directive” means an individual instruction in writing, a living will, or a durable power of attorney for health care decisions. No specific medical treatment information shall be imprinted on the driver’s license.”

SECTION 2. Section 846-28, Hawaii Revised Statutes, is amended to read as follows:

“§846-28 Information to be secured. (a) The department of the attorney general shall require, collect, secure, make, and maintain a record of the following items of information so far as it is practicable to secure the same, with respect to each applicant for registration:

- (1) The name of the person applying to be registered (hereinafter called the “registrant” or “applicant”), the street and number or address of the applicant’s place of permanent residence, and the applicant’s residence and business telephone numbers, if any;
- (2) The applicant’s occupation and any pertinent data relating thereto;
- (3) The applicant’s racial extraction;
- (4) The applicant’s citizenship;
- (5) The date and place of the applicant’s birth;
- (6) The applicant’s personal description including sex, height, weight, hair, eyes, complexion, build, scars, and marks;

- (7) The applicant's right and left index fingerprints or, if the applicant has no right index finger or left index finger, other identifying imprint as specified by rules of the department; provided that this requirement shall not apply to minors until they reach the age of three years;
- (8) The name, relationship, and address of the nearest relative or other person to be notified in case of sickness, accident, death, emergency, or need of the applicant, if such notification is desired; and
- (9) The social security number of the applicant.

(b) The department of the attorney general, at the time of application, shall ask whether the applicant has an advance health-care directive. The department of the attorney general shall issue or renew an identification certificate bearing the designation, "advance health-care directive", a symbol, or abbreviation thereof, for each applicant who has so indicated. "Advance health-care directive" means an individual instruction in writing, a living will, or a durable power of attorney for health care decisions.'

SECTION 3. There is appropriated out of the state identification revolving fund the sum of \$6,000 or so much thereof as may be necessary for fiscal year 2000-2001 for the purposes of this Act.

The sum appropriated shall be expended by the department of the attorney general for the purposes of this Act.

SECTION 4. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect on January 1, 2001; provided that section 3 shall take effect on July 1, 2000.

(Approved July 3, 2000.)

**Note**

- 1. Edited pursuant to HRS §23G-16.5.