

ACT 230

H.B. NO. 986

A Bill for an Act Relating to Identification Documents.

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

SECTION 1. Chapter 710, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§710- Sale or manufacture of deceptive identification document; penalties. (1) A person commits the offense of sale or manufacture of deceptive

identification document if the person intentionally or knowingly manufactures, sells, offers for sale, furnishes, offers to be furnished, transports, offers to be transported, or imports or offers to be imported into this State a deceptive identification document.

(2) As used in this section, “deceptive identification document” means any identification document not issued by a governmental agency that purports to be, or that might deceive a reasonable person into believing that it is, an identification document issued by a governmental agency, including a driver’s license, identification card, birth certificate, passport, or social security card.

(3) The sale or manufacture of a deceptive identification document is a class C felony.

(4) Any property used or intended for use in the commission of, attempt to commit, or conspiracy to commit an offense under this section, or that facilitated or assisted such activity, shall be subject to forfeiture under chapter 712A.’’

SECTION 2. Section 286-131, Hawaii Revised Statutes, is amended to read as follows:

“§286-131 Unlawful use of license. No person shall:

- (1) Display or permit to be displayed or have in the person’s possession any canceled, revoked, suspended, fictitious, or fraudulently altered driver’s license;
- (2) Lend the person’s driver’s license to any other person or knowingly permit the use thereof by another;
- (3) Display or represent as one’s own any driver’s license not issued to the person;
- (4) Fail or refuse to surrender to the examiner of drivers, upon the examiner’s lawful demand, any driver’s license that has been suspended, revoked, or canceled;
- (5) Use a false or fictitious name in any application for a driver’s license or knowingly make a false statement or knowingly conceal a material fact, or otherwise commit a fraud in any such application; or
- (6) [~~Manufacture, sell, distribute, use,~~] Use or have in the person’s possession any reproduction, imitation, or facsimile of any driver’s license or any identification with the appearance of a driver’s license.’’

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval.

(Approved June 13, 2001.)

Note

1. Edited pursuant to HRS §23G-16.5.