

JAN 28 2015

A BILL FOR AN ACT

RELATING TO DRIVING WITHOUT A LICENSE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 286-102, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) No person, except one exempted under section 286-105,
4 one who holds an instruction permit under section 286-110, one
5 who holds a provisional license under section 286-102.6, one who
6 holds a commercial driver's license issued under section
7 286-239, or one who holds a commercial driver's license
8 instruction permit issued under section 286-236, shall operate
9 any category of motor vehicles listed in this section without
10 first being appropriately examined and duly licensed as a
11 qualified driver of that category of motor vehicles.

12 In a prosecution for driving without a license, it shall be
13 prima facie evidence of a violation if a person, upon the
14 request of a law enforcement officer, cannot produce a valid
15 driver's license, instruction permit, provisional license,
16 commercial driver's license, or commercial driver's license
17 instruction permit for the proper category of vehicle being



1 operated. It is an affirmative defense that at the time the
2 defendant operated the vehicle, the defendant held a valid
3 driver's license, instruction permit, provisional license,
4 commercial driver's license, or commercial driver's license
5 instruction permit for the proper category of vehicle being
6 operated."

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

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12 INTRODUCED BY:

~~SEN. SCOTT J. JONES~~
Randy H. Baker



S.B. NO. 1206

Report Title:

Driver Licensing; Violations; Evidence; Defense

Description:

Provides that a driver's inability to produce an appropriate driver's license or permit upon request by a law enforcement officer shall be prima facie evidence of a violation. Provides that holding an appropriate license or permit shall be an affirmative defense.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

