

JAN 22 2016

A BILL FOR AN ACT

RELATING TO VOTING.

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

1 SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding two new sections to part II to be appropriately
3 designated and to read as follows:

4 "§11-A Applications for a driver's license or civil
5 identification card. (a) Notwithstanding any law to the
6 contrary, an affidavit on application for voter registration
7 shall be a part of the application associated with the issuance
8 of a civil identification card under section 286-301 and
9 driver's license under section 286-109; provided that the
10 affidavit meets the requirements of section 11-15(a).

11 (b) Applications for a civil identification card or
12 driver's license shall not be processed until the applicant
13 clearly indicates on the application that the applicant is
14 declining to register to vote or the portion of the application
15 related to voter registration is completed.

16 §11-B Electronic accessibility of voter registration
17 applications associated with the examiner of drivers. (a) The



1 examiner of drivers of each county shall ensure that the
2 contents of the affidavit on application for voter registration
3 provided by applicants in conjunction with their driver's
4 license and civil identification card application are
5 electronically stored in a database of each county examiner of
6 drivers.

7 (b) The examiner of drivers in each county shall
8 electronically provide to the respective county clerk the voter
9 registration information set forth in the affidavit on
10 application for voter registration. This information shall
11 include a digital copy of the applicant's signature.

12 (c) Upon receipt of the electronic information, the county
13 clerk shall treat the information as constituting an application
14 to register under section 11-15.

15 (d) Databases maintained by the counties and the state
16 department of transportation containing driver's license and
17 civil identification card information shall be electronically
18 accessible by the statewide voter registration system to allow
19 for the timely processing of voter registration applications
20 made in conjunction with driver's license and civil
21 identification cards, facilitate verification of information



1 provided by online voter registration applicants under section
2 11-15.3, and otherwise ensure the integrity of the voter
3 registration rolls."

4 SECTION 2. Section 286-109, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "§286-109 General provision governing the issuance of
7 licenses. (a) Upon payment of the required fee and upon
8 demonstrating the ability to operate a certain category or
9 categories of motor vehicles to the satisfaction of the examiner
10 of drivers, an applicant for a driver's license shall be issued
11 a single license of a design approved by the director of
12 transportation upon which is made a notation of:

- 13 (1) The category or categories of motor vehicles the
14 applicant may operate;
- 15 (2) Any restrictive provisions to which the license is
16 subject;
- 17 (3) Veteran status, if desired by the applicant; provided
18 that the notation shall be on the front of the license
19 and shall not include any designation other than the
20 term "veteran"; and



1 (4) When the license is issued to a person under twenty-
2 one years of age, a statement, in clearly legible
3 print that shall contrast with the other information
4 appearing on the license, which indicates the date on
5 which the person will attain the age of twenty-one
6 years.

7 As used in this subsection, "veteran" means any person who
8 served in any of the uniformed services of the United States and
9 was discharged under conditions other than dishonorable.

10 (b) The examiner of drivers shall not issue or renew any
11 driver's license using the driver's social security number on
12 the driver's license.

13 (c) Statutes of limitations and other provisions of this
14 chapter notwithstanding, no driver's license or instruction
15 permit shall be issued or renewed under this section, where the
16 examiner of drivers is notified by the district judge, traffic
17 violations bureaus of the district courts, or the judge of the
18 circuit court that the applicant has failed to respond to a
19 traffic citation or summons, or failed to appear in court after
20 an arrest for the violation of any traffic laws of a county,
21 this chapter or chapter 286G, 287, 290, 291, or 291C, or of any



1 motor vehicle insurance laws under article 10C of chapter 431,
2 or of any motorcycle or motor scooter insurance laws under
3 article 10G of chapter 431, and the same remains delinquent and
4 outstanding, or the applicant, has as of the time of the
5 application, failed to comply in full with all orders of the
6 court; provided that the district court with whose order an
7 applicant has failed to comply in full, may approve the issuance
8 or renewal of a driver's license or instruction permit other
9 than a commercial driver's license upon conditions imposed by
10 the court for the satisfaction of the outstanding court order
11 and any other conditions as may be imposed by the court, if one
12 or more of the following conditions are met:

13 (1) The applicant is gainfully employed in a position that
14 requires driving and will be discharged if the
15 applicant is unable to drive; or

16 (2) The applicant has no access to alternative
17 transportation and therefore must drive to work;

18 provided further that if the applicant has failed to comply in
19 full with orders of the district court of more than one circuit,
20 the applicant shall obtain the approval of the district court of
21 each circuit in which the applicant has an outstanding court



1 order before a driver's license or instruction permit may be
2 issued or renewed under this subsection.

3 A driver's license or instruction permit issued or renewed
4 under this subsection shall be subject to immediate suspension
5 by the court upon the applicant's failure to remain in full
6 compliance with all conditions imposed by the court for the
7 issuance or renewal of the driver's license or instruction
8 permit. The examiner of drivers may place an indication of
9 restriction upon a driver's license or instruction permit issued
10 or renewed under this subsection. Proof of financial
11 responsibility under section 287-20 shall not apply to the
12 issuance or renewal of driver's licenses or instruction permits
13 under this subsection.

14 (d) An application for a driver's license shall include
15 the information required under section 11-A."

16 SECTION 3. Section 286-301, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "[~~§~~286-301~~]~~ Issuance of identification card or
19 temporary card. (a) To obtain an identification card from the
20 examiner of drivers, an individual shall complete an application
21 pursuant to section 286-303.



1 (b) The examiner of drivers, upon receipt of the
2 application by any individual who is a resident or a temporary
3 resident of this State, shall issue an identification card to
4 that individual upon receipt of any appropriate fee established
5 pursuant to section 286-309.

6 (c) The identification card shall be similar in size,
7 shape, and design to a driver's license, but shall not entitle
8 the individual to whom it is issued to operate a motor vehicle.

9 (d) The issuance of an identification card pursuant to
10 this section shall not place upon the State of Hawaii or any
11 agency any liability for the misuse or the acceptance of the
12 identification card as valid identification, which shall be left
13 entirely to the discretion of any individual to whom such card
14 is presented.

15 (e) An application for an identification card from the
16 examiner of drivers shall include the information required under
17 section 11-A."

18 SECTION 4. Section 286-311, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) [All] Except for purposes of sections 286-109 and
21 286-301, information and records acquired by the examiner of



1 drivers under this part shall be confidential. All information
 2 and records shall be maintained in an appropriate form and in an
 3 appropriate office in the custody and under the control of the
 4 examiner. The information shall be available only to authorized
 5 individuals under such restrictions as the director shall
 6 prescribe. The examiner may dispose of any application or
 7 identification card, or information or record relating to the
 8 application or identification card, which does not include a
 9 social security number, without regard to chapter 94, whenever,
 10 in the examiner's discretion, retention of the information or
 11 record is no longer required or practicable."

12 SECTION 5. In codifying the new sections added by section
 13 1 of this Act, the revisor of statutes shall substitute
 14 appropriate section numbers for the letters used in designating
 15 the new sections in this Act.

16 SECTION 6. Statutory material to be repealed is bracketed
 17 and stricken. New statutory material is underscored.

18 SECTION 7. This Act shall take effect on January 1, 2017.

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INTRODUCED BY:

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S.B. NO. 2241

Report Title:

Voter Registration; Driver's License; Civil Identification Card

Description:

Specifies that an affidavit on application for voter registration shall be a part of the application associated with the issuance of a civil identification card and driver's license. Requires each county examiner of drivers to electronically store the contents of the affidavit on application for voter registration provided by applicants in conjunction with their driver's license and civil identification card applications and provide electronic accessibility of this information.

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

