

JAN 20 2017

A BILL FOR AN ACT

RELATING TO VOTER REGISTRATION.

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

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

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

10 (b) Applications for a civil identification card or
11 driver's license shall not be processed until the applicant has:

12 (1) Applied to register to vote; or

13 (2) Affirmatively declined to register to vote.

14 (c) If an applicant for a civil identification card or
15 driver's license is already a registered voter, the application
16 shall serve to automatically update the applicant's voter
17 registration residence address, mailing address, or name, as may



1 be applicable. A notice to this effect shall be stated on any
2 application or change of address or name form utilized by the
3 examiner of drivers.

4 (d) The examiner of drivers shall electronically transmit
5 to the office of elections, on a real time basis, the following
6 information, as may be available, associated with each person
7 who does not affirmatively decline to register to vote:

- 8 (1) Name;
9 (2) Date of birth;
10 (3) Residence address;
11 (4) Mailing address;
12 (5) Digitized signature;
13 (6) Telephone number;
14 (7) Email address;
15 (8) Gender;
16 (9) Any address in another state that is associated with a
17 previous registration that the applicant authorizes to
18 be canceled;
19 (10) A notation that the applicant has attested that the
20 applicant meets all voter eligibility requirements,
21 including United States citizenship;



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1 (11) Whether the applicant chooses to become a permanent
2 absentee voter;

3 (12) Whether the applicant was informed, if the applicant
4 is currently a registered voter, that the applicant's
5 name, residence address, and mailing address
6 associated with the applicant's voter registration
7 record will be updated to reflect what has been
8 provided in the application;

9 (13) An electronic copy of the application in portable
10 document format; and

11 (14) Other information specified by the chief election
12 officer.

13 (e) Databases maintained or operated by the counties or
14 the department of transportation containing driver's license and
15 civil identification card information, including any documents
16 or images, shall be electronically accessible by election
17 officials and the statewide voter registration system to allow
18 for the timely processing of voter registration applications,
19 facilitate verification of information provided by online voter
20 registration applicants under section 11-15.3, ensure the



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1 integrity of the voter registration rolls, or for any other
2 election purpose."

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

5 **"§286-109 General provision governing the issuance of**
6 **licenses.** (a) Upon payment of the required fee and upon
7 demonstrating the ability to operate a certain category or
8 categories of motor vehicles to the satisfaction of the examiner
9 of drivers, an applicant for a driver's license shall be issued
10 a single license of a design approved by the director of
11 transportation upon which is made a notation of:

- 12 (1) The category or categories of motor vehicles the
13 applicant may operate;
- 14 (2) Any restrictive provisions to which the license is
15 subject;
- 16 (3) Veteran status, if desired by the applicant; provided
17 that the notation shall be on the front of the license
18 and shall not include any designation other than the
19 term "veteran"; and
- 20 (4) When the license is issued to a person under twenty-
21 one years of age, a statement, in clearly legible



1 print that shall contrast with the other information
2 appearing on the license, which indicates the date on
3 which the person will attain the age of twenty-one
4 years.

5 As used in this subsection, "veteran" means any person who
6 served in any of the uniformed services of the United States,
7 including veterans of the Korean conflict and persons who served
8 in the armed forces of the Republic of Korea, who fought under
9 the command of the United Nations led by the United States,
10 during the Korean conflict and are currently United States
11 citizens, and was discharged under conditions other than
12 dishonorable.

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

16 (c) Statutes of limitations and other provisions of this
17 chapter notwithstanding, no driver's license or instruction
18 permit shall be issued or renewed under this section, where the
19 examiner of drivers is notified by the district judge, traffic
20 violations bureaus of the district courts, or the judge of the
21 circuit court that the applicant has failed to respond to a



1 traffic citation or summons, or failed to appear in court after
2 an arrest for the violation of any traffic laws of a county,
3 this chapter or chapter 286G, 287, 290, 291, or 291C, or of any
4 motor vehicle insurance laws under article 10C of chapter 431,
5 or of any motorcycle or motor scooter insurance laws under
6 article 10G of chapter 431, and the same remains delinquent and
7 outstanding, or the applicant, has as of the time of the
8 application, failed to comply in full with all orders of the
9 court; provided that the district court with whose order an
10 applicant has failed to comply in full, may approve the issuance
11 or renewal of a driver's license or instruction permit other
12 than a commercial driver's license upon conditions imposed by
13 the court for the satisfaction of the outstanding court order
14 and any other conditions as may be imposed by the court, if one
15 or more of the following conditions are met:

- 16 (1) The applicant is gainfully employed in a position that
17 requires driving and will be discharged if the
18 applicant is unable to drive; or
19 (2) The applicant has no access to alternative
20 transportation and therefore must drive to work;



1 provided further that if the applicant has failed to comply in
2 full with orders of the district court of more than one circuit,
3 the applicant shall obtain the approval of the district court of
4 each circuit in which the applicant has an outstanding court
5 order before a driver's license or instruction permit may be
6 issued or renewed under this subsection.

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

18 (d) An application for a driver's license from the
19 examiner of drivers shall include the information required under
20 section 11-A."



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

3 "[+]§286-301[+] **Issuance of identification card or**
4 **temporary card.** (a) To obtain an identification card from the
5 examiner of drivers, an individual shall complete an application
6 pursuant to section 286-303.

7 (b) The examiner of drivers, upon receipt of the
8 application by any individual who is a resident or a temporary
9 resident of this State, shall issue an identification card to
10 that individual upon receipt of any appropriate fee established
11 pursuant to section 286-309.

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

15 (d) The issuance of an identification card pursuant to
16 this section shall not place upon the State of Hawaii or any
17 agency any liability for the misuse or the acceptance of the
18 identification card as valid identification, which shall be left
19 entirely to the discretion of any individual to whom such card
20 is presented.



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

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

6 "(a) [All] Except as required by sections 11-A, 286-109,
7 and 286-301, information and records acquired by the examiner of
8 drivers under this part shall be confidential. All information
9 and records shall be maintained in an appropriate form and in an
10 appropriate office in the custody and under the control of the
11 examiner. The information shall be available only to authorized
12 individuals under such restrictions as the director shall
13 prescribe. The examiner may dispose of any application or
14 identification card, or information or record relating to the
15 application or identification card, which does not include a
16 social security number, without regard to chapter 94, whenever,
17 in the examiner's discretion, retention of the information or
18 record is no longer required or practicable."

19 SECTION 5. In codifying the new sections added by section
20 1 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 6. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 7. This Act shall take effect on July 1, 2017.

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Report Title:

Office of Elections Package; Voter Registration; Driver's License; Civil Identification Card

Description:

Requires an affidavit on application for voter registration to be included as part of the application for driver's licenses and civil identification cards. Prevents processing of application for driver's licenses or civil identification cards unless voter affidavit is complete or declined. Clarifies that applicant who does not want information electronically transmitted to office of elections must affirmatively decline to register to vote.

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

