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# A BILL FOR AN ACT

RELATING TO DIGITAL IDENTIFICATION.

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

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

4 "§286- Digitized identification cards; acceptance;  
5 liability. (a) When a person requests a consumer to produce a  
6 valid identification for the purpose of furnishing proof of the  
7 consumer's identification or age, the person may accept a state-  
8 issued digitized identification card as a valid form of  
9 identification.

10 (b) A digital copy, photograph, or image of a digitized  
11 identification card that is not downloaded through a state-  
12 approved application on a mobile device shall not be considered  
13 a valid digitized identification card as provided for by this  
14 section.

15 (c) The display of a digitized identification card shall  
16 not serve as consent or authorization for a person to search,  
17 view, or access any other data or application on the consumer's



1 mobile device. When a consumer presents their mobile device to  
2 a person for the purpose of displaying a digitized  
3 identification card, the person shall promptly return the mobile  
4 device to the consumer once the person has had an opportunity to  
5 verify the identity or age of the consumer and the current  
6 status of the license or identification card.

7 (d) Beginning July 1, 2027, all state and county law  
8 enforcement agencies may accept digitized identification cards  
9 as a method to prove a person's identity where a physical  
10 license or identification card is currently required.

11 (e) This section shall not apply where a physical copy of  
12 an individual's current driver's license, valid passport, or  
13 visa issued by the federal government or another country, or  
14 other card of identity, is held in compliance with state or  
15 federal law.

16 (f) The department of transportation shall establish rules  
17 pursuant to chapter 91 to implement the purposes of this  
18 section.

19 (g) For the purposes of this section:

20 "Consumer" means any individual who uses, purchases, or  
21 leases goods or services.



1       "Digitized identification card" means a data file available  
2 on any mobile device that has connectivity to the Internet  
3 through a state-approved application that allows the mobile  
4 device to download the data file from a respective examiner of  
5 drivers or an authorized representative of the examiner of  
6 drivers that contains all of the data elements visible on the  
7 face and back of a license or identification card and displays  
8 the current status of the license or identification card;  
9 provided that "current status" includes valid, expired,  
10 cancelled, suspended, disqualified, active, inactive, member,  
11 nonmember, eligible, or ineligible.

12       "Person" means any individual, firm, partnership,  
13 corporation, association, union, public or private education  
14 institution, or other organization, including but not limited to  
15 a bar or restaurant that is engaged in trade or commerce within  
16 the State.

17       "Trade" or "commerce" means the advertising, offering for  
18 sale, sale, or distribution of any services, including  
19 educational services, and any property, corporeal or  
20 incorporeal, immovable or movable, and any other article,  
21 commodity, or thing of value wherever situated, and includes any



1 trade or commerce directly or indirectly affecting the people of  
2 the State."

3 SECTION 2. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2077.



**Report Title:**

Digitized Identification Cards; Valid Identification

**Description:**

Allows digitized identification cards to be accepted as a valid form of identification, under certain conditions. Authorizes state and county law enforcement agencies to accept a digitized identification card as proof of a person's identity beginning 7/1/2027. Effective 7/1/2077. (SD2)

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

