

JAN 21 2026

A BILL FOR AN ACT

RELATING TO IDENTIFICATION.

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

1 SECTION 1. The legislature finds that people with
2 nonapparent disabilities, such as autism, spectrum disorder,
3 cognitive impairments, and other neurological or developmental
4 conditions may appear to be high functioning but may not react
5 appropriately in interactions with law enforcement. A routine
6 traffic stop or emergency could escalate if the first responder
7 is not aware of a hidden disability. These circumstances may
8 lead to misunderstandings or escalation that could otherwise be
9 avoided if the presence of a disability were known.

10 The legislature further finds that other states have taken
11 steps to allow a special notation on an identification card to
12 voluntarily indicate the existence of a nonapparent disability
13 to promote safer and more informed interactions. The
14 legislature believes that allowing individuals to voluntarily
15 indicate the presence of a nonapparent disability on a form of
16 identification can help promote awareness, understanding, and



1 appropriate responses during interactions with law enforcement
2 and first responders.

3 The purpose of this Act is to promote safer and
4 compassionate communication with a special notion on a driver's
5 license or identification card for people with nonapparent
6 disabilities.

7 SECTION 2. Chapter 286, Hawaii Revised Statutes, is
8 amended by adding a new section to part VI to be appropriately
9 designated and to read as follows:

10 **"§286- Nonapparent disability; identification. (a)**

11 Beginning January 1, 2027, an applicant for an instruction
12 permit, provisional license, driver's license, limited purpose
13 driver's license, limited purpose provisional driver's license,
14 or limited purpose instruction permit, including any renewals,
15 may request a notation on the applicable permit, provisional
16 license, or driver's license that the individual has a
17 nonapparent disability, at no additional cost.

18 (b) No applicant shall be required to submit proof of the
19 applicant's nonapparent disability.

20 (c) The examiner of drivers shall not deny an application
21 for a permit or license because the nonapparent disability



1 selected by the applicant does not match that indicated on any
2 other document.

3 (d) The department of transportation shall adopt rules
4 pursuant to chapter 91 necessary for the purposes of this
5 section.

6 (e) For purposes of this section, "nonapparent disability"
7 means a disability or health condition that is not immediately
8 obvious or visible, including developmental disabilities or
9 intellectual disabilities."

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

13 **"§286- Nonapparent disability; identification. (a)**
14 Beginning January 1, 2027, an applicant for a civil
15 identification card, including any renewals, may request a
16 notation on the civil identification card that the individual
17 has a nonapparent disability, at no additional cost.

18 (b) No applicant shall be required to submit proof of the
19 applicant's nonapparent disability.

20 (c) The examiner of drivers shall not deny an application
21 for a civil identification card because the nonapparent



1 disability selected by the applicant does not match that
2 indicated on any other document.

3 (d) The department of transportation shall adopt rules
4 pursuant to chapter 91 necessary for the purposes of this
5 section.

6 (e) For purposes of this section, "nonapparent disability"
7 means a disability or health condition that is not immediately
8 obvious or visible, including developmental disabilities or
9 intellectual disabilities."

10 SECTION 4. The department of transportation shall:

11 (1) Consult with the disability and communication access
12 board with respect to the design of the nonapparent
13 disability notation;
14 (2) Establish public outreach efforts to educate the
15 general public on the availability of the nonapparent
16 disability notation; and
17 (3) Coordinate with the department of law enforcement and
18 each county police department to ensure that annual
19 training for law enforcement officers includes
20 procedures for recognizing and appropriately
21 responding to individuals with nonapparent



1 disabilities notations on their permit, driver's
2 license, or civil identification card.

3 SECTION 5. New statutory material is underscored.

4 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

Mark. O'H

By Request



S.B. NO. 2305

Report Title:

Driver's License; Permit; Civil Identification Card; Nonapparent Disability

Description:

Allows applicants for driver's permit, driver's license, or civil identification cards to request a nonapparent disability notation on their permit, license, or identification card.

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