

---

---

# A BILL FOR AN ACT

RELATING TO VOTING.

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

1           SECTION 1. The legislature finds that every eligible  
2 person should be able to register to vote in a convenient and  
3 secure manner that benefits both new voters and election  
4 administrators. Improving voter registration processes can help  
5 ensure state election systems remain secure and efficient,  
6 safeguard the integrity of votes, and reduce administrative  
7 costs.

8           The legislature further finds that, in 2021, Hawaii  
9 established automatic voter registration to address the State's  
10 historically low voter participation rates. However, the system  
11 implemented was an opt-in model that places the burden of  
12 registration on individual voters, which fails to fully capture  
13 the State's potential population of new voters.

14           Accordingly, the purpose of this Act is to improve Hawaii's  
15 voter participation rate by strengthening the State's automatic  
16 voter registration program.



1 SECTION 2. Section 11-15.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§11-15.5[+] **Duties of all state agencies; voter**  
4 **registration.** (a) Each state agency that deals with the public  
5 shall make available to each member of the public eighteen years  
6 of age or older an application in the form of an affidavit for  
7 voter registration pursuant to section 11-15. The application  
8 shall be available by mail, online, or in person depending on  
9 the manner in which the agency's services are requested by the  
10 person. The form of the application may be identical to that  
11 described and found in public telephone directories.

12 (b) Any state agency may be designated by the office of  
13 elections to implement automatic voter registration if the  
14 agency collects, processes, or stores the following information  
15 as part of providing assistance or services: name, residential  
16 address, date of birth, and proof of United States citizenship  
17 or external verification of United States citizenship. An  
18 eligible agency may establish and implement, upon approval from  
19 the office of elections, a procedure to automatically and  
20 electronically transmit a person's voter registration  
21 information to the clerk of the county in which the person



1 resides. Every eligible agency shall comply with the  
2 requirements in section 11-15.7, to the extent applicable as  
3 determined by the office of elections."

4 SECTION 3. Section 11-15.7, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "[~~†~~]\$11-15.7[~~†~~] **Automatic registration**[~~-~~] and  
7 preregistration. (a) [~~An application for voter registration~~  
8 ~~shall be a part of the application for issuance of an~~  
9 ~~identification card under section 286-303 and the application~~  
10 ~~for issuance of a driver's license under section 286-111.~~  
11 ~~Applications for an identification card or driver's license~~  
12 ~~shall not be processed until the applicant completes the portion~~  
13 ~~of the application related to voter registration and indicates~~  
14 ~~the applicant's choice of whether to register to vote. If~~  
15 ~~already registered to vote, the applicant shall be offered the~~  
16 ~~opportunity to decline any changes being made to their name and~~  
17 ~~address for voter registration purposes.]~~

18 The submission of the application for the issuance of [~~an~~  
19 ~~identification]~~ a new, renewed, or duplicate:

20 (1) Instruction permit under section 286-110, 286-111, or  
21 286-117;



1       (2) Provisional license under section 286-111 or 286-117;

2       (3) Driver's license under section 286-107, 286-111, or  
3       286-117; or

4       (4) Identification card under section 286-303 [~~or the~~  
5       ~~application for a driver's license under section 286-~~  
6       ~~111],~~

7 shall be deemed to authorize the examiner of drivers to collect  
8 and transmit the information necessary to register or  
9 preregister, pursuant to section 11-12(b), the applicant as a  
10 voter if the applicant [~~made such a choice or to make changes to~~  
11 ~~the applicant's voter registration information unless the~~  
12 ~~applicant declined such changes.] is of sufficient age to  
13 register or preregister to vote, has provided a Hawaii residence  
14 address, and has attested that the applicant holds United States  
15 citizenship in a manner permitted under the the National Voter  
16 Registration Act of 1993.~~

17       (b) The examiner of drivers shall electronically transmit  
18 the [necessary] following information to the clerk of the county  
19 in which the applicant resides[~~, election officials, and the~~  
20 online voter registration system pursuant to subsection (c).



1       ~~The examiner of drivers shall not transmit any information~~  
2 ~~necessary to register an applicant as a voter if the applicant~~  
3 ~~made a choice not to be registered to vote nor transmit any~~  
4 ~~information necessary to make changes to the applicant's voter~~  
5 ~~registration information if the applicant declined such~~  
6 ~~changes.]:~~

- 7       (1) The applicant's name;
- 8       (2) The applicant's date of birth;
- 9       (3) The instruction permit, provisional license, driver's  
10       license, or state identification number of the  
11       applicant;
- 12       (4) The applicant's residence address and mailing address,  
13       if different from the residence address;
- 14       (5) The applicant's county of residence;
- 15       (6) The applicant's citizenship status;
- 16       (7) The applicant's signature as a digitized image;
- 17       (8) The last four digits of the applicant's social  
18       security number, if available;
- 19       (9) The applicant's telephone number, if available; and
- 20       (10) The applicant's electronic mail address, if available.



1        (c) The examiner of drivers shall not transmit ~~[any]~~ an  
2 applicant's information [related to a voter application or  
3 changes to the applicant's voter registration information if]  
4 under this section if the applicant presents a document  
5 demonstrating a lack of United States citizenship~~[-]~~ and the  
6 applicant shall not be offered a voter registration or  
7 preregistration opportunity. If the documents provided by the  
8 applicant do not sufficiently demonstrate the applicant's United  
9 States citizenship status, the examiner of drivers shall provide  
10 information during the transaction regarding voter registration  
11 or preregistration and eligibility criteria, including  
12 instructions that the applicant may only register or preregister  
13 to vote if the applicant is a United States citizen.

14        ~~[(b)]~~ (d) Upon receipt of the ~~[completed voter~~  
15 ~~registration application or changes to the]~~ applicant's voter  
16 registration or preregistration information transmitted from the  
17 examiner of drivers, the clerk shall review and ~~[either approve~~  
18 ~~or reject the voter registration application in accordance with~~  
19 ~~this part; provided that approved]~~ determine whether the  
20 applicant is currently registered or preregistered in the online  
21 voter registration system. If the applicant is not currently



1 registered or preregistered, the clerk shall mail a notice to  
 2 the applicant pursuant to subsection (e). If the applicant is  
 3 currently registered or preregistered, the clerk shall compare  
 4 the information transmitted from the examiner of drivers to the  
 5 applicant's voter registration or preregistration information.  
 6 If the information transmitted differs from the applicant's  
 7 vcter registration or preregistration information, the clerk  
 8 shall mail a notice to the applicant pursuant to subsection (e).  
 9 Approved voter registration applications received from the  
 10 examiner of drivers pursuant to this section shall be treated as  
 11 having a valid signature for purposes of section 11-15(c),  
 12 whether transmitted electronically or by facsimile transmission.  
 13 ~~[Upon the clerk's approval of the voter registration application~~  
 14 ~~or any changes to the voter registration information,]~~ Voter  
 15 registration or preregistration records created under this  
 16 section shall be exempt from disclosure for twenty-one days  
 17 after the mailing of the notice under subsection (e).

18 (e) Upon determining that an applicant is not currently  
 19 registered or preregistered in the online voter registration  
 20 system or an applicant's voter registration or preregistration  
 21 information differs from the information transmitted from the



1 examiner of drivers under this section, the clerk shall promptly  
2 mail the applicant a notice that contains a postage prepaid,  
3 pre-addressed return form by which the applicant may decline to  
4 be registered or preregistered to vote or have the applicant's  
5 voter registration or preregistration information updated. The  
6 notice shall also include instructions for applicants who  
7 request confidentiality under section 11-14.5 or request an  
8 electronic ballot.

9       (f) If an applicant returns the form declining to be  
10 registered or preregistered to vote, the applicant's voter  
11 registration or preregistration shall be canceled, and the  
12 applicant shall be deemed to have never registered or  
13 preregistered to vote; provided that if the applicant votes in  
14 an election after the transfer of the applicant's voter  
15 registration information but before the form declining to be  
16 registered to vote is returned, the returned form shall be of no  
17 force and effect and the applicant shall be deemed registered to  
18 vote as of the date of the applicant's qualifying transaction  
19 with the examiner of drivers. If an applicant returns the form  
20 declining to have the applicant's voter registration or  
21 preregistration information updated, the applicant's voter



1 registration or preregistration information shall not be  
2 updated.

3 If the applicant does not decline voter registration or  
4 preregistration or to have the applicant's voter registration or  
5 preregistration information updated within the period prescribed  
6 by the office of elections, the clerk shall proceed to number  
7 the application and register the name of the [~~voter~~] applicant  
8 in the general county register as provided in section 11-14,  
9 preregister the applicant as provided in section 11-12(b), or  
10 [make approved changes to the voter's] update the applicant's  
11 existing voter registration or preregistration information as  
12 applicable. The date of registration or preregistration shall  
13 be the date of the applicant's qualifying transaction with the  
14 examiner of drivers.

15 [~~(e)~~] (g) Databases maintained or operated by the counties  
16 or [~~the~~] department of transportation containing instruction  
17 permit, provisional license, driver's license, or identification  
18 card information, including any documents or images, shall be  
19 accessible and provided electronically to election officials and  
20 the online voter registration system to allow for the timely  
21 processing of voter applications, ensure the integrity of the



1 voter registration polls, and for any other voter registration,  
2 preregistration, or election purposes, as determined by the  
3 director of transportation.

4 (h) Any applicant who submits a qualifying application  
5 under this section that is dated during the twenty-one days  
6 before an election shall be provided, at the time of  
7 application, with a notice advising the applicant of the  
8 procedures to register to vote on election day.

9 (i) An otherwise eligible applicant who declines to  
10 register or preregister to vote or update the applicant's voter  
11 registration or preregistration information shall be offered a  
12 new opportunity to register or preregister to vote or update the  
13 applicant's voter registration or preregistration information  
14 with each qualifying application submitted under this section.

15 (j) Records of applicants who are ineligible to register  
16 or preregister to vote or who declined voter registration or  
17 preregistration shall be exempt from disclosure under chapter  
18 92F because disclosure would constitute a clearly unwarranted  
19 invasion of personal privacy.

20 (k) If an applicant is not eligible to vote or preregister  
21 to vote, the record and signature of the ineligible applicant



1 that is transmitted under this section shall not constitute a  
2 completed voter registration application, and that applicant  
3 shall not be considered to have affirmatively registered or  
4 preregistered to vote.

5 (1) Nothing in this section shall be construed to:

6 (1) Amend the substantive qualifications for voter  
7 registration or preregistration in the State;

8 (2) Require documentary proof of citizenship for voter  
9 registration or preregistration;

10 (3) Require the examiner of drivers to maintain or  
11 validate official records of voter registration or  
12 preregistration; or

13 (4) Authorize the examiner of drivers to request  
14 documentation establishing an applicant's citizenship  
15 solely for the purposes of voter registration or  
16 preregistration."

17 SECTION 4. Section 286-107, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 **"§286-107 License renewals; procedures and requirements.**

20 (a) The examiner of drivers may accept an application for a



1 renewal of a driver's license made [~~not~~] no more than six months  
2 [~~prior to~~] before the date of expiration.

3 If [~~however,~~] the renewal is not applied for within ninety  
4 days after the expiration of the license, the applicant for  
5 renewal shall be treated as an applicant for a new license and  
6 examined as provided in section 286-108.

7 (b) Except as otherwise provided in subsection (c), an  
8 applicant for a renewal of a driver's license under this  
9 section, or the reactivation of an expired license under section  
10 286-107.5(a), shall appear in person before the examiner of  
11 drivers and the examiner of drivers shall administer [~~such~~] any  
12 physical examinations [~~as~~] that the state director of  
13 transportation deems necessary to determine the applicant's  
14 fitness to continue to operate a motor vehicle.

15 (c) Any person who holds a category (1), (2), or (3)  
16 license issued under this part may apply for a renewal of the  
17 license online via any electronic or digital means provided by  
18 the examiner of drivers, or by mail, if the person is not  
19 disqualified from renewing the license under subsection (a),  
20 except as provided under subsection (h). The applicant's  
21 request to have the license renewed by mail must be received by



1 the examiner of drivers within ninety days after the expiration  
2 of the license or it shall be treated as an application for  
3 reactivation of an expired license under section 286-107.5. The  
4 examiner of drivers shall, upon receipt of the request, furnish  
5 the applicant with all necessary forms and instructions. An  
6 application for renewal made by electronic or digital means or  
7 by mail pursuant to this subsection shall be accompanied by a  
8 statement from a licensed physician, physician assistant, or  
9 advanced practice registered nurse certifying that the applicant  
10 was examined by the licensed physician, physician assistant, or  
11 advanced practice registered nurse no more than six months  
12 before the expiration date of the applicant's license and that  
13 the applicant was found by the examination to have met the  
14 physical requirements established by the state director of  
15 transportation for the renewal of licenses. The application for  
16 renewal by electronic or digital means or by mail shall also be  
17 accompanied by:

- 18 (1) A notarized statement of the applicant certifying that  
19 the applicant does not possess any valid license to  
20 operate the same or similar category or categories of



1 motor vehicles, issued by another licensing authority  
2 (unless the license is concurrently surrendered); and

3 (2) Any other information as may be required by the  
4 examiner of drivers that is reasonably necessary to  
5 confirm the identity of the applicant and the  
6 applicant's fitness to continue to operate a motor  
7 vehicle.

8 (d) An applicant for a renewal of the applicant's driver's  
9 license, whether applying pursuant to subsections (b) or (c),  
10 shall pay the fee determined by the council of the appropriate  
11 county. Payment of the fee shall be by certified check or money  
12 order, tendered together with the application.

13 (e) No driver's license shall be renewed by the examiner  
14 of drivers unless:

15 (1) The examiner of drivers is satisfied of the  
16 applicant's fitness to continue to operate a motor  
17 vehicle;

18 (2) The fee required by subsection (d) is tendered  
19 together with the application for renewal;

20 (3) The applicant complies with section 286-102.5; and



1 (4) The examiner of drivers is satisfied that the  
2 applicant does not have outstanding charges and fines  
3 relating to the disposition of an abandoned vehicle.

4 (f) No driver's license shall be renewable by electronic  
5 or digital means or by mail:

6 (1) For more than two consecutive renewals, regardless of  
7 whether the license expires, as provided under section  
8 286-106, on the eighth or fourth birthday after  
9 issuance; or

10 (2) [~~Sixteen~~] Sixteen years have lapsed since the  
11 applicant had appeared in person;

12 provided that this subsection shall not apply to a resident  
13 military person or that person's immediate family if the  
14 resident military person resides outside the State on official  
15 military orders.

16 (g) Notwithstanding subsection (a), any applicant for a  
17 renewal of a driver's license who is a member of any component  
18 of the United States armed forces and who is on active federal  
19 service outside of the State at the time the applicant's license  
20 should be renewed, may file an application for a renewal of the  
21 driver's license, which shall be accompanied by verification of



1 federal active service outside the State as required by the  
2 examiner of drivers, within ninety days of the applicant's  
3 return to the State or discharge from hospitalization. The  
4 examiner of drivers may waive the reactivation fee otherwise  
5 required by section 286-107.5.

6 (h) The state director of transportation shall adopt rules  
7 [~~and regulations~~] pursuant to chapter 91[7] necessary for the  
8 purposes of this section, including rules [~~and regulations~~]  
9 governing the effect to be given to convictions for violations  
10 of traffic laws of a foreign jurisdiction[7] upon license  
11 renewal procedures.

12 (i) An application for a renewal of a driver's license  
13 shall serve as a voter registration application for eligible  
14 applicants under the procedures prescribed in section 11-15.7.  
15 The examiner of drivers shall consult with the office of  
16 elections to ensure that the form contains spaces for all  
17 information required to register to vote."

18 SECTION 5. Section 286-110, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "**§286-110 Instruction permits.** (a) Any person aged  
21 fifteen years and six months or more who, except for the



1 person's lack of instruction in operating a motor vehicle, would  
2 be qualified to obtain a driver's license issued under this part  
3 may apply for a temporary instruction permit or a limited  
4 purpose instruction permit at the office of the examiner of  
5 drivers in the county in which the applicant resides; provided  
6 that the applicant complies with section 286-102.5.

7 (b) No person shall be issued a motorcycle instruction  
8 permit unless the person successfully completes a basic  
9 motorcycle rider course approved by the department of  
10 transportation.

11 (c) The examiner of drivers shall examine every applicant  
12 for an instruction permit. The examination shall include tests  
13 of the applicant's:

14 (1) Eyesight and other physical or mental capabilities to  
15 determine if the applicant is capable of operating a  
16 motor vehicle;

17 (2) Understanding of highway signs regulating, warning,  
18 and directing traffic; and

19 (3) Knowledge of the traffic laws, ordinances, or  
20 regulations of the State and the county where the



1 applicant resides or intends to operate a motor  
2 vehicle.

3 (d) If the examiner of drivers is satisfied that the  
4 applicant is qualified to receive an instruction permit, the  
5 examiner of drivers shall issue the permit entitling the  
6 applicant, while having the permit in the applicant's immediate  
7 possession, to drive a motor vehicle upon the highways for a  
8 period of one year; provided that:

9 (1) An applicant who is registered in a driver training  
10 course shall be issued a temporary instruction permit  
11 for the duration of the course and the termination  
12 date of the course shall be entered on the permit; and

13 (2) If the applicant is a legal immigrant, the permit  
14 shall expire no later than the applicant's authorized  
15 period of stay in the United States.

16 A person who is not licensed to operate the category of  
17 motor vehicles to which the driving training course applies  
18 shall not operate a motor vehicle in connection with the driving  
19 training course without a valid temporary instruction permit  
20 unless it is a motorcycle that is being used for training



1 purposes on an enclosed state certified training range as  
2 provided under administrative rules.

3 (e) Except when operating a motor scooter or motorcycle,  
4 the holder of an instruction permit shall be accompanied by a  
5 person who is twenty-one years of age or older and licensed to  
6 operate the category of motor vehicles in which the motor  
7 vehicle that is being operated belongs. The licensed person  
8 shall occupy a passenger seat beside the permit holder while the  
9 motor vehicle is being operated; provided that if the holder of  
10 the instruction permit is under the age of eighteen years and is  
11 driving between the hours of 11:00 p.m. and 5:00 a.m.:

12 (1) A licensed driver who is the permit holder's parent or  
13 guardian shall occupy a passenger seat beside the  
14 driver while the motor vehicle is operated, unless the  
15 permit holder is an emancipated minor;

16 (2) The licensed driver shall be licensed to operate the  
17 same category of motor vehicles as the motor vehicle  
18 being operated by the holder of the instruction  
19 permit; and

20 (3) All occupants of the motor vehicle shall be restrained  
21 by a seat belt assembly or a child passenger safety



1 restraint system as required under sections 291-11.5  
2 and 291-11.6, notwithstanding any other law to the  
3 contrary.

4 (f) No holder of a temporary instruction permit shall  
5 operate a motorcycle or a motor scooter during hours of darkness  
6 or carry any passengers.

7 (g) No holder of a category 1 or 2 temporary instruction  
8 permit shall have the permit renewed, nor shall the holder be  
9 issued another temporary instruction permit for the same  
10 purpose, unless the holder has taken the examination for a  
11 category 1 or 2 license at least once before the expiration of  
12 the temporary instruction permit. If the holder of a temporary  
13 instruction permit fails to meet the requirements of this  
14 section, the holder shall not be permitted to apply for another  
15 category 1 or 2 temporary instruction permit for a period of  
16 three months. Nothing in this subsection shall affect the right  
17 and privilege of any holder of a category 1 or 2 temporary  
18 instruction permit to obtain a temporary instruction permit or  
19 driver's license for the operation of any other type of motor  
20 vehicle.



1 (h) The examiner of drivers may accept an application for  
2 renewal of an instruction permit no more than thirty days before  
3 or ninety days after the expiration date of the instruction  
4 permit, whereupon the applicant for renewal of an instruction  
5 permit shall be exempt from subsection (c) (2) and (3). If an  
6 application for renewal of an instruction permit is not made  
7 within ninety days after the expiration date of the permit, the  
8 applicant shall be treated as applying for a new instruction  
9 permit and examined in accordance with subsection (c).

10 (i) Notwithstanding any other law to the contrary, the  
11 examiner of drivers may issue an instruction permit to an  
12 applicant with a disability who has completed a medical review  
13 with [~~this~~] the State[~~7~~] and, as a condition to licensure, is  
14 required to pass a road test, but has failed the road test on  
15 the applicant's first attempt. The instruction permit issued  
16 under this subsection may be renewed no more than thirty days  
17 before or ninety days after the expiration date of the  
18 instruction permit upon receiving an updated medical report.  
19 Subsection (c) (2) and (3) shall not apply to the issuance or  
20 renewal of an instruction permit issued under this subsection.



1 For the purposes of this subsection, "applicant with a  
2 disability" means an applicant who the examiner of drivers has  
3 reasonable cause to believe may have a mental or physical  
4 infirmity or disability that would make it unsafe to operate a  
5 motor vehicle pursuant to section 286-119(a)(1) and has been  
6 medically evaluated by the medical advisory board established  
7 pursuant to section 286-4.1.

8 (j) An application for a new or renewed instruction permit  
9 shall serve as a voter registration application for eligible  
10 applicants under the procedures prescribed in section 11-15.7.  
11 The examiner of drivers shall consult with the office of  
12 elections to ensure that the form contains spaces for all  
13 information required to register or preregister to vote."

14 SECTION 6. Section 286-111, Hawaii Revised Statutes, is  
15 amended by amending subsection (f) to read as follows:

16 "(f) An application for [a] an instruction permit,  
17 provisional license, or driver's license shall [include the]  
18 serve as a voter registration application [required under] for  
19 eligible applicants under the procedures prescribed in section  
20 11-15.7. The examiner of drivers shall consult with the office



1 of elections to ensure that the form contains spaces for all  
2 information required to register or preregister to vote."

3 SECTION 7. Section 286-111.5, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "~~[+]§286-111.5[+]~~ **Voter registration~~[-]~~ and**

6 **preregistration.** ~~[(a)]~~ A qualified applicant for a new ~~[or]~~,

7 renewed, or duplicate motor vehicle instruction permit,

8 provisional license, or driver's license shall automatically be

9 registered or preregistered to vote with the clerk of the

10 appropriate county upon completion of the instruction permit,

11 provisional license, or driver's license application and

12 ~~[application for voter registration as required in]~~ confirmation

13 of eligibility pursuant to section 11-15.7 ~~[if the qualified~~

14 ~~applicant makes a choice to register to vote on the application~~

15 ~~form. If already registered to vote, the qualified applicant~~

16 ~~shall be offered the opportunity to decline any changes being~~

17 ~~made to their name and address for voter registration purposes.~~

18 ~~(b) The submission of the application for voter~~

19 ~~registration together with the license or permit application~~

20 ~~shall be deemed to authorize the examiner of drivers to collect~~

21 ~~and transmit the information necessary to register the qualified~~



1 ~~applicant as a voter if the applicant made such a choice or to~~  
2 ~~make changes to the qualified applicant's voter registration~~  
3 ~~information unless the applicant declined such changes. The~~  
4 ~~examiner of drivers shall electronically transmit the necessary~~  
5 ~~information to the clerk of the county in which the qualified~~  
6 ~~applicant resides, election officials, and the online voter~~  
7 ~~registration system pursuant to section 11-15.7(c).~~

8 ~~The examiner of drivers shall not transmit any information~~  
9 ~~necessary to register a qualified applicant as a voter if the~~  
10 ~~applicant made a choice not to be registered to vote nor~~  
11 ~~transmit any information necessary to make changes to the~~  
12 ~~qualified applicant's voter registration information if the~~  
13 ~~applicant declined such changes. The examiner of drivers shall~~  
14 ~~not transmit any information related to a voter application or~~  
15 ~~changes to the applicant's voter registration information if the~~  
16 ~~applicant presents a document demonstrating a lack of United~~  
17 ~~States citizenship.~~

18 ~~(c) For the purposes of this section, "qualified~~  
19 ~~applicant" means a person who qualifies to register as a voter~~  
20 ~~by law]."~~



1 SECTION 8. Section 286-117, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§286-117 Duplicate instruction permits, provisional  
4 licenses, and driver's licenses. [+] (a) [+] The holder of an  
5 instruction permit, provisional license, or driver's license  
6 may, upon payment of the reasonable cost of its issuance, obtain  
7 a duplicate[+] instruction permit, provisional license, or  
8 driver's license; provided that the holder shall surrender the  
9 original instruction permit, provisional license, or driver's  
10 license or furnish satisfactory proof of loss or destruction of  
11 the same.

12 [+] (b) [+] The chief of police or a police officer shall  
13 notify a holder that the holder's instruction permit,  
14 provisional license, or driver's license is illegible and that  
15 the holder shall within ten days surrender the holder's  
16 instruction permit, provisional license, or driver's license and  
17 apply for a duplicate[+] instruction permit, provisional  
18 license, or driver's license. Upon failure to comply with a  
19 notice to surrender an illegible instruction permit, provisional  
20 license, or driver's license and apply for a duplicate[+] instruction permit, provisional license, or driver's license,



1 the person to whom the permit or license is issued shall be  
2 subject to the penalties in section 286-136.

3 (c) An application for a duplicate instruction permit,  
4 provisional license, or driver's license shall serve as a voter  
5 registration application for eligible applicants under the  
6 procedures prescribed in section 11-15.7. The examiner of  
7 drivers shall consult with the office of elections to ensure  
8 that the form contains spaces for all information required to  
9 register or preregister to vote."

10 SECTION 9. Section 286-303, Hawaii Revised Statutes, is  
11 amended by amending subsection (e) to read as follows:

12 "(e) An application for ~~[an]~~ a new, renewed, or duplicate  
13 identification card from the examiner of drivers shall [include  
14 the] serve as a voter registration application [required under]  
15 for eligible applicants under the procedures prescribed in  
16 section 11-15.7. The director shall consult with the office of  
17 elections to ensure that the form contains spaces for all  
18 information required to register or preregister to vote."

19 SECTION 10. Section 286-303.5, Hawaii Revised Statutes, is  
20 amended to read as follows:



1           "~~{}~~§286-303.5~~{}~~ Voter registration. ~~{(a)}~~ A qualified  
2 applicant for a new, ~~{renewal,}~~ renewed, or duplicate  
3 identification card shall automatically be registered or  
4 preregistered to vote with the clerk of the appropriate county  
5 upon completion of an application for an identification card and  
6 ~~{the application for voter registration as required by}~~  
7 confirmation of eligibility pursuant to section 11-15.7 ~~{if the~~  
8 ~~qualified applicant makes a choice to be registered to vote. If~~  
9 ~~already registered to vote, the qualified applicant shall be~~  
10 ~~offered the opportunity to decline any changes being made to~~  
11 ~~their name and address for voter registration purposes.~~  
12           ~~{(b)}~~ ~~The submission of the application for voter~~  
13 ~~registration together with the application for the~~  
14 ~~identification card shall be deemed to authorize the examiner of~~  
15 ~~drivers to collect and transmit the information necessary to~~  
16 ~~register the qualified applicant as a voter if the applicant~~  
17 ~~made such a choice or to make changes to the qualified~~  
18 ~~applicant's voter registration information unless the applicant~~  
19 ~~declined such changes. The examiner of drivers shall~~  
20 ~~electronically transmit the necessary information to the clerk~~  
21 ~~of the county in which the qualified applicant resides, election~~



1 ~~officials, and the online voter registration system pursuant to~~  
2 ~~section 11-15.7(c).~~

3 ~~The examiner of drivers shall not transmit any information~~  
4 ~~necessary to register a qualified applicant as a voter if the~~  
5 ~~applicant made a choice not to be registered to vote nor~~  
6 ~~transmit any information necessary to make changes to the~~  
7 ~~qualified applicant's voter registration information if the~~  
8 ~~applicant declined such changes. The examiner of drivers shall~~  
9 ~~not transmit any information related to a voter application or~~  
10 ~~changes to the applicant's voter registration information if the~~  
11 ~~applicant presents a document demonstrating a lack of United~~  
12 ~~States citizenship.~~

13 ~~(c) For the purposes of this section, "qualified~~  
14 ~~applicant" means a person who qualifies to register as a voter~~  
15 ~~by law]."~~

16 SECTION 11. Section 286-311, Hawaii Revised Statutes, is  
17 amended by amending subsection (a) to read as follows:

18 "(a) All information and records acquired by the examiner  
19 of drivers under this part shall be confidential; provided that  
20 the examiner may transmit voter registration information as  
21 required under sections 11-15.7, 286-107, 286-110, 286-111, 286-



1 111.5, 286-117, 286-303, and 286-303.5~~[, 286-111, and 286-303]~~.

2 All information and records shall be maintained in an

3 appropriate form and in an appropriate office in the custody and

4 under the control of the examiner. The information shall be

5 available only to authorized individuals under restrictions as

6 the director shall prescribe. The examiner may dispose of any

7 application or identification card, or information or record

8 relating to the application or identification card, that does

9 not include a social security number, without regard to chapter

10 94, whenever, in the examiner's discretion, retention of the

11 information or record is no longer required or practicable."

12 SECTION 12. Statutory material to be repealed is bracketed

13 and stricken. New statutory material is underscored.

14 SECTION 13. This Act shall take effect on July 1, 3000.



**Report Title:**

Elections; Automatic Voter Registration; Opt-In; Motor Vehicle Permits and Licenses; Identification Cards

**Description:**

Authorizes state agencies to implement automatic voter registration if designated by the Office of Elections. Requires eligible applicants for instruction permits, provisional licenses, driver's licenses, and identification cards to be automatically registered or preregistered to vote unless the applicant opts out. Effective 7/1/3000. (HD1)

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

