

ACT 144

H.B. NO. 1100

A Bill for an Act Relating to Fee for Civil Identification Certificate.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 28-37, Hawaii Revised Statutes, is amended to read:

“§28-37 Registration and issuance of certificates; fee. Every person residing or present in the State may be registered, and have issued to him a certificate of identification, under this part.

Application for the registration shall be made in person by any adult person or minor over the age of sixteen years. In the case of a minor under the age of sixteen years, the application shall be made in his behalf by the parent or other

person in loco parentis of such minor. In the case of an incompetent person, the application shall be made by the person having the custody or control of or maintaining the incompetent person. A fee of [\$2] \$6 shall be paid by each applicant, which fee, however, may be waived by the attorney general in cases of extreme hardship."

SECTION 2. Section 28-41, Hawaii Revised Statutes, is amended to read:

"§28-41 Identification certificates not to be altered, etc.; duties of holder; lost certificates. No person, except agents of the department of the attorney general acting pursuant to its authority, shall alter, deface, or destroy any certificate of identification. Except as specifically authorized by this section or the rules and regulations of the attorney general, no registrant shall loan or give his certificate of identification to any other person, and no person shall use the certificate of identification of any other person. Any registrant whose certificate of identification is stolen or otherwise lost, or altered, defaced, or destroyed, shall report the fact to the nearest office of the department within forty-eight hours after discovering the fact, and may at any time apply for a duplicate certificate of identification in such manner as the attorney general may require, which duplicate shall be issued by the department upon being satisfied as to such loss, alteration, defacing, or destruction and the payment of a fee of [\$2] \$6, and shall be distinctly marked a duplicate. The fee may be waived by the attorney general where the requirement thereof would impose extreme hardship. In the case of an altered or defaced certificate of identification, the certificate, if available, shall be surrendered by the registrant and canceled by the department. Any person finding or coming into the possession of the certificate of identification of any other person shall promptly return or deliver the same to the owner thereof or to the nearest office of the department. Any person finding his own lost certificate after having received a duplicate certificate shall promptly deliver the previously lost certificate to the department."

SECTION 3. Section 28-42, Hawaii Revised Statutes, is amended to read:

"§28-42 Correction or alteration of records and certificates in cases of error or subsequent changes concerning names, citizenship, description, etc. If, after registration, the name of any registrant is legally changed by marriage, divorce, adoption, legitimation, order of the lieutenant governor, or other legal means, or if there is a change in the registrant's citizenship status, the registrant or other person in charge of the registrant (in the case of a minor or incompetent person) shall, within thirty days after the change of name or citizenship status, report the change and present his certificate of identification to the department of the attorney general and pay to the department a fee of [\$2] \$6 (which fee, however, may be waived by the department in cases of extreme hardship). The department upon being satisfied as to the change and receiving payment of the fee, shall cancel the certificate and issue a new certificate bearing the new name or citizenship status of the registrant, making appropriate notation of the facts upon the records of the department.

If any error has been made in any item of information contained in the records of the department or the certificate of identification concerning any registrant, the department, of its own motion, or upon application by the registrant, and upon receipt of evidence satisfactory to it that error has been committed, may, with the approval of the attorney general or his specially authorized representatives, correct the error and, in such case, shall make appropriate changes or notations

stating the error and the correct information upon the records of the department and the certificate of identification.

In case any item of personal information originally correct with respect to any registrant shall change after registration, the change may, if material, be registered by the department and the records and certificate of identification may be altered to conform thereto, upon receipt by the department of satisfactory evidence as to the change and the approval of the attorney general or his specially authorized representative and the payment of a fee of [~~\$2~~] \$6 (which fee, however, may be waived by the department in cases of extreme hardship)."

SECTION 4. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved May 28, 1982.)