

ACT 224

H.B. NO. 2374-86

A Bill for an Act Relating to Motor Vehicle Licensing.

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

SECTION 1. Section 286-108, Hawaii Revised Statutes, is amended to read as follows:

“§286-108 Examination of applicants. The examiner of drivers shall examine every applicant for a driver’s license, except as otherwise provided in this part. The examination shall be held in the county where the applicant resides within ten days from the date of the filing of the application. It shall include a test of the applicant’s eyesight and such further physical examination as the examiner of drivers finds necessary to determine the applicant’s fitness to operate a motor vehicle safely upon the highways; the applicant’s ability to understand highway signs regulating, warning, and directing traffic; the applicant’s knowledge of the rules of the road based on the traffic laws of the State and the traffic ordinances of the county where the applicant resides or where the applicant intends to operate a motor vehicle; and actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle. The examinations shall be appropriate to the operation of the category of motor vehicle for which the applicant seeks to be licensed and shall be conducted as required by the state director of transportation. The examiner of drivers may waive the actual demonstration of ability to operate a motor vehicle for any person who is at least eighteen years of age and who possesses a valid driver’s license issued to the applicant in any other state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, [or] a province of the Dominion of Canada, or the Commonwealth of the Northern Mariana Islands for the operation of vehicles in categories 1[, 2, or] through 3[.] of section 286-102. As part of the examination required by this section the applicant for a driver’s license shall produce and display a valid no-fault insurance identification card for the motor vehicle required by section 294-8.5, when the applicant demonstrates the ability to operate a motor vehicle to the satisfaction of the examiner of drivers. If no valid no-fault insurance identification card is displayed, the examiner of drivers shall not issue a driver’s license to the applicant.”

SECTION 2. Section 286-105, Hawaii Revised Statutes, is amended to read as follows:

“§286-105 What persons are exempt from license. The following persons are exempt from license:

- (1) Any person while driving or operating a motor vehicle in the service or employ of any branch or agency of the federal government; provided [he] that the person has received [from such branch or agency] a license or permit from the branch or agency to [so] operate and drive the motor vehicle; [and] provided [such] further that the branch or agency has been duly authorized by the federal government to issue the license or permit;

- (2) Any person while driving or operating any road machine, farm tractor, or implement of husbandry temporarily operated or moved on a highway; provided that no person under the age of thirteen years shall be permitted to drive or operate any such road machine, farm tractor, or implement of husbandry on a highway;
- (3) Any person who is at least eighteen years of age and who has in his possession a valid driver's license issued to him in any other state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, U.S. Virgin Islands, American Samoa, Guam, [or] a province of the Dominion of Canada, or the Commonwealth of the Northern Mariana Islands for that category of motor vehicle which he is operating, except, that such persons operating vehicles in categories 4 through 10 must meet the requirements of section 286-102(c) and be tested as required in section 286-108.5."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved May 27, 1986.)