

ACT 74

S.B. NO. 784

A Bill for an Act Relating to Driver Licensing.

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

SECTION 1. Section 286-102.6, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) If the provisional licensee violates any of the requirements of subsection (b) or (c):

- (1) For a first violation of any requirement, the provisional license shall be suspended for a period of three months by a district court or family court judge. If the person’s provisional license is suspended, the person shall not be eligible for reissuance of the provisional license or issuance of a driver’s license until:
 - (A) The person is eighteen years of age; or
 - (B) Three months have elapsed since the date of suspension, whichever is sooner, and the person has otherwise satisfied the requirements of this chapter; and
- (2) For a second or any subsequent violation of any requirement, the provisional license shall be revoked for six months by a district court or family court judge. If the person’s provisional license is revoked, the person shall not be eligible for reissuance of the provisional license or issuance of a driver’s license until:
 - (A) The person is eighteen years of age; or

(B) Six months have elapsed since the date of revocation, whichever is sooner, and the person has otherwise satisfied the requirements of this chapter.

Suspension or revocation of a provisional license pursuant to this subsection shall be exempt from proof of financial responsibility requirements under section 287-20."

SECTION 2. Section 287-20, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Whenever a driver’s license has been suspended or revoked:

(1) Pursuant to section 291E-65 or part III of chapter 291E, except as provided in section 291E-41(f);

(2) Upon a conviction of any offense pursuant to law; or

(3) In the case of minors, pursuant to part V of chapter 571, the license shall not at any time thereafter be issued to the person whose license has been suspended or revoked, nor shall the person thereafter operate a motor vehicle, unless and until the person has furnished and thereafter maintains proof of financial responsibility; provided that this section shall not apply to a license suspended pursuant to section 291E-61(b)(1) or 291E-64(b)(1), any conviction of a moving violation, any administrative license suspension pursuant to chapter 291A, or the first conviction within a five-year period for driving without a valid motor vehicle insurance policy.

This subsection shall not apply to a suspension or revocation of a provisional license under section 286-102.6(d)."

SECTION 3. New statutory material is underscored.

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

(Approved May 18, 2007.)