



GOV. MSG. NO. 1231

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 19, 2015

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 19, 2015, the following bill was signed into law:

SB871 SD1 HD3 CD1

RELATING TO HIGHWAY SAFETY
ACT 131 (15)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

1 SECTION 1. The legislature finds that as a gateway
2 location between the Eastern and Western hemispheres, Hawaii is
3 an international gathering place where peoples from all over the
4 world migrate to live, work, and attend school. Hawaii
5 residents also migrate to other countries for the same purposes.
6 The ability to drive is critical to the quality of life in
7 Hawaii and in many other countries. This measure facilitates
8 the ability to drive by providing driver licensing reciprocity
9 with other countries under specified conditions.

10 The legislature further finds that existing law
11 establishing the driver's license reciprocity committee is
12 cumbersome, costly, and complicated to administer, which
13 explains the fact that it has never been used since its
14 enactment by Act 314, Session Laws of Hawaii 2012, in spite of
15 much public interest in driver's license reciprocity.

16 The purpose of this Act is to:

17 (1) Authorize the director of transportation to grant
18 reciprocal licensing privileges to holders of valid



1 licenses from other jurisdictions not currently
2 subject to a treaty for reciprocity, under certain
3 conditions; and

4 (2) Repeal section 286-11, Hawaii Revised Statutes, which
5 established the driver's license reciprocity
6 committee.

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

10 "§286- Reciprocal licensing privileges. (a) The
11 director may grant reciprocal licensing privileges to any person
12 eighteen years of age or older who holds a license from another
13 country or state, thereby allowing the examiner of drivers to
14 waive examination requirements under section 286-108(c)(3), if:

15 (1) That jurisdiction has procedures in place to verify
16 the validity of the driver's licenses it issues;

17 (2) That jurisdiction has granted a waiver of all or any
18 part of the driver's license examination requirements
19 for Hawaii licensed drivers applying for a driver's
20 license in that jurisdiction; and



1 (3) The director determines that the standards of that
2 jurisdiction for licensing operators of motor vehicles
3 correspond substantially to those of this State.

4 (b) The director shall publish on the department of
5 transportation's public internet site a list of the countries
6 for which reciprocal operating privileges have been extended and
7 those that have been withdrawn. The most recent list shall be
8 transmitted to the courts, county prosecuting attorneys, and
9 county police chiefs.

10 (c) The director may require an applicant for reciprocal
11 licensing privileges to provide translation of the license and
12 documents from the other jurisdiction if the license and
13 documents are in languages other than Hawaiian or English.

14 (d) The director may adopt rules pursuant to chapter 91
15 necessary for the purposes of this section."

16 SECTION 3. Section 286-102, Hawaii Revised Statutes, is
17 amended by amending subsection (d) to read as follows:

18 "(d) Before issuing a driver's license, the examiner of
19 drivers shall complete a check of the applicant's driving record
20 to determine whether the applicant is subject to any
21 disqualification under section 286-240, or any license



1 suspension, revocation, or cancellation [~~under state law~~], and
2 whether the applicant has a driver's license from more than one
3 state or jurisdiction. The record check shall include but is
4 not limited to the following:

- 5 (1) A check of the applicant's driving record as
6 maintained by the applicant's state or jurisdiction of
7 licensure;
- 8 (2) A check with the commercial driver license information
9 system;
- 10 (3) A check with the National Driver Register; and
- 11 (4) If the driver is renewing a commercial driver's
12 license for the first time after September 30, 2002, a
13 request for the applicant's complete driving record
14 from all states where the applicant was previously
15 licensed to drive any motor vehicle over the last ten
16 years; provided that a notation is made on the driving
17 record confirming the check has been made and the date
18 it was done."

19 SECTION 4. Section 286-108, Hawaii Revised Statutes, is
20 amended by amending subsection (c) to read as follows:



1 "(c) The examiner of drivers may waive the actual
2 demonstration of ability to operate a motor vehicle for any
3 person who:

4 (1) Is at least eighteen years of age and who possesses a
5 valid driver's license issued to the applicant in any
6 other state of the United States, the District of
7 Columbia, the Commonwealth of Puerto Rico, American
8 Samoa, Guam, a province of the Dominion of Canada, or
9 the Commonwealth of the Northern Mariana Islands for
10 the operation of vehicles in categories 1 through 3 of
11 section 286-102; [~~or~~]

12 (2) Has completed the same requirements as set forth in
13 section 286-102.6(f) in another state and possesses a
14 valid provisional license from that state[~~-~~]; or

15 (3) Is at least eighteen year of age and who possesses a
16 valid driver's license issued to the applicant in any
17 jurisdiction for which the director has granted
18 reciprocal licensing privileges in accordance with
19 section 286- for the operation of vehicles in
20 category (3) of section 286-102(b)."

1 SECTION 5. Section 286-11, Hawaii Revised Statutes, is
2 repealed.

3 ~~["§286-11] Driver's license reciprocity committee. (a)~~

4 ~~The director shall establish a statewide driver's license~~
5 ~~reciprocity committee consisting of one representative from the~~
6 ~~department of transportation and the chief examiner of drivers~~
7 ~~of each county, or their designees. The committee shall convene~~
8 ~~whenever a foreign country makes a request for driver's license~~
9 ~~reciprocity.~~

10 ~~(b) The statewide driver's license reciprocity committee~~
11 ~~shall evaluate the written knowledge and practical examination~~
12 ~~program of the foreign country requesting driver's license~~
13 ~~reciprocity.~~

14 ~~(c) Members of the statewide driver's license reciprocity~~
15 ~~committee shall serve voluntarily and without compensation, but~~
16 ~~shall be paid reasonable allowances for travel and expenses that~~
17 ~~may be incurred as a result of the performance of their duties~~
18 ~~on the committee. The costs shall be paid by the department of~~
19 ~~transportation.~~

20 ~~(d) In the event that there is available from the~~
21 ~~requesting foreign country an evaluation of that country's~~



1 ~~driver's license requirements prepared by another United States~~
2 ~~driver licensing agency or the American Association of Motor~~
3 ~~Vehicle Administrators, the statewide driver's license~~
4 ~~reciprocity committee shall conduct a comparison review of the~~
5 ~~evaluation and the State's driver licensing examination~~
6 ~~standards and submit a written recommendation to the legislature~~
7 ~~no later than twenty days prior to the convening of the regular~~
8 ~~legislative session immediately subsequent to the review.~~

9 ~~(c) If there is no such evaluation available from the~~
10 ~~requesting foreign country, the director may select from the~~
11 ~~statewide driver's license reciprocity committee the~~
12 ~~representative from the department of transportation and a~~
13 ~~county examiner of drivers representative to travel to the~~
14 ~~requesting foreign country, at the expense of the requesting~~
15 ~~foreign country, to inspect and examine the foreign country's~~
16 ~~driver's license examination program and advise the committee of~~
17 ~~their findings. The committee shall review the findings and~~
18 ~~submit a written recommendation to the legislature on whether~~
19 ~~the foreign country's driver's license examination standards~~
20 ~~correspond to Hawaii's driver's license examination standards no~~
21 ~~later than twenty days prior to the convening of the regular~~



1 ~~legislative session immediately subsequent to the travel and~~
2 ~~evaluation by the driver's license reciprocity committee.~~

3 ~~(f) The director shall adopt rules pursuant to chapter 91~~
4 ~~necessary for the purposes of this section."]~~

5 SECTION 6. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 7. This Act shall take effect on July 1, 2015.

8

APPROVED this 19 day of JUN, 2015



GOVERNOR OF THE STATE OF HAWAII