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:

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

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

The purpose of this Act is to:

(1) Authorize the director of transportation to grant reciprocal licensing privileges to holders of valid
licenses from other jurisdictions not currently
subject to a treaty for reciprocity, under certain
conditions; and
(2) Repeal section 286-11, Hawaii Revised Statutes, which
established the driver's license reciprocity
committee.

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

"§286- Reciprocal licensing privileges. (a) The
director may grant reciprocal licensing privileges to any person
eighteen years of age or older who holds a license from another
country or state, thereby allowing the examiner of drivers to
waive examination requirements under section 286-108(c)(3), if:
(1) That jurisdiction has procedures in place to verify
the validity of the driver's licenses it issues;
(2) That jurisdiction has granted a waiver of all or any
part of the driver's license examination requirements
for Hawaii licensed drivers applying for a driver's
license in that jurisdiction; and
(3) The director determines that the standards of that jurisdiction for licensing operators of motor vehicles correspond substantially to those of this State.

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site a list of the countries for which reciprocal operating privileges have been extended and those that have been withdrawn.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

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

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

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

"(d) Before issuing a driver's license, the examiner of drivers shall complete a check of the applicant's driving record to determine whether the applicant is subject to any disqualification under section 286-240, or any license
suspension, revocation, or cancellation [under state law], and
whether the applicant has a driver's license from more than one
state or jurisdiction. The record check shall include but is
not limited to the following:

(1) A check of the applicant's driving record as
maintained by the applicant's state or jurisdiction of
licensure;

(2) A check with the commercial driver license information
system;

(3) A check with the National Driver Register; and

(4) If the driver is renewing a commercial driver's
license for the first time after September 30, 2002, a
request for the applicant's complete driving record
from all states where the applicant was previously
licensed to drive any motor vehicle over the last ten
years; provided that a notation is made on the driving
record confirming the check has been made and the date
it was done."

SECTION 4. Section 286-108, Hawaii Revised Statutes, is
amended by amending subsection (c) to read as follows:
"(c) The examiner of drivers may waive the actual demonstration of ability to operate a motor vehicle for any person who:

(1) 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, a province of the Dominion of Canada, or the Commonwealth of the Northern Mariana Islands for the operation of vehicles in categories 1 through 3 of section 286-102; or

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

(3) Is at least eighteen years of age and who possesses a valid driver's license issued to the applicant in any jurisdiction for which the director has granted reciprocal licensing privileges in accordance with section 286- for the operation of vehicles in category (3) of section 286-102(b)."
SECTION 5. Section 286-11, Hawaii Revised Statutes, is repealed.

"[§286-11]—Driver’s license reciprocity committee. (a)
The director shall establish a statewide driver’s license reciprocity committee consisting of one representative from the department of transportation and the chief examiner of drivers of each county, or their designees. The committee shall convene whenever a foreign country makes a request for driver’s license reciprocity.

(b) The statewide driver’s license reciprocity committee shall evaluate the written knowledge and practical examination program of the foreign country requesting driver’s license reciprocity.

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

(d) In the event that there is available from the requesting foreign country an evaluation of that country’s
driver's license requirements prepared by another United States
driver licensing agency or the American Association of Motor
Vehicle Administrators, the statewide driver's license
reciprocity committee shall conduct a comparison review of the
evaluation and the State's driver licensing examination
standards and submit a written recommendation to the legislature
no later than twenty days prior to the convening of the regular
legislative session immediately subsequent to the review.

(e) If there is no such evaluation available from the
requesting foreign country, the director may select from the
statewide driver's license reciprocity committee the
representative from the department of transportation and a
county examiner of drivers representative to travel to the
requesting foreign country, at the expense of the requesting
foreign country, to inspect and examine the foreign country's
driver's license examination program and advise the committee of
their findings. The committee shall review the findings and
submit a written recommendation to the legislature on whether
the foreign country's driver's license examination standards
correspond to Hawaii's driver's license examination standards no
later than twenty days prior to the convening of the regular
legislative session immediately subsequent to the travel and evaluation by the driver's license reciprocity committee.

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

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

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

APPROVED this 19 day of JUN, 2015

GOVERNOR OF THE STATE OF HAWAII