

Honolulu, Hawaii

MAR 23 2015

RE: H.B. No. 1007  
H.D. 1  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Transportation, to which was referred H.B. No. 1007, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING,"

begs leave to report as follows:

The purpose and intent of this measure is to create a limited purpose driver's license, limited purpose provisional driver's license, and limited purpose instruction permit.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii State Commission on the Status of Women; Hawai'i Civil Rights Commission; Hawai'i Appleseed Center for Law and Economic Justice; Catholic Charities Hawai'i; Protecting Hawaii's Ohana, Children, Under Served, Elderly And Disabled (PHOCUSED); Hawaii Coalition for Immigration Reform; Faith Action for Community Equity (FACE); HealthyPacific.Org; Aloha DREAM Team; Planned Parenthood of Hawaii; Filipino American Citizens League; Hawai'i Conference of the United Church of Christ; Filipino Coalition for Solidarity; Nursing Advocates & Mentors, Inc.; Hawai'i Friends for Civil Rights; National Federation of Filipino American Associations Region 12; American Civil Liberties Union of Hawaii; American Immigration Lawyers Association - Hawaii Chapter; and six individuals. Your Committee received testimony in opposition to this measure from the Hawai'i County Police Department.



Your Committee received comments on this measure from the Hawaii Insurers Council.

Your Committee finds that under the federal REAL ID Act of 2005, Pub. L. No. 109-13, states are required to comply with federally mandated eligibility criteria in issuing driver's licenses, including requiring proof of lawful presence in the United States. As a consequence, an individual who does not submit satisfactory evidence of lawful presence cannot legally operate a motor vehicle. The REAL ID Act, however, does allow states to issue specialized driver's licenses to individuals who do not meet the restrictive requirements of REAL ID. Adopting this allowance is critical. Since 2010, when the State implemented the federal law's restrictive requirements for proof of authorized presence, the reality has become that a significant number of Hawaii residents who do not possess the necessary documentation are operating motor vehicles without a license, and thus without the mandatory insurance, in order to perform essential daily activities.

Your Committee further finds that the current law needs to be revised and updated to allow for proper review and certification of all motorists in Hawaii, including resident immigrants without documentation of authorized presence. Allowing all age-qualifying residents to obtain limited purpose driver's licenses will improve public safety by ensuring that all drivers are tested for driving skills and able to acquire motor vehicle insurance.

Your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 683, S.D. 2, a substantially similar measure, which:

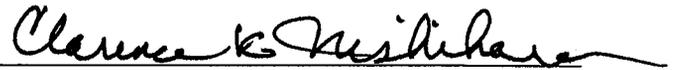
- (1) Creates a limited purpose driver's license, limited purpose provisional driver's license, and limited purpose instruction permit to persons who meet identification and residency requirements and who meet the other qualifications for licensure, but who cannot provide proof of authorized presence in the United States;
- (2) Provides that limited purpose driver's licenses, limited purpose provisional driver's licenses, and limited purpose instruction permits shall not be acceptable for federal identification and voting purposes; and



- (3) Requires satisfactory proof of identity and Hawaii residency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1007, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1007, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,

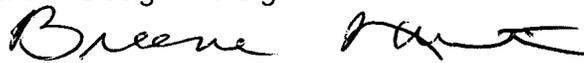


CLARENCE K. NISHIHARA, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Transportation**  
**TRA**

Bill / Resolution No.:*	Committee Referral:	Date:		
<b>HB1007 HD1</b>	<b>TRA, JDL</b>	<b>3/17/15</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
HARIMOTO, Breene (VC)	✓			
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
INOUYE, Lorraine R.				✓
KIDANI, Michelle N.				✓
KOUCHI, Ronald D.	✓			
SLOM, Sam			✓	
<b>TOTAL</b>	<b>5</b>		<b>1</b>	<b>3</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes