

STAND. COM. REP. NO. 1308

Honolulu, Hawaii

APR 06 2015

RE: H.B. No. 1007
H.D. 1
S.D. 2

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

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1007, H.D. 1, S.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:

- (1) Create 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 other qualifications for licensure, but who cannot provide proof of authorized presence in the United States;
- (2) Provide that limited purpose driver's licenses, limited purpose provisional driver's licenses, and limited purpose instruction permits shall not be acceptable for federal identification, employment eligibility, public benefits eligibility, and voting purposes; and
- (3) Require satisfactory proof of identity and Hawaii residency.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii Civil Rights Commission; Department of Customer Services, City and County of

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Honolulu; Hawaii Appleseed Center for Law and Economic Justice; Planned Parenthood of Hawaii; Catholic Charities Hawaii; American Civil Liberties Union of Hawaii; First United Methodist Church; PHOCUSED; Honolulu Council of MoveOn.org; and six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii Insurers Council.

Your Committee finds that the federal REAL ID Act of 2005, Pub. L. No. 109-13, requires states to comply with federally mandated eligibility criteria in issuing driver's licenses, including the requirement of proof of lawful presence in the United States. Accordingly, a person who does not submit satisfactory proof of the person's legal presence in the United States, as authorized by federal law, cannot legally operate a motor vehicle. The REAL ID Act, however, specifically allows states to issue driver's licenses that do not comply with the minimum federal use requirements and standards of the REAL ID Act, which is a critical exception.

Your Committee further finds that since 2010 when the State implemented the restrictive identification requirements for driver's licenses, a significant number of residents have become unable to carry out necessary daily activities unless they operate motor vehicles without a license and, therefore, without insurance. This measure provides an alternative method to obtain a driver's license.

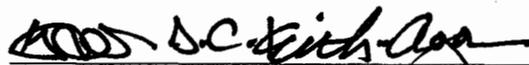
Your Committee has amended this measure by:

- (1) Adopting the suggestion of the Department of Transportation and Department of Customer Services of the City and County of Honolulu to adopt an effective date of January 1, 2016, to better facilitate implementation of this measure; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1007, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1007, H.D. 1, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



GILBERT S.C. KEITH-AGARAN, Chair



