

JAN 20 2017

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# A BILL FOR AN ACT

RELATING TO IDENTIFICATION CARDS FOR PERSONS WITH DISABILITIES.

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

1           SECTION 1. The legislature finds that persons with  
2 disabilities have the desire to indicate their disability on  
3 their identification cards, such as the State of Hawaii  
4 identification card, driver's license, or an identification card  
5 for persons with disabilities. Because not all disabilities are  
6 outwardly visible, the disclosure of a disability on a driver's  
7 license or identification card can assist first responders in  
8 determining the best way to treat, assist, or communicate with  
9 the person.

10           Having a license or identification card clearly indicating  
11 a person's disability will allow the person access to certain  
12 services such as special seating on public transit or at public  
13 events. The "disabled" notification on the card indicates that  
14 a person has a disability and does not take the place of  
15 existing public service qualification procedures. To mitigate  
16 potential abuse, medical documentation is required to support a



1 person's request for indication of a disability on their  
2 identification card.

3 Those who choose to include information about their  
4 disability on their driver's license, state identification card,  
5 and identification card for persons with disabilities may do so  
6 under this Act.

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

10 "§286- Driver's license for persons with disabilities.  
11 Persons with disabilities may opt to identify their disability  
12 on their driver's license; provided that the person requesting  
13 its inclusion first submit documentation of their disability, as  
14 determined by the examiner of drivers. The driver's license  
15 shall display the "disabled" notation on a location designated  
16 by the department of transportation."

17 SECTION 3. Chapter 286, Hawaii Revised Statutes, is  
18 amended by adding a new section to part XVI be appropriately  
19 designated and to read as follows:

20 "§286- Identification card for persons with  
21 disabilities. (a) The department of transportation shall issue



1 identification cards to persons with disabilities pursuant to  
2 section 286-305.

3 (b) The identification card for persons with disabilities  
4 shall include characteristics and content pursuant to section  
5 286-305. On the reverse side of the identification card shall  
6 be a space within which the department shall enter such  
7 disability information the applicant may request.

8 (c) The department may include a notation of disability  
9 status, if desired by the applicant, on the front and may print  
10 the disability information on the reverse on any driver's  
11 license or identification card issued pursuant to the provisions  
12 of this chapter upon receipt of the required documentation from  
13 the person requesting its inclusion.

14 (d) An identification card for persons with a temporary  
15 disability shall be issued upon presentation of a sworn  
16 affidavit of at least one medical doctor attesting to such  
17 disability and estimating the duration of the disability.  
18 Identification cards indicating temporary disabilities shall be  
19 issued for periods of one year, and a current affidavit of a  
20 medical doctor attesting to the continuance of such disability  
21 shall be presented at each request thereafter."



# S.B. NO. 456

1 SECTION 4. Section 286-2, Hawaii Revised Statutes, is  
2 amended by adding two new definitions to be appropriately  
3 inserted and to read as follows:

4 "Disability" means any physical, mental, or neurological  
5 impairment that severely restricts a person's mobility, manual  
6 dexterity, or ability to climb stairs; substantial loss of sight  
7 or hearing; loss of one or more limbs or use thereof; or  
8 significantly diminished reasoning capacity.

9 "Person with disabilities" means any person with a  
10 permanent or temporary disability."

11 SECTION 5. Section 286-305, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 **"§286-305 Contents and characteristics; form.** (a) Each  
14 identification card issued by the examiner of drivers shall  
15 display a distinguishing number assigned to the cardholder, and  
16 shall display the following inscription:

17 "STATE OF HAWAII IDENTIFICATION CARD"

18 (b) The examiner of drivers, after obtaining the  
19 fingerprint of the applicant as provided in this part and after  
20 obtaining the information required by or pursuant to this part,  
21 shall issue to each applicant an identification card in a form



1 and with identifying information that the director deems  
2 necessary and appropriate, including a notation of veteran  
3 status, if desired by the applicant, on the front of the card  
4 where applicable; provided that such notation shall not include  
5 any designation other than the term "veteran". As used in this  
6 subsection, "veteran" means any person who served in any of the  
7 uniformed services of the United States and was discharged under  
8 conditions other than dishonorable.

9 (c) The identification card shall not display the  
10 cardholder's social security number.

11 (d) The identification card shall be designed to prevent  
12 its reproduction or alteration without ready detection.

13 (e) The identification card for individuals under twenty-  
14 one years of age shall have characteristics prescribed by the  
15 examiner distinguishing it from that issued to [a] an individual  
16 who is twenty-one years of age or older.

17 (f) Persons with disabilities may opt to identify their  
18 disability on their identification card upon submission of the  
19 required documentation to the examiner of drivers. The  
20 identification card shall display a notation of disability  
21 status, if desired by the applicant, on the front of the card



# S.B. NO. 456

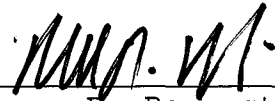
1 where applicable; except that such notation shall not include  
2 any designation other than the term "disabled"."

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

5 SECTION 7. This Act shall take effect on January 2, 2018.

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INTRODUCED BY: \_\_\_\_\_



By Request



# S.B. NO. 456

**Report Title:**

Hawaii State Association of Counties Package; Driver's Licenses; Identification Cards; Persons with Disabilities

**Description:**

Authorizes DOT to include information about a person's disability on the person's driver's license or civil identification card.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

