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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 want to be able 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.

6           Because not all disabilities are outwardly visible, the  
7 disclosure of a disability on a driver's license or  
8 identification card can assist first responders in determining  
9 the best way to treat, assist, or communicate with persons with  
10 disabilities.

11           Furthermore, a license or identification card clearly  
12 indicating a person's disability would allow the person access  
13 to certain services such as special seating on public transit or  
14 at public events. The "disabled" notation on the card indicates  
15 that a person has a disability and does not take the place of  
16 existing public service qualification procedures.



1 To mitigate potential abuse, medical documentation is  
2 required to support a person's request for indication of a  
3 disability on that person's identification card.

4 The purpose of this Act is to allow persons to include  
5 information about their disability on their driver's license,  
6 state identification card, or identification card for persons  
7 with disabilities.

8 SECTION 2. Chapter 286, Hawaii Revised Statutes, is  
9 amended as follows:

10 1. By adding a new section to part VI to be appropriately  
11 designated and to read:

12 "§286- Driver's license for persons with disabilities.  
13 Persons with disabilities may opt to identify their disability  
14 on their driver's license upon receipt of the required  
15 documentation from the person requesting its inclusion. The  
16 driver's license shall display the "disabled" notation on a  
17 location designated by the department of transportation."

18 2. By adding a new section to part XVI to be appropriately  
19 designated and to read:

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 the  
7 disability information that 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 license  
11 or identification card issued pursuant to this chapter upon  
12 receipt of the required documentation from the person requesting  
13 its inclusion.

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



1 continuance of the disability shall be presented at each request  
2 thereafter."

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

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

11 "Person with disabilities" means any person with a  
12 permanent or temporary disability."

13 SECTION 4. Section 286-305, Hawaii Revised Statutes, is  
14 amended to read as follows:

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

19 "STATE OF HAWAII IDENTIFICATION CARD"

20 (b) The examiner of drivers, after obtaining the  
21 fingerprint of the applicant as provided in this part and after



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

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

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

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

19 (f) Persons with disabilities may opt to identify their  
20 disability on their identification card upon receipt of the  
21 required documentation from the person requesting its inclusion.



1 The identification card shall display a notification of  
2 disability status, if desired by the applicant, on the front of  
3 the card where applicable; except that the notation shall not  
4 include any designation other than the term "disabled."

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

7 SECTION 6. This Act shall take effect on January 2, 2019.

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

*RCM*

By Request

JAN 16 2018



# H.B. NO. 1788

**Report Title:**

Hawaii State Association of Counties Package; Identification Cards; Persons with Disabilities

**Description:**

Allows identification cards to indicate a person's disability, to allow the person access to certain eligible public services and help identify the disability to public safety personnel in case of an emergency. Effective 1/2/2019.

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

