
A BILL FOR AN ACT

RELATING TO VOTER REGISTRATION.

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

1 SECTION 1. The legislature finds that the right of
2 eligible citizens to vote and participate in the democratic
3 process is a fundamental right guaranteed by our federal and
4 state constitutions. Although there have been many public
5 education campaigns over the years to motivate Hawaii residents
6 to register, there is no shortage of places from which to obtain
7 voter registration forms, and the forms have been made more
8 user-friendly in recent years, the fact remains that Hawaii's
9 rate of voter registration among eligible citizens is far from
10 robust.

11 The purpose of this bill is to increase Hawaii's voter
12 registration rate and make the voter registration process even
13 more convenient, by simultaneously registering to vote every
14 eligible person who applies for a new or renewed driver's
15 license, provisional license, instructional permit, or state
16 identification card, unless that person affirmatively declines
17 to register.



1 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§11-A Simultaneous registration. (a) Any person who
5 properly completes and submits an application for a new or
6 renewed driver's license, provisional license, instructional
7 permit, or state identification card, and who is eligible to
8 vote under this part, shall simultaneously be registered to vote
9 as provided in subsection (c), unless that person affirmatively
10 declines to register.

11 (b) The examiner of drivers of each county shall use
12 application forms for an original, duplicate, or change of
13 address driver's license, provisional license, instructional
14 permit, or a state identification card as voter registration
15 applications. The forms shall contain spaces for all
16 information collected by voter registration applications as
17 required by section 11-15(a), including a space to indicate
18 whether the applicant affirmatively declines to register to
19 vote. The examiner of drivers of each county shall transmit the
20 information to the clerk of the county in which the applicant
21 resides.



1 (c) The clerk shall determine whether the applicant is
2 currently registered in the general county register. If the
3 applicant is not currently registered, the clerk shall determine
4 whether the applicant is eighteen years of age or older and a
5 citizen of the United States. If the applicant is less than
6 eighteen years of age, the clerk shall defer the applicant until
7 the applicant reaches eighteen years of age to determine whether
8 the applicant is eligible to vote. Upon determination that the
9 applicant is eligible to vote, the clerk shall number the
10 applicant's voter information and register the name of the voter
11 in the general county register as provided in section 11-15,
12 unless the applicant has affirmatively declined to register and
13 has indicated so on the form referenced in subsection (b)."

14 SECTION 3. Chapter 286, Hawaii Revised Statutes, is
15 amended by adding a new section to part VI to be appropriately
16 designated and to read as follows:

17 "§286-A Voter registration. (a) A qualified applicant
18 for a motor vehicle driver's license, provisional license, or
19 instructional permit shall simultaneously be registered to vote
20 with the clerk of the appropriate county upon completion of an
21 application for a driver's license, provisional license, or



1 instructional permit as required in section 11-A, unless the
2 applicant has affirmatively declined to register.

3 (b) Every qualified applicant identified in subsection (a)
4 shall be required to authorize the examiner of drivers to
5 collect and transmit the necessary personal information required
6 for registering the qualified applicant with the county clerk,
7 unless the applicant has affirmatively declined to register.
8 The examiner of drivers shall notify all qualified applicants
9 identified in subsection (a) that by submitting an application
10 for a driver's license, provisional license, or instructional
11 permit, the qualified applicant is consenting to the
12 simultaneous registration to vote with the county clerk, unless
13 the applicant has affirmatively declined to register.

14 (c) For the purposes of this section, "qualified
15 applicant" means a person who qualifies to register as a voter
16 pursuant to section 11-15."

17 SECTION 4. Chapter 286, Hawaii Revised Statutes, part XVI,
18 is amended by adding a new section to be appropriately
19 designated and to read as follows:

20 "§286-B Voter registration. (a) A qualified applicant
21 for a new, renewal, or duplicate civil identification card shall
22 simultaneously be registered to vote with the clerk of the



1 appropriate county upon completion of an application for a civil
2 identification card as required by section 286-303, unless the
3 applicant has affirmatively declined to register.

4 (b) Every qualified applicant identified in subsection (a)
5 shall be required to authorize the examiner of drivers to
6 collect and transmit the necessary personal information required
7 for registering the qualified applicant with the county clerk,
8 unless the applicant has affirmatively declined to register.
9 The examiner of drivers shall notify all qualified applicants
10 identified in subsection (a) that by submitting an application
11 for a new, renewal, or duplicate civil identification card, the
12 qualified applicant is consenting to the simultaneous
13 registration to vote with the county clerk, unless the applicant
14 has affirmatively declined to register.

15 (c) For the purposes of this section, "qualified
16 applicant" means a person who qualifies to register as a voter
17 pursuant to section 11-15."

18 SECTION 5. Section 286-108, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) Except as provided in section 286-107.5(a), the
21 examiner of drivers shall examine every applicant for a driver's



1 license, except as otherwise provided in this part. The
2 examination shall include a test of:

- 3 (1) The applicant's eyesight and any further physical
4 examination that the examiner of drivers finds
5 necessary to determine the applicant's fitness to
6 operate a motor vehicle safely upon the highways;
- 7 (2) The applicant's ability to understand highway signs
8 regulating, warning, and directing traffic;
- 9 (3) The applicant's knowledge of the rules of the road
10 based on the traffic laws of the State and the traffic
11 ordinances of the county where the applicant resides
12 or intends to operate a motor vehicle; provided that
13 the examination shall specifically test the
14 applicant's knowledge of the provisions of section
15 291C-121.5; and
- 16 (4) The actual demonstration of ability to exercise
17 ordinary and reasonable control in the operation of a
18 motor vehicle.

19 The examinations shall be appropriate to the operation of the
20 category of motor vehicle for which the applicant seeks to be
21 licensed and shall be conducted as required by the director.



1 The examiner of drivers shall require every applicant to
2 comply with section 286-102.5.

3 The examiner of drivers may waive the actual demonstration
4 of ability to operate a motorcycle or motor scooter for any
5 person who furnishes evidence, to the satisfaction of the
6 examiner of drivers, that the person has completed the
7 motorcycle education course approved by the director in
8 accordance with section 431:10G-104.

9 ~~[At the time of examination, an application for voter
10 registration by mail shall be made available to every applicant
11 for a driver's license.]~~

12 For the purposes of this section, the term "applicant" does
13 not include any person reactivating a license under section 286-
14 107.5(a)."

15 SECTION 6. Section 286-311, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "[+]§286-311[+] **Custody and use of records; confidential**
18 **information.** (a) ~~[All]~~ Except as provided in sections 286-A
19 and 286-B, information and records acquired by the examiner of
20 drivers under this part shall be confidential. All information
21 and records shall be maintained in an appropriate form and in an
22 appropriate office in the custody and under the control of the



1 examiner. The information shall be available only to authorized
 2 individuals under such restrictions as the director shall
 3 prescribe. The examiner may dispose of any application or
 4 identification card, or information or record relating to the
 5 application or identification card, which does not include a
 6 social security number, without regard to chapter 94, whenever,
 7 in the examiner's discretion, retention of the information or
 8 record is no longer required or practicable."

9 SECTION 7. In codifying the new sections added by section
 10 2 and 3 of this Act, the revisor of statutes shall substitute
 11 appropriate section numbers for the letters used in designating
 12 the new sections in this Act.

13 SECTION 8. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 9. This Act shall take effect upon its approval.

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INTRODUCED BY:

[Handwritten signatures: J. K. K., C. L., R. M. T., K. I. S.]
[Handwritten signatures: J. P. D., J. S. K., M. E. L., S., A.]

HB HMIA 2015-2-01



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 JAN 23 2015

H.B. NO. 489

Report Title:

Simultaneous Voter Registration

Description:

Provides that all applicants for a new or renewed driver's license, provisional license, instructional permit, or civil identification card, who are eligible to vote, shall simultaneously be registered to vote, unless the applicant has affirmatively declined to register.

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

