

JAN 21 2022

A BILL FOR AN ACT

RELATING TO DRIVER'S LICENSES.

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

1 SECTION 1. Section 286-106, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§286-106 Expiration of licenses. Every driver's license
4 issued under this part, except for a provisional license issued
5 under section 286-102.6 which shall expire on the date of the
6 provisional licensee's nineteenth birthday, whether an original
7 issuance or a renewal, shall expire on the first birthday of the
8 licensee occurring not less than eight years after the date of
9 the issuance of the license, unless sooner revoked or suspended;
10 provided that:

11 (1) The license shall expire on the first birthday of the
12 licensee occurring not less than four years after the
13 date of the issuance if, at the time, the licensee is
14 [~~twenty-four~~]:

15 (A) Twenty-four years of age or younger; or

16 (B) Seventy years of age or older but younger than
17 eighty years of age;



1 (2) The license shall expire on the first birthday of the
2 licensee occurring not less than two years after the
3 date of the issuance of the license if, at that time,
4 the licensee is [~~seventy-two~~] eighty years of age or
5 older; and

6 (3) If the licensee is a legal immigrant, the license
7 shall expire no later than the licensee's authorized
8 period of stay in the United States.

9 The examiner of drivers may issue a license for a shorter
10 period if the licensee has a physical condition or conditions
11 that the examiner of drivers reasonably believes may impair the
12 driver's ability to drive."

13 SECTION 2. Section 286-107, Hawaii Revised Statutes, is
14 amended by amending subsections (b) and (c) to read as follows:

15 "(b) Except as otherwise provided in subsection (c), an
16 applicant for a renewal of a driver's license under this
17 section, or the reactivation of an expired license under section
18 286-107.5(a), shall appear in person before the examiner of
19 drivers and the examiner of drivers shall administer such
20 physical examinations as the state director of transportation
21 deems necessary to determine the applicant's fitness to continue



1 to operate a motor vehicle[-]; provided that an applicant who is
2 seventy years of age or older shall also present certification
3 of physical and mental competence from a doctor.

4 (c) Any person younger than seventy years of age who holds
5 a category (1), (2), or (3) license issued under this part who
6 is unable to appear in person before the examiner of drivers to
7 apply for a renewal of the driver's license, may, if the person
8 is not disqualified from renewing the license under subsection
9 (a) except as provided under subsection (h), apply for a renewal
10 by mail. The applicant's request to have the license renewed by
11 mail must be received by the examiner of drivers within ninety
12 days after the expiration of the license or it shall be treated
13 as an application for reactivation of an expired license under
14 section 286-107.5. The examiner of drivers shall, upon receipt
15 of the request, furnish the applicant with all necessary forms
16 and instructions. An application for renewal made pursuant to
17 this subsection shall be accompanied by a statement from a
18 licensed physician, physician assistant, or advanced practice
19 registered nurse certifying that the applicant was examined by
20 the licensed physician, physician assistant, or advanced
21 practice registered nurse not more than six months prior to the



1 expiration date of the applicant's license and that the
2 applicant was found by the examination to have met the physical
3 requirements established by the state director of transportation
4 for the renewal of licenses. The application for renewal shall
5 also be accompanied by:

- 6 (1) A notarized statement of the applicant certifying that
7 the applicant does not possess any valid license to
8 operate the same or similar category or categories of
9 motor vehicles, issued by another licensing authority
10 (unless the license is concurrently surrendered); and
11 (2) Such other information as may be required by the
12 examiner of drivers that is reasonably necessary to
13 confirm the identity of the applicant and the
14 applicant's fitness to continue to operate a motor
15 vehicle."

16 SECTION 3. Section 286-108, Hawaii Revised Statutes, is
17 amended to read as follows:

18 **"§286-108 Examination of applicants.** (a) Except as
19 provided in section 286-107.5(a), the examiner of drivers shall
20 examine every applicant for a driver's license, except as



1 otherwise provided in this part. The examination shall include
2 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 section 291C-137; 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 For the purposes of this section, the term "applicant" does
10 not include any person reactivating a license under section
11 286-107.5(a).

12 (b) The examiner of drivers shall require proof from every
13 applicant under the age of eighteen that the applicant has
14 completed a driver education program and a behind-the-wheel
15 driver training course certified by the director of
16 transportation. The examiner of drivers shall not examine any
17 applicant for a provisional license who is sixteen through
18 seventeen years of age unless the applicant holds and has held a
19 valid instruction permit under section 286-110, for a period of
20 no fewer than one hundred eighty days. If the applicant's
21 instruction permit has expired and a new instruction permit was



1 issued within thirty days of its expiration, the examiner of
2 drivers may examine the applicant without requiring an
3 additional one hundred eighty day period.

4 (c) The examiner of drivers may waive the written or oral
5 examination required under subsection (a)(2) and (3) and the
6 actual demonstration of ability to operate a motor vehicle for
7 any person who:

8 (1) Is at least eighteen years of age and who possesses a
9 valid driver's license issued to the applicant in any
10 other state of the United States, the District of
11 Columbia, the Commonwealth of Puerto Rico, American
12 Samoa, Guam, a province of the Dominion of Canada, or
13 the Commonwealth of the Northern Mariana Islands for
14 the operation of vehicles in categories 1 through 3 of
15 section 286-102;

16 (2) Has completed the same requirements as set forth in
17 section 286-102.6(f) in another state and possesses a
18 valid provisional license from that state; or

19 (3) Is at least eighteen years of age and who possesses a
20 valid driver's license issued to the applicant in any
21 jurisdiction for which the director has granted



1 reciprocal licensing privileges in accordance with
2 section 286-101.5 for the operation of vehicles in
3 category (3) of section 286-102(b).

4 (d) As part of the examination required by this section,
5 the applicant for a driver's license shall produce and display a
6 valid motor vehicle or liability insurance identification card
7 for the motor vehicle required by sections 431:10C-107 and
8 431:10G-106, when the applicant demonstrates the ability to
9 operate a motor vehicle to the satisfaction of the examiner of
10 drivers. If no valid motor vehicle or liability insurance
11 identification card is displayed, the examiner of drivers shall
12 not issue a driver's license to the applicant.

13 (e) The examiner of drivers shall require every applicant
14 who is seventy years of age or older to present certification of
15 physical and mental competence from a doctor."

16 SECTION 4. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

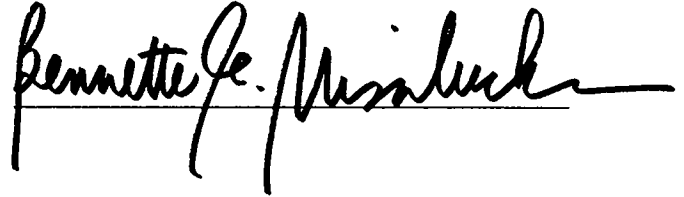
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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:





S.B. NO. 2679

Report Title:

Driver's License; Expiration and Renewal; Kupuna; Certification of Physical and Mental Competence

Description:

Extends the renewal period from two years to four years for licensees who are seventy years of age or older but younger than eighty years of age. Requires applicants for a new license or for license renewal who are seventy years of age or older to present certification of physical and mental competence from a doctor upon application.

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