

DEPARTMENT OF FINANCE  
OF THE CITY AND COUNTY OF HONOLULU  
STATE OF HAWAII  
RULES AND REGULATIONS OF THE DIRECTOR OF FINANCE

Pursuant to and by virtue of the authority set forth in the Hawaii Revised Statutes, Chapter 91, Hawaii Revised Statutes, the Director of Finance of the City and County of Honolulu, hereby amends his rules and regulations by adding a new rule to Part XXX, relating to the issuance of a Hawaii Driver's License and Learner's Instruction Permit.

PART XXX

**RULE 30.1: PURPOSE AND SCOPE**

These rules and regulations govern the procedures for the issuance of a learner's instruction permit and driver's license and requirements set forth.

**RULE 30.2: DEFINITIONS**

As used in these rules, unless the context clearly requires otherwise:

1. "Director" shall mean the Director of Finance of the City and County of Honolulu, or the Director's authorized representative or subordinates.
2. "Driver" shall mean every person who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed or pushed by a motor vehicle.
3. "Driver's License" means any license to operate a motor vehicle issued under the laws of this State.
4. "Examiner of Drivers" means the person or persons appointed under Section 286-101, Hawaii Revised Statutes.
5. "Motor Vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power but which is not operated upon rails, but excludes a moped.
6. "Out-of-state or country driver's license" shall mean those driver's license issued by the states, territories or countries listed in Section 286-108, Hawaii Revised Statutes.
7. "Party" shall mean each person named or admitted as a party or properly seeking and entitled as a right to be admitted as a party in any hearing under these rules.
8. "Person" includes individuals, partnerships, corporations, associations or public or private organizations of any character other than agencies as defined in Section 91-1 (1), Hawaii Revised Statutes..
9. "Rule" shall mean any statement of the Examiner of Drivers constituting a rule under Chapter 91, Hawaii Revised Statutes.

**RULE 30.3: AMENDMENTS OR REPEAL OF RULES**

1. The Director may amend or repeal these rules or add to them as provided in Section 91-3, HRS.
2. Any interested person may petition the Director requesting the amendment or repeal of any of these rules or adopt the new rules as provided in Section 91-6, HRS.

**RULE 30.4: EFFECTIVE DATE**

These rules shall take effect immediately upon approval.

**RULE 30.5: SEVERABILITY**

If any portion of these rules or the applicability thereof should be held invalid for any reason, such invalidity shall not affect other provisions or applications and to this end these rules are declared to be severable.

**RULE 30.6: ACCEPTABLE IDENTIFICATION TO OBTAIN THE FOLLOWING:**

OAHU INSTRUCTION PERMITS: TYPE 1-10

1. Proof of social security number:
  - a. Original Social Security card only (no photo or metal plates);
  - b. Out-of-state or country driver's license with Social Security number and with or without photo (valid or expired);
  - c. State of Hawaii identification card;
  - d. Military identification or DD-214;
  - e. Medicaid identification card for males only.
  - f. Hawaii Job Corps identification card;
  - g. W-2 Tax form;
  - h. Personal checks with bank imprint of name and social security number;
  - i. Other document as deemed necessary by the Examiners of Drivers for such proof.
2. Proof of date of birth, name, sex change;
  - a. State certified Birth Certificate with parents listed or State certified birth identification card;
  - b. Certified Divorce Decree with legal name change;
  - c. Certified decree of name change issued by the courts or the Lieutenant Governor's Office, State of Hawaii;
  - d. State of Hawaii Identification card;
  - e. Military Identification card or DD-214;
  - f. United States Immigration and Naturalization documents;
  - g. United States Passport only;
  - h. Out-of-state or country driver's license (valid or expired) with photo;
  - i. State certified marriage certificate (no church or photocopies accepted);
  - j. Hawaii Job Corps identification card;
  - k. Certified physician's certificate;
  - l. Other document as deemed necessary by the Examiner of Drivers for proof.
3. Proof of age:
  - a. Out-of-state or country driver's license (valid or expired) with photo;
  - b. United States Passport only;
  - c. Alien/Refugee Registration Identification issued by the U. S. Department of Immigration and Naturalization;
  - d. State of Hawaii Identification card;
  - e. Military Identification card or DD-214;
  - f. State certified Birth Certificate with parents listed or State certified birth identification card;
  - g. Hawaii Job Corps Identification card;
  - h. Other document as deemed necessary by the Examiner of Drivers for such proof.

**RULE 30.7: ACCEPTABLE DOCUMENTS AND SIGNATORY FOR FILING OF INSTRUCTION PERMITS FOR MINORS INCLUDE:**

1. Situations when BOTH signatures required:
  - a. Both parents listed on a State certified birth certificate (natural or adopted);
  - b. Legal guardians with certified court documents stating such appointments;
  - c. Foster parents with certified court documents stating such persons;
  - d. Both parents alive, legally divorced but divorce decree does not indicate who has legal custody;
  - e. Married couple, both minors, the parents of minor must sign for their child;
  - f. Both parents alive, legally separated by a court order but not legally divorced and no one has legal custody, both parents must sign.
  
2. Situations when ONE signature required:
  - a. Divorced parent with custodial documents issued and certified by the court;
  - b. Both parents alive, legally divorced but divorce decree does not indicate who has legal custody. Parent with physical custody may sign with a sworn affidavit, DF-L(DL)201;
  - c. Parent indicated on birth certificate showing the minor's birth out of wedlock;
  - d. One parent is deceased, surviving parent may sign and indicate on the form that the other parent is deceased;
  - e. Both parents alive and never legally married, one parent may sign. A sworn affidavit, DF-L(DL)202, must be completed;
  - f. Legally emancipated minor requires court document showing granting of emancipation. Consent form need not be signed by an adult;
  - g. Both parents alive, not legally divorced or separated and whereabouts of one parent is unknown. Parent with physical custody may sign with a sworn affidavit, DF-L(DL)203.
  
3. ONE or BOTH signature(s) required depending upon situation:
  - a. Both parents deceased, responsible person who is an adult (i.e. employer) and willing to assume the financial responsibility of the minor may sign. The responsible person must indicate on the form that both parents are deceased;
  - b. Both parents deceased, next of kin who is an adult and is willing to sign. The next of kin must indicate on the form that both parents are deceased.
  - c. Both parents alive, not legally divorced or separated and NEITHER PARENTS have legal custody due to court appointed legal guardian(s). Legal guardian(s) as indicated on court documents must sign;
  - d. Minor applicant is married to spouse who is an adult, spouse may sign with proof of age and marriage certificate or parents of minor applicant may sign;
  - e. Minor has different name from parent(s) signing consent form, divorce decree is required showing custody of parent signing form. Custodial parent alone may sign or both parents may sign;
  - f. If legally adopted, amended birth certificate or adoption document required and parent(s) must sign.

The Examiner of Drivers shall determine the acceptability of all documents submitted and may require other documents as deemed necessary.

**RULE 30.8: RENEWAL, WRITTEN, PERFORMANCE EXAMINATION SCORES:**

The renewal, written and performance examinations are issued to determine whether an applicant has a reasonably complete understanding of the rules of the road, ordinary safe driving practices and the laws relating to licensing of drivers and vehicles.

All scores shall be valid for 30 days after passing such exams for for the following requirements:

1. Financial Responsibility requirements;
2. Eye-Medical certification;
3. Other required documents as deemed necessary by the Examiner of Drivers.

**RULE 30.9: PAYMENTS FOR ALL TRANSACTIONS:**

All payments to the Director of Finance shall be made within two (2) working days (i.e. 48 hours). If payment is not received and transaction processed within two (2) working days, all test scores and performance tests or duplicate licenses shall be voided. Any applicant who has not paid the prescribed fee shall be treated as a new applicant.

**RULE 30.10: REQUIREMENTS FOR INSTRUCTION PERMITS - CLASS 4-10:**

The following shall be presented to the Examiner of Drivers:

1. Valid Hawaii driver's license (minimum Type 3);
2. Current doctor's certificate stating that such applicant is in compliance with General Order No. 2, Rules and Regulation to be observed by Motor Carriers in the State of Hawaii.

A separate instruction permit for Class 4 shall be issued when applying for Class 8, 9 or 10.

**RULE 30.11: ROAD TEST PROCEDURES FOR MOPED, MOTORSCOOTER, MOTORCYCLE AND THREE-WHEEL VEHICLE:**

1. Applicants who desire to obtain a State of Hawaii driver's license for the purpose of operating a moped, motorscooter, motorcycle or three-wheel vehicles are required to:
  - a. Possess a valid instruction permit;
  - b. Report to the Driver License testroom at 1455 South Beretania Street;
  - c. Provide proof of liability insurance coverage by insurance card showing the name, make, year, factory or serial number of the vehicle, policy number, names of the insured and the effective dates of coverage including the expiration date as provided in Section 431:10C-502, HRS. Photocopied liability insurance identification cards are not acceptable;
  - d. Provide a current Hawaii Certificate of Registration and current Safety Inspection Certificate. Photocopied certificates are not acceptable;
  - e. Provide a helmet with safety shield or with safety glasses;
  - f. Provide a rental contract for rented motorcycles or motorscooters with the applicant's name listed and the rental company's liability insurance card. Photocopied liability insurance cards are not acceptable;
  - g. Wear covered shoes (no slippers or barefoot);
  - h. Wear a long sleeved jacket or shirt; and

1. Wear full length trousers, no shorts.
2. Every operator applying for a Type 1 or 2 performance examination shall be required to successfully complete an Off-street skill test, the Alternate MOST, and an On-street road test.
3. Applicants utilizing a 3-wheel vehicle shall successfully complete an Off-street skill test to include the figure eight and weaving capability. Upon successful completion, applicants shall be issued a driver's license with restriction to 3-wheel vehicles only.
4. All applicants shall sign an Accident/Injury Waiver form, DF-L(DL)105, before attempting the Off-street skill test.

**RULE 30.12: MOTORCYCLE ROAD TEST CANCELLATION:**

Both the Off-street skill test and On-street road test may be cancelled by the Examiner of Driver due to inclement weather, unforeseen emergencies, priority police escort and as deemed necessary WITHOUT NOTICE to the general public. All permits may be renewed for motorcycle, motorscooter or mopeds WITHOUT a road test providing the permittee's name appears on the daily log and road testing cancellation is noted. Examiner of Drivers shall also note on instruction permit the cancellation of the performance test.

**RULE 30.13: AUTOMOBILE ROAD TEST REQUIREMENTS:**

Every road test applicant shall be required to provide the following:

1. Vehicle meeting all safety standards. If the vehicle being used for the road test is a rented vehicle, the road test applicant must be noted on the rental agreement as an additional driver, or, the rental agreement must be amended authorizing the road test applicant to use the rental vehicle for the road test, or, a separate letter of authorization signed by the rental agency authorizing the road test applicant to use the rental vehicle for the road test.
2. Accompanied by a duly licensed driver who possesses a valid Hawaii driver's license or a duly licensed driver who shall be at least 18 years of age and possess a valid Out-of-state or country driver's license.
3. Current Certificate of Registration and Certificate of Safety Inspection. Photocopied certificates are not acceptable.
4. Provide a valid Hawaii no-fault insurance identification card as described in Section 431:10C-107, HRS. Photocopied no-fault insurance identification cards are not acceptable. Information must match certificate of registration.
  - a. Name and make of vehicle;
  - b. Serial number (VIN) of vehicle;
  - c. Names of the insured and insurer, policy number and effective dates of coverage, including the expiration date.
    - (1) If there are two (2) registered owners, the insurance card must show at least ONE of the names; both names need not appear on the no-fault insurance card.
    - (2) If none of the names on the certificate of registration and no-fault insurance card matches, a letter from the insurance company will be required acknowledging that they are aware that the insured is NOT one of the registered owners and that the vehicle is still covered by a valid

no-fault insurance policy.

- (3) If the vehicle is leased, the no-fault insurance card may be in the name of either the leasing company or the lessee. If insurance card shows name of lessor, proof of the lease agreement is required.
- (4) If a company has five (5) or more vehicles registered to the company, the no-fault insurance card SHALL NOT be required to indicate the make and serial number (VIN) of each vehicle.

**RULE 30.14: RECONSTRUCTED VEHICLE FOR THE ROAD TEST:**

All reconstructed vehicles are required to have reconstruction permits in order to use the vehicle for a road test. Non-compliance to current reconstruction laws will be cause for denial of a road test.

**RULE 30.15: OFF-STREET SKILL AND ON-STREET ROAD TEST OF CATEGORY 4 AND ABOVE:**

All applicants shall be tested according to Sections 286-100 and 286-108.5, HRS. The Off-street skill test and On-street road test shall be administered to the applicant for each category of license (types 4-10) sought by the applicant as required by the State of Hawaii Rules and Regulations, Section 19-122-15. The tests shall be administered sequentially by category of license without omitting any test.

All applicants shall be required to provide the following:

1. Vehicle over 10,000 GVW or bus;
2. Valid instruction permit issued for the appropriate category;
3. Valid Hawaii Driver's License, minimum of Type 3;
4. Current doctor's certificate form, DF-L(DL)93 or facsimile thereof in accordance with the Motor Carrier Regulations (391.41-391.49);
5. Accompanied by a licensed driver with a valid Hawaii driver's license of equal category or higher of the license sought by the applicant and a current doctor's certificate;
6. Current Certificate of Registration. Photocopied certificate is not acceptable;
7. Provide a Hawaii no-fault insurance card as listed in Section 431:10C-107, HRS, for vehicle being used for On-street road test. Photocopied no-fault insurance identification card is not acceptable.

Pre-check of all vehicles shall be conducted by applicant as part of road test evaluation.

**RULE 30.16: DRIVER LICENSE PHOTOGRAPHS**

A photograph is required of all applicants seeking to renew a Hawaii driver's license, applying for a duplicate driver's license, a new driver's license or for the exchange of an Out-of-state or country driver's license.

All applicants shall remove any hats, head-dress, etc. so as not to obscure more than two-thirds (2/3) of their full-faced photograph. The only exception to the removal of headgear will be based on "religious beliefs." The photograph requirement shall be met by each applicant as they are processed for their photograph and, upon request, these applicants shall submit a written explanation as to why he/she is unable to comply, including furnishing the name and sect of his/her religious belief. He/she must obtain a letter from the University of Hawaii Religion Department which confirms the religious position he/she is taking. Each applicant is advised that these letters will be reviewed by the Corporation Counsel and the Department of Finance prior to the release of the plastic license. If the photograph

taken is determined to be unacceptable, the temporary license will be revoked, the application denied and the applicant will be contacted within 30 days of such determination.

**RULE 30.17: DUPLICATE HAWAII DRIVER'S LICENSE**

1. All substations may issue duplicate driver's licenses if the plastic license is lost, stolen or mutilated, or to change the address, sex, name of the licensee or to correct the social security number or date of birth. All photocopied documents must be certified.

Any person presenting a driver's license that appears to have been altered or defaced shall be instructed to obtain a duplicate license or apply for a renewal if they are within the renewal period. The altered or defaced license shall be confiscated.

a. Acceptable documents for name change

- (1) Naturalization Certificate.
- (2) Lt. Governor's name change decree.
- (3) Divorce Decree granting name change.
- (4) Certified State of Hawaii Marriage Certificate (Department of Health only).
- (5) Certified Out-of-state marriage certificate.
- (6) Other document as deemed necessary by the Examiners of Drivers of such proof.

b. Acceptable documents for name and/or date of birth

- (1) State certified Birth Certificate with parents listed or State certified birth identification card.
- (2) Certified Divorce Decree with legal name change.
- (3) Certified decree of name change issued by the courts or the Lieutenant Governor's Office, State of Hawaii.
- (4) State of Hawaii Identification card.
- (5) Military Identification card or DD-214.
- (6) United States Immigration and Naturalization documents.
- (7) United States Passport only.
- (8) Out-of-state or country driver's license (valid or expired) with photo.
- (9) State certified marriage certificate (no church or photocopies accepted).
- (10) Hawaii Job Corps identification card.
- (11) Other document as deemed necessary by the Examiner of Drivers for proof.

c. Acceptable documents for proof of Social Security number

- (1) Original Social Security card only (no photo or metal copies).
- (2) Out-of-state or country driver's license with Social Security number and with or without photo (valid or expired).
- (3) State of Hawaii identification card.
- (4) Military identification or DD-214.
- (5) Medicaid identification card for males only.
- (6) Hawaii Job Corps identification card.
- (7) W-2 Tax form.
- (8) Personal checks with bank imprint of name and social security number.
- (9) Other document as deemed necessary by the Examiners of Drivers for such proof.

d. Acceptable documents for sex change

Certified physician statement stating such sex change is valid, including date of completed surgery, State in which occurred, and hospital or institution. All applicants applying for a duplicate license shall be required to

produce two (2) identification cards which reflects the applicants name and social security number.

e. Hyphenated names on duplicate license

Applicants applying for a duplicate driver's license and renewal may hyphenate their last name provided that the hyphenated name is a part of the individual's last name and that the hyphen shall be included on all transmittals.

**RULE 30.18: ORAL INSTRUCTION PERMIT AND RENEWAL EXAMINATIONS**

All applicants who apply for an oral examination for an instruction permit or renewal of driver's license shall be required to meet the following requirements:

1. Taken and failed the applicable examination at least two (2) times indicating the applicant's limited reading comprehension ability. The Examiner of Drivers may waive the two written tests if applicant has previously taken the oral test.
2. Be scheduled by the licensing staff.
3. Report to the Pawa Annex only.

No oral exam shall be administered except upon the grant of an application by the Examiner of Drivers.

**RULE 30.19: DUPLICATE SOCIAL SECURITY NUMBERS ON HAWAII DRIVER'S LICENSE**

Any applicant who applies for a driver's license with a social security number which matches one that is already on an issued license, shall be required to provide proof of his/her social security number with an original social security card or written confirmation from the Social Security Office. Similar proof shall also be required from the licensee of the previously issued license.

If any party fails to provide such proof, such person's license shall be cancelled and held in abeyance until a correct Social Security Number is provided.

**RULE 30.20: RESTRICTIONS**

Subsequent to completion of the examinations required by State statute, the Examiner of Drivers shall explain to the applicant the reasons for any restriction.

The following indicate some of the restrictions which may be required for various deficiencies:

1. Pedal extensions; special manual brakes, power brakes, special clutch or accelerator controls;
2. Special seat adjustments, cushions placed appropriately;
3. Special knob on steering wheel, power steering, mechanical arm signaling device, gear lever on steering columns, automatic transmission.

Any restrictions and the reason therefore shall be entered on the application for State of Hawaii motor vehicle driver's license and the restriction shall be noted on the respective license according to the following code:

- A - Glasses
- B - Outside Mirror
- C - Automatic Transmission
- D - Daylight Hours only
- E - Full Hand Equipment
- F - Mechanical Signals
- G - DO NOT USE



- H - DO NOT USE
- I - Hearing Aid
- J - Power Brakes
- K - Power Steering
- L - Steering Knob
- M - Cushions
- N - Annual Eye or Physical Examination
- O - Any other restrictions determined necessary by Examiner of Drivers
- P - Three Wheel Vehicle Only

**RULE 30.21: DEADLINES**

All driver's licenses and instruction permits shall expire at 12:00 midnight on the expiration dates.

An instruction permit for classes 3 to 10 may be renewed on or before the expiration date. The first day of the next 90 day period shall begin with the first day after the expiration of the current instruction permit. An applicant may renew an instruction permit for classes 3 to 10 without taking the written and vision tests for two consecutive times after the applicant has passed the vision and written tests. If a permit has expired or if the permit has been renewed for two consecutive times without taking the written and vision tests, the instruction permit shall not be renewed the third consecutive time unless the applicant passes another vision test and written test.

A driver's license may be renewed WITHIN six months prior to the date of expiration. The last day of this six month period shall be the expiration date.

An applicant with an expired driver's license may renew the expired driver's license within 90 days after the expiration date. The first day of this 90 day period shall begin with the first day after the expiration date and shall end at 12:00 midnight on the 90th day. If the renewal is not initiated, or in the case of renewal by mail, the envelope is not postmarked before 12:00 midnight on the 90th day, the applicant shall be treated as an applicant for a new license and examined as provided in Section 286-108, Hawaii Revised Statutes.

If the 90th day is a weekend or holiday for the City, the renewal, which includes payment of the required fees, must take place by the last working day prior to the expiration date or the 90th day after the expiration date.

**RULE 30.22: OUT-OF-STATE OR COUNTRY DRIVER'S LICENSE CONFIRMATION LETTER**

All applicants have a valid out-of-state or country driver's license and who do not surrender it will be processed as a first time applicant.

Road tests may be waived if an applicant claims that their valid out-of-state or country driver's license has been lost or stolen upon submission of an official written confirmation from the appropriate driver's license issuing authority, confirming the validity and accuracy of the applicant's stolen or lost driver's license. The official confirmation must identify the applicant's name, date of birth, license number and expiration date.

**RULE 30.23: RIGHT OF APPLICANT OR LICENSEE TO NOTICE AND A HEARING**

Whenever the Examiner of Drivers denies, cancels, revokes or suspends a permit or license, pursuant to the Hawaii Revised Statutes or these Rules and Regulations of the Director of Finance, the applicant or licensee shall have 30 days to file a notice of appeal for a hearing with the Director of Finance.

**RULE 30.24: HEARING**

Within twenty (20) working days from the filing of such notice

of appeal, the Director of Finance or a designated hearings officer shall conduct a hearing. The hearing shall be conducted in conformity with the provisions of Section 91-9, Hawaii Revised Statutes, relating to contested cases.

**RULE 30.25: DECISION AND ORDER**

After the hearing, the Director of Finance may rescind or affirm the denial, cancellation, suspension or revocation of the permit or license. Each decision or order adverse to the applicant or licensee shall be in writing or stated in the record and shall be accompanied by separate findings of fact and conclusions of law. If any decision or order is adverse to any applicant or licensee who has filed proposed findings of fact, the Director of Finance shall incorporate in his decision a ruling upon each proposed findings presented. The certified copy of the decision and order and accompanying findings presented. The applicant or licensee shall be notified by delivery or mailing of a certified copy of the decision and order and accompanying finds and conclusions within a reasonable time to each applicant or licensee or to his attorney of record.

**RULE 30.26: RECONSIDERATION**

Any applicant or licensee to whom an adverse decision and order has been rendered by the Director of Finance may request a reconsideration of such adverse decision and order provided that such request shall be based on new evidence which was not considered by the Director of Finance during the original hearing.

**RULE 30.27: APPEAL TO CIRCUIT COURT**

Appeal of the decision and order or ruling rendered in the hearing shall be as provided by Section 286-129, HRS.

**RULE 30.28: CANCELLATION OF LICENSES AND PERMITS:**

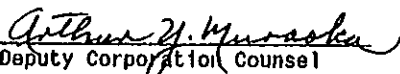
In addition to the provisions contained in Section 286-120, HRS, the following shall be reasons for cancellation of licenses or permits by the Examiner of Drivers:

1. Cheating on any administered test;
2. Switching testing material;
3. Substitution of another person during the processing and/or testing phases;
4. Use of non-authorized written materials (dictionaries are allowed).


The cancellation shall be for a thirty (30) day period for any infraction of this section, and re-application shall be permitted after such period.

ADOPTED THIS 2nd DAY OF June, 1989, IN HONOLULU, HAWAII.

APPROVED AS TO FORM:

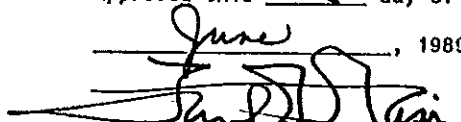
  
Deputy Corporation Counsel

Received this 9th day of  
June, 1989

  
THEODORE G. JUNG  
Director of Finance  
City and County of Honolulu

Approved this 2nd day of  
June, 1989.

  
City Clerk

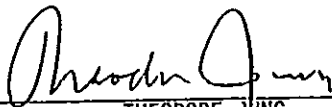
  
FRANK F. FASI  
Mayor

CERTIFICATE

I, THEODORE JUNG, Director of Finance, City and County of Honolulu, do hereby certify:

1. That the foregoing is a full, true and correct copy of amendments to "Part XXX" of the Rules and Regulations of the Director of Finance, by adding a new rule relating to the issuance of a learner's instruction permit and driver's license, such addition having been adopted on June 2, 1989, by the Director of Finance, after a public hearing held on May 17, 1989, at City Hall.

2. That notice of public hearing on the foregoing amendment to the Rules and Regulations, which notice included a statement of the substance of the proposed amendments of the Rules and Regulations, was published in the Honolulu Advertiser on April 21, 1989.

  
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THEODORE JUNG  
Director of Finance  
City and County of Honolulu