

How To: Driver's License Photo Renewal Approval Wearing the Hijab

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1 INTRODUCTION

1.1 Driver’s License

A driver’s license is a legal document or card that allows an individual to legally drive a vehicle. A driver’s license can also be used for identification of an individual when going through some type of security check point. Specifically, in Hawaii, with adult approval and supervision, an individual is able to obtain their driver’s license at the age of 16. If there is no adult present (such as a parent/guardian) the individual is not allowed to obtain their driver’s license until they are of legal age. A driver’s license is comprised of multiple pieces of information from the individual such as: driver’s license number, height, weight, age, eye color of the individual, expiration date of the driver’s license, full name of the individual, ground address, the individual’s signature, and a specific watermark depending on the state obtained to prove that the driver’s license is legitimate.

1.2 Religious Garments

Religious garments are a distinctive form of clothing that is usually worn on a daily basis by individuals of certain religious backgrounds. For example, an individual who believes in *Judaism* may be required to wear a *kippah* or a *tichel*. An individual who believes in *Islam* may be required to cloth themselves in long modest clothes such as an *abaya* or *thobe*. Some women may even wear the *hijab*. An individual who believes in *Sikhism* may be required to wear a *turban* over their hair in order to preserve modesty and show deep abiding faith in their religion. Religious garments vary depending on the location of the individual. For example, it may be the norm in the *Middle East* for a *Muslim* woman to wear the *abaya*, but in the United

States, a *Muslim* woman may wear modest clothing, but prefer not to wear the *abaya* due to cultural rather than religious reasons.

1.3 Hilo, HI

Hilo is a small town on the Island of Hawaii, with a population comprised of 43,000 people (2010). While the majority of religion practiced in Hilo is Christianity, Catholicism and Mormonism (Latter Day Saints), there are also a minority of religions practiced across the board. With the population growing in Hilo, and individuals branching out into different religions, it is appropriate to claim that religions who were once the minority in Hilo, are now becoming the majority. Since, many of these religions are new and unknown to the residents of Hilo, it is still extremely difficult to be excused from religious rules and requirements within the county. Keep in mind, that every county in Hawaii differs in rules. With that being said, there are still many obstacles that one must overcome in order to ‘freely’ practice their religion in Hilo, in this specific case, we are referring to the religion, Islam.

1.4 Documented Approval

A document of approval is required in Hilo in order for a Muslim woman to be allowed to wear the hijab in her driver’s license photo. There are various steps that a Muslim woman must follow in order to obtain this document of approval, and while the process is a bit tedious, it can be done. This how-to technical manual is specifically for Muslim women who reside in Hilo, Hawaii. As previously stated, each county upholds different rules and regulations for its residents. In the case of the city of Hilo, the County of Hawaii requires any individual who wears religious clothing of any sort to provide proper documentation in order for the Department of Motor Vehicles in Hilo, Hawaii to proceed with the making of the individual’s

driver’s license. If documented approval is not issued, the individual will either not be permitted to take her driver’s license photo with the *hijab* on, or, will be required to remove the *hijab* in order to receive the Hawaii driver’s license.

1.5 United States Constitution: First Amendment

While this process is not explicit to Hilo, as there are other cities and states who are required to abide by specific rules of the area, these requirements do create conflict for those individuals who are simply following their religious guidelines. The rules behind proper documentation for an individual wearing religious garments for a driver’s license photo is an ongoing ‘argument’, that will likely not be resolved at any instance of time in the near future. This is a legitimate problem in regards to the United States Constitution: First Amendment. The First Amendment states: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances”. That being said, Hilo may be defying the First Amendment of the United States Constitution when requiring an individual who wears the hijab for religious purposes to provide proper documentation stating the legitimacy of the hijab. At this point, the most suitable option would be an explanation of steps in order to have the process of obtaining a driver’s license photo pictured wearing the *hijab*.

Figure 1: Woman Wearing the Hijab



2 DRIVER’S LICENSE – GENERAL REQUIREMENTS

2.1 Proof of Name and Date of Birth

In order to obtain a Hawaii driver’s license, an individual must provide at least one of the following proofs: a certified copy of his birth certificate, a valid unexpired out of state license, a certified marriage certificate, a certified decree of name change, a state or military identification card, or immigration documents. Photo copies of any of the above mentioned are not acceptable.

2.2 Proof of Social Security Number

In order to obtain a Hawaii driver’s license, an individual must provide a social security card, a valid driver’s license, or a valid unexpired military identification card that easily displays the social security number of the individual in order to prove his social security number. Photo copies of any of the above mentioned are not acceptable.

2.3 Proof of Legal Presence and Proof of Residence

In order to obtain a Hawaii driver’s license, an individual must provide proof of legal presence as well as two different proof of legal residence in the United States.

2.4 Number of Licenses

In order to obtain a Hawaii driver’s license, an individual must turn in all of his previous driver’s license, as it is illegal to hold more than one license driver’s license at any time.

3 UNIVERSITY OF HAWAII AT MANOA – RELIGIOUS DEPARTMENT

3.1 Contact University of Hawaii at Manoa, Religious Department

After gathering required documents for a Hawaii driver’s license, contact the University of Hawaii at Manoa, Religious Department. The University of Hawaii at Manoa is located on the neighboring island of Oahu and is in charge of issuing documents of approval in regards to the wearing of *hijab* in a Hawaii driver’s license photo. Call this number: (808) 956-8299 and you will be directed to front desk. Ask for Faye Higa – the secretary of the University of Hawaii at Manoa – Religious Department.

3.2 Request Letter of Approval

You will be forwarded to Faye Higa’s extension. Explain to Ms. Higa your ordeal, and request from her a document of approval from the religious department stating that wearing the *hijab* in your driver’s license photo is sufficient for your driver’s license as the *hijab* is part of a religious garment and is required in your religion of Islam. Ms. Higa will prompt you to send an official email to the email she provides in order to document the request. Her email is, fhiga@hawaii.edu.

3.3 Letter Layout

Here is an example of what the letter of requesting documented approval for wearing the *hijab* in your driver’s license photo should look like:

“Aloha,

My name is Kainoelani Lee. I am a current resident of Hawaii and a student in Journalism with a minor in Arabic language and Information Science and Technology at Colorado State University.

I would like to request a letter of approval/clarification from the Religion Department at UH Manoa. My reason for this letter is so that I will be allowed to take a photo wearing a head scarf for my driver's license at the Hilo, HI Department of Motor Vehicles office.

I originally just needed a driver's license renewal because I lost mine last week and need at least a temporary one in order to return back to Colorado for school. I soon ran into issues when the DMV learned that I was wearing a hijab due to religious purposes.

In April of 2014, I made a life changing decision to convert to Sunni Islam. As a Muslim, I am required to dress modestly, and cover my hair in public. I am a devoted Muslim, and could not ever picture myself removing my hijab (hair cover) or partaking in anything that violates my rights to the 1st amendment in terms of religion. I was actually really shocked that a worker at the DMV told me that if I didn't get proper approval, I would have to take off my hijab in order to obtain my driver's license.

I would kindly appreciate if you could supply a letter of approval or consent stating what religion I am practicing (Sunni Islam), and that as a practicing Muslim woman, I am required to wear modest clothing and a head scarf or hijab. I leave back to Colorado on August 20th. I know this is of very short notice, but I would be very thankful if you were able to issue the letter to the DMV of Hilo, HI before I leave. They accept letters through emails, but the letter must have a letter head. Would you also kindly forward me the same email you will be sending to the DMV of Hilo, HI?

Here is the contact information in regards to who the letter will be addressing:

Department Name: Department of Motor Vehicles - Registration and Licensing Department

Email: vehiclerl@co.hawaii.hi.us

Once again, I really appreciate your time and effort and am looking forward to hearing from you.

Mahalo,

Kainoelani Lee”

I highly recommend when writing the letter through email, to begin the letter with “Aloha” and end the letter with “Mahalo”, as this is considered respectful in Hawaii rather than the “To Whom It May Concern”, or the “Dear ‘so-and-so’”. Do not send multiple emails to Ms. Higa, as it can/will cause confusion on her end, and may slow down the process to obtaining a letter of approval from the University of Hawaii at Manoa. Do not forget to include Hilo’s Department of Motor Vehicle contact information, such as an email, or fax so that the religious department knows exactly where to send the letter to.

3.4 Contact – UHM Dean

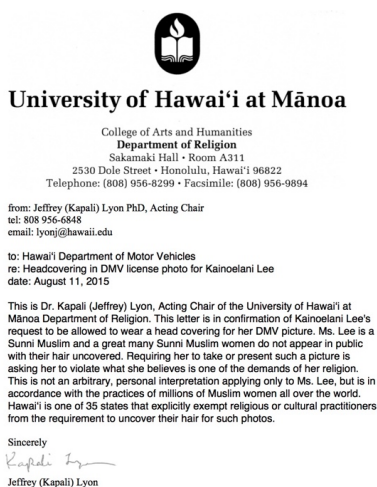
Once the email is sent out, wait for Ms. Higa’s response, as she will let you know the status of your request. Depending on how many requests the religious department has gotten, your letter of approval may be sent to Hawaii’s Department of Motor Vehicles very quickly. After the letter of approval is completed, Jeffrey (Kapali) Lyon, the Dean of the religious department

at the University of Hawaii at Manoa will contact the email you provided to Ms. Higa. If you have any questions regarding the request, his phone number is (808) 956-8299 and he can also be reached at his email, lyonj@hawaii.edu. This is if your questions are urgent. Mr. Lyon’s information was not given as the initial contact because he is extremely busy throughout the day, and you may find it difficult to contact him, which is why he usually has his secretary take his calls and relay him important information.

3.5 Letter of Approval to Department of Motor Vehicles

Once the letter of approval is sent to you by email (this will be a professional letter, not an email), from Mr. Lyons, go ahead and print the letter. Even though the religious department made sure to send the letter of approval to the specified contact information you provided, the Department of Motor Vehicles in Hilo is often a chaotic atmosphere, and it is not uncommon for them to lose paperwork or have your email lost in the junk folder. Bring the extra copy of the letter of approval just in case.

Figure 2: Letter of Approval



4 DEPARTMENT OF MOTOR VEHICLES – HILO, HI

4.3 Proper Documentation and Paperwork

If all goes well, the employee at the Department of Motor Vehicle will require you to fill out paperwork in order to obtain the Hawaii driver’s license. The paperwork will ask questions such as: age, birthdate, weight, height, full name, address, eye color, and gender.

4.4 Eye Exam

You will also be required to complete an eye exam upon approval of driver’s license.

4.5 Required Fees

There is a fee requirement of \$20 that must be paid in cash in order to obtain your Hawaii driver’s license.

4.6 Dress code – how the Hijab Should be worn in Photo

Although you have proper documentation stating that the hijab is required in Islam, the DMV will still have further requirements as to how you wear your hijab in the photo. You will be required to push your hijab back to your ears, and have the hijab cover up until the top of your hairline and the bottom of the underneath of your chin.

4.7 Driver’s license – paper copy

After the DMV takes your photo, they will print a paper copy of your Hawaii driver’s license.

They will also let you know that although you have the paper copy (which is valid for 60 days), it does not automatically mean that your photo was cleared and approved by the DMV.



Figure 3: Temporary Paper Copy of Driver's License

4.8 Photo Approval

You will not know if your photo is approved until you receive the hard copy in the mail. The hard copy of the Hawaii driver’s license will be sent via mail to the address you provided. If you are in a hurry to obtain your driver’s license wearing the hijab due to circumstances such as traveling, be sure to go at least a month in advance, or you may not receive your driver’s license in time.



Figure 4: Permanent Hard Copy of Driver's License

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GLOSSARY

Abaya: a full-length, sleeveless outer garment worn by some Muslim women

Abridging: curtail (rights or privileges)

Catholic: of the Roman Catholic faith

Christian: a person who has received Christian baptism or is a believer in Jesus Christ and his teachings

Constitution: the act of forming or establishing something

Dean: the head of a college or university faculty or department

Department of Motor Vehicles: is a state-level government agency that administers vehicle registration and driver licensing

Driver’s License: a document permitting a person to drive a motor vehicle

Grievances: a real or imagined wrong or other cause for complaint or protest, especially unfair treatment

Hijab: a head covering worn in public by some Muslim women

Islam: the religion of the Muslims, a monotheistic faith regarded as revealed through Muhammad as the Prophet of Allah

Journalism: the activity or profession of writing for newspapers or magazines or of broadcasting news on radio or television

Judaism: the monotheistic religion of the Jews

Kippah: a skullcap worn in public by Orthodox Jewish men or during prayer by other Jewish men

Latter Day Saints: another name for the Mormons

Middle East: a transcontinental region centered on Western Asia and Egypt

Minority: the smaller number or part, especially a number that is less than half the whole number

Muslim: a follower of the religion of Islam

Peaceably: not liking or wanting to fight or argue

Petition: a formal written request, typically one signed by many people, appealing to authority with respect to a particular cause

Prohibiting: formally forbid (something) by law, rule, or other authority

Redress: remedy or set right (an undesirable or unfair situation)

Religion: the belief in and worship of a superhuman controlling power, especially a personal God or gods

Religious Garments: a dress which has a special significance to a certain faith group

Sikhism: a monotheistic religion founded in Punjab in the 15th century by Guru Nanak

Sunni Islam: is the largest branch of Islam

Thobe: an ankle-length Arab garment, usually with long sleeves, similar to a robe

Tishel: is a headscarf worn by many married orthodox Jewish women in compliance

Turban: a man's headdress, consisting of a long length of cotton or silk wound around a cap or the head, worn especially by Muslims and Sikhs

United States Constitution: established America's national government and fundamental laws, and guaranteed certain basic rights for its citizens

REFERENCES

Reference 1: <http://www.dmv.org/hi-hawaii/apply-license.php>

Reference 2: <https://manoa.hawaii.edu/admin/deans.html>

Reference 3: https://www.law.cornell.edu/constitution/first_amendment

Reference 4: <http://www.encyclopedia.com/topic/Hawaii.aspx>

Reference 5: <https://suburbanstats.org/population/hawaii/how-many-people-live-in-hilo>

Reference 6: <http://www.dmv.org/hi-hawaii/apply-license.php>

Reference 7: <http://www.hawaii.edu/religion/contact.html>

Reference 8: <http://beta.merriam-webster.com>