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# A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

1           SECTION 1. Section 286-2, Hawaii Revised Statutes, is  
2 amended by adding two new definitions to be appropriately  
3 inserted and to read as follows:

4           "Intrastate commerce" means trade, traffic, or  
5 transportation between two places in the State that originates  
6 and terminates within the State.

7           "Intrastate driver" means a driver, not less than eighteen  
8 years of age, engaged in intrastate commerce, except in the  
9 transportation of passengers in a school vehicle, as defined in  
10 section 286-181, or in the transportation of hazardous  
11 materials, as defined in section 286-2."

12           SECTION 2. Chapter 286, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15           "§286- Commercial drivers under the age of twenty-one.

16           (a) A person is qualified to drive commercially in the State in  
17 intrastate commerce if the person:



- 1        (1) Is at least eighteen years of age;
- 2        (2) Is in compliance with 49 Code of Federal Regulations,  
3        Part 390-396, Subpart B, except Section 391.11(b) (1)  
4        in the case of an intrastate driver involved in  
5        intrastate commerce in the State;
- 6        (3) Only operates a type 3 vehicle as defined in section  
7        286-102(b) (3);
- 8        (4) Does not transport hazardous materials as defined in  
9        section 286-2, nor passengers in a school vehicle as  
10       defined in section 286-181; and
- 11       (5) Has had a type 3 state driver's license for the two  
12       years immediately preceding driving commercially under  
13       this section, with the following conditions:
  - 14       (A) Has not had any license suspended, revoked, or  
15       canceled;
  - 16       (B) Has not had any conviction for:
    - 17       (i) Speeding excessively involving any speed of  
18       fifteen miles per hour or more above the  
19       speed limit;
    - 20       (ii) Driving recklessly, as defined by state or  
21       local law or regulation, including, but not  
22       limited to, offenses of driving a motor



1 vehicle in wilful or wanton disregard for  
2 the safety of person or property;

3 (iii) Making improper or erratic traffic lane  
4 changes;

5 (iv) Following the vehicle ahead too closely; or

6 (v) Violating state or local law relating to  
7 motor vehicle traffic control, excluding  
8 parking violations, arising in connection  
9 with a fatal accident."

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

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**Report Title:**

Transportation; Commercial Drivers Licensing; Age Requirement

**Description:**

Permits drivers who are at least eighteen years of age to drive commercially.

