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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. Section 286-236, Hawaii Revised Statutes, is  
13 amended as follows:

14           1. By amending subsection (a) to read:

15           "(a) No person shall be issued a commercial driver's  
16 license unless that person meets the qualification standards of  
17 49 Code of Federal Regulations, Part 391, [~~Subparts~~] Subpart B,



1 except section 391.11(b)(1) in the case of an intrastate driver  
2 driving in intrastate commerce, and Subpart E, has passed a  
3 knowledge and driving skills test for driving a commercial motor  
4 vehicle [~~which~~] that complies with minimum federal standards  
5 established by federal regulation enumerated in 49 Code of  
6 Federal Regulations, Part 383, Subparts G and H, is domiciled in  
7 this State as defined in 49 Code of Federal Regulations Part  
8 383.5, and has satisfied all other requirements of the  
9 Commercial Motor Vehicle Safety Act (CMVSA) of 1986 (Title XII,  
10 Public Law 99-570), in addition to other requirements imposed by  
11 state law or federal regulation. The tests shall be prescribed  
12 by the director and administered by the respective county  
13 examiner of drivers. A person who is not physically qualified  
14 to drive under 49 Code of Federal Regulations Section  
15 391.41(b)(1), (2), or (3) and who is otherwise qualified to  
16 drive a motor vehicle may be granted an intrastate waiver by the  
17 director. The process for granting intrastate waivers shall be  
18 the same as that for interstate waivers in 49 Code of Federal  
19 Regulations, Part 391.49, except that the intrastate waiver  
20 requests shall be submitted to the director; provided that the  
21 director shall adopt rules under chapter 91 to establish a  
22 screening process, including approval by a licensed physician,



1 for granting an intrastate waiver to persons who are not  
2 physically qualified under 49 Code of Federal Regulations  
3 Section 391.41(b)(3)."

4 2. By amending subsection (e) to read:

5 "(e) A commercial driver's instruction permit may be  
6 issued to an individual who holds a valid driver's license,  
7 meets the qualification standards of 49 Code of Federal  
8 Regulations, Part 391, [~~Subparts~~] Subpart B, except section  
9 391.11(b)(1) in the case of an intrastate driver driving in  
10 intrastate commerce, and Subpart E, and has passed the written  
11 tests required for the desired class of a commercial driver's  
12 license."

13 SECTION 3. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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**Report Title:**

Transportation; Commercial Driver's License

**Description:**

Permits drivers who are at least 18 years of age to receive a commercial driver's license.

