STAND. COM. REP. NO. 653

Honolulu, Hawaii Mark 4, 2011

RE: H.B. No. 1094 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1094 entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING,"

begs leave to report as follows:

The purpose of this bill is to bring state commercial driver's license (CDL) laws into conformity with the federal Motor Carrier Safety Regulations to ensure Hawaii receives federal funding. This measure makes a number of changes including:

- Adding the definitions of "commercial driver's license downgrade" and "commercial driver's license information system" to state CDL law;
- (2) Requiring the examiner of drivers to verify the certification of a self-certified driver, date-stamp any current medical examiner's certificate submitted by a driver, and post all required information on the Commercial Driver's License Information System (CDLIS);
- (3) Changing the "V" restriction designation on a CDL indicating that the driver is restricted from operating in interstate commerce to indicate that information concerning a driver's medical variance is in the CDLIS;



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- (4) Recodifying the original "V" restriction prohibiting a driver from operating in interstate commerce to a "W" code;
- (5) Requiring the examiner of drivers to mark the CDLIS driver record as "not-certified" and initiate a CDL downgrade if a driver fails to produce certain documents to the examiner of drivers;
- Providing parameters for updating information and notification requirements for certain items concerning medical certification and variances for CDL drivers; and
- (7) Requiring the examiner of drivers to record and maintain certain medical information regarding CDL drivers.

The Department of Transportation testified in support of this measure.

Your Committee has amended this bill by:

- Changing its effective date to January 7, 2059, to promote further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1094, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1094, H.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

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GILBERT KEITH-AGAKAN, Chair



State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Judiciary

	ittee Referral: N」 ゴ U D			
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold Image: Image: Pass short form bill with HD to recommit for future public hearing (recommit) Image: Pass short form bill with HD to recommit for future public hearing (recommit) Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)				
2. RHOADS, Karl (VC)				
3. BROWER, Tom				
4. CABANILLA, Rida T.R.				
5. CARROLL, Mele				
6. HERKES, Robert N.	V			
7. ITO, Ken	<u> </u>			
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.				
10. MORITA, Hermina M.				
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. FONTAINE, George R.				
15. MARUMOTO, Barbara C.	<u> </u>			
16. THIELEN, Cynthia	<u> </u>			
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TOTAL (16)	13	0	0	3
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature: Kallbooch				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				