



GOV. MSG. NO. 1225

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 28, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 28, 2021, the following bill was signed into law:

HB1062 HD2 SD2

RELATING TO COMMERCIAL DRIVER'S
LICENSES
ACT 123 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

ORIGINAL

Approved by the Governor

on JUN 28 2021

HOUSE OF REPRESENTATIVES
THIRTY-FIRST LEGISLATURE, 2021
STATE OF HAWAII

ACT 123
H.B. NO.

1062
H.D. 2
S.D. 2

A BILL FOR AN ACT

RELATING TO COMMERCIAL DRIVER'S LICENSES.

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

1 SECTION 1. The legislature finds that, effective
2 February 7, 2022, the Federal Motor Carrier Safety
3 Administration is requiring states to comply with federal
4 regulations mandating entry level driver training for certain
5 first-time commercial driver's license applicants. Failure to
6 comply will result in a penalty. The first year the State fails
7 to comply will result in the withholding of four per cent of
8 funds required to be apportioned to Hawaii under the Highway
9 Trust Fund, title 23 United States Code section 104(b)(1) and
10 (2). The second and subsequent years the State is out of
11 compliance will result in an eight per cent penalty. The dollar
12 amounts that will be withheld respectively are \$6,185,220 and
13 \$12,370,440 if the State does not comply.

14 Accordingly, the purpose of this Act is to:

15 (1) Clarify the validity period of a commercial learner's
16 permit; and



1 (2) Bring the State into compliance with federal
2 regulations by requiring certain commercial driver's
3 license applicants to complete an entry-level driver
4 training course before taking other certain required
5 tests for licensure.

6 SECTION 2. Section 286-236, Hawaii Revised Statutes, is
7 amended as follows:

8 1. By amending subsection (e) to read:

9 "(e) The commercial learner's permit shall not be valid
10 for a period in excess of one hundred eighty days[-] from the
11 date that the applicant passes the general and all required
12 endorsement knowledge tests; provided that, if the applicant is
13 not required to take a knowledge test, the period shall start
14 when the permit is issued. When driving a commercial motor
15 vehicle, the holder of a commercial learner's permit shall be
16 accompanied by a person with a valid commercial driver's license
17 to operate that category of commercial motor vehicle with the
18 proper endorsements. The licensed person shall occupy the seat
19 beside the individual for the purpose of giving instruction in
20 driving the commercial motor vehicle. The commercial learner's
21 permit may be renewed no more than an additional one hundred



1 eighty days without requiring the commercial learner's permit
2 holder to retake the general or endorsement knowledge tests, and
3 the applicant requalifies meeting the requirements of
4 subsection (d). The commercial learner's permit holder is
5 eligible to take the commercial driver's license skills test no
6 earlier than fourteen days after obtaining the permit."

7 2. By amending subsection (g) to read:

8 "(g) Every applicant shall successfully complete the
9 commercial driver's license general knowledge test before being
10 issued a commercial learner's permit. A driver holding a valid
11 commercial driver's license who seeks an upgrade for which a
12 skills test is required shall also pass the appropriate
13 knowledge test [~~prior to~~] before obtaining a commercial
14 learner's permit. Beginning February 7, 2022, except for a
15 driver holding a valid commercial learner's permit or commercial
16 driver's license that was obtained before February 7, 2022,
17 every applicant shall complete the entry-level driver training
18 requirements as specified in title 49 Code of Federal
19 Regulations part 380, subpart F, and be verified with the
20 Federal Motor Carrier Safety Administration Training Provider
21 Registry before taking the skills test for a class A or class B



1 commercial driver's license, passenger endorsement, or school
2 bus endorsement, and before taking the knowledge test for a
3 hazardous materials endorsement."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

APPROVED this 28 day of JUN, 2021



GOVERNOR OF THE STATE OF HAWAII



HB No. 1062, HD 2, SD 2

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 22, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 13, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021.


President of the Senate


Clerk of the Senate