
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 purpose of this Act is to amend section
2 286-236, Hawaii Revised Statutes, to comply with federal
3 regulations in title 49 Code of Federal Regulations part 380,
4 subpart F.

5 Effective February 7, 2022, the Federal Motor Carrier
6 Safety Administration is requiring states to comply with federal
7 regulations requiring entry level driver training for certain
8 first-time commercial driver license applicants. This Act
9 modifies the statutes to comply with the requirement. Failure
10 to comply will result in a penalty. The first year the State
11 fails to comply will result in the withholding of four per cent
12 of funds required to be apportioned to Hawaii under title 23
13 United States Code section 104(b)(1) and (2). The second and
14 subsequent years the State is out of compliance result in an
15 eight per cent penalty. The dollar amounts that will be
16 withheld respectively are \$6,185,220 and \$12,370,440.



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

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

4 "(e) The commercial learner's permit shall not be valid
5 for a period in excess of one hundred eighty days[-]:

6 (1) From the date that the applicant passes the general
7 and all required endorsement knowledge tests; or

8 (2) If the applicant is not required to take a knowledge
9 test, from the date that the permit is issued.

10 When driving a commercial motor vehicle, the holder of a
11 commercial learner's permit shall be accompanied by a person
12 with a valid commercial driver's license to operate that
13 category of commercial motor vehicle with the proper
14 endorsements. The licensed person shall occupy the seat beside
15 the individual for the purpose of giving instruction in driving
16 the commercial motor vehicle. The commercial learner's permit
17 may be renewed no more than an additional one hundred eighty
18 days without requiring the commercial learner's permit holder to
19 retake the general or endorsement knowledge tests, and the
20 applicant requalifies meeting the requirements of subsection
21 (d). The commercial learner's permit holder is eligible to take



1 the commercial driver's license skills test no earlier than
2 fourteen days after obtaining the permit."

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

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



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on January 1, 2050.



Report Title:

Transportation; Commercial Driver's License

Description:

Adds a requirement for certain commercial driver's license applicants to complete an entry-level driver training course before taking a skills test for licensure. Exempts applicants who hold a valid commercial learner's permit or commercial driver's license obtained prior to February 7, 2022. Effective 1/1/2050. (SD1)

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