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# 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. Section 286-102.3, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~[+]§286-102.3[+]~~ **Commercial drivers under the age of**  
4 **twenty-one.** A person ~~[is qualified to]~~ may drive commercially  
5 in the State in intrastate commerce if the person:

6 (1) Is at least ~~[nineteen]~~ eighteen years of age;

7 (2) Is in compliance with title 49 Code of Federal  
8 Regulations~~[7]~~ part 390-396, subpart B, except section  
9 391.11(b)(1) in the case of an intrastate driver  
10 involved in intrastate commerce in the State;

11 ~~[(3) Only operates a category 3 vehicle as defined in~~  
12 ~~section 286-102(b)(3);~~

13 ~~[(4)]~~ (3) ~~[Shall]~~ Does not transport hazardous materials  
14 ~~[as defined in section 286-2, nor]~~ or passengers in a  
15 school vehicle as defined in section 286-181; ~~[and]~~

16 ~~[(5)]~~ (4) Has had a category 3 state driver's license for  
17 the two years immediately preceding driving



1           commercially under this section, with the following  
2           conditions:

3           (A) Has not had any license suspended, revoked, or  
4           canceled; and

5           (B) Has not had any conviction for:

6                 (i) Speeding excessively involving any speed of  
7                         fifteen miles per hour or more above the  
8                         speed limit;

9                 (ii) Driving recklessly, as defined by state or  
10                        local law or regulation, including but not  
11                        limited to offenses of driving a motor  
12                        vehicle in wilful or wanton disregard for  
13                        the safety of person or property;

14                (iii) Making improper or erratic traffic lane  
15                        changes;

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

17                (v) Violating state or local law relating to  
18                        motor vehicle traffic control, excluding  
19                        parking violations, arising in connection  
20                        with a fatal accident[-]; and



1       (5) Is under twenty-one years of age and actively enrolled  
2       in a commercial motor vehicle solely through a  
3       state-approved commercial driver training program or  
4       registered apprenticeship program as determined by the  
5       department of labor and industrial relations; provided  
6       that a driver under twenty-one years of age shall not  
7       operate a commercial motor vehicle outside the scope,  
8       supervision, or duration of the approved training or  
9       apprenticeship program.

10       For the purposes of this paragraph, "state-approved  
11       commercial driver training program or registered  
12       apprenticeship program" means a program approved or  
13       recognized by, or registered with, the department of  
14       labor and industrial relations, including programs  
15       registered pursuant to chapter 372 or other workforce  
16       development programs authorized by the department."

17       SECTION 2. The department of transportation shall adopt or  
18 amend rules pursuant to chapter 91, Hawaii Revised Statutes, as  
19 necessary to implement this Act, including licensing,  
20 enforcement, and coordination requirements with determinations



1 made by the department of labor and industrial relations  
2 regarding approved training and apprenticeship programs.

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

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

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**Report Title:**

DOT; DLIR; Commercial Driver's Licenses; Minimum Age; Commercial Driver Training Programs; Apprenticeship Programs

**Description:**

Lowers the age of who may drive commercially within the State from nineteen to eighteen. Repeals the requirement that a person only operates category 3 vehicles to qualify to drive commercially in the State. Prohibits a person under twenty-one years of age from operating a commercial motor vehicle outside of state-approved commercial driver training programs or registered apprenticeship programs as determined by the Department of Labor and Industrial Relations. Requires the Department of Transportation to consult with DLIR to amend its rules to allow persons under twenty-one years of age to operate a commercial motor vehicle under certain conditions. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

