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DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
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**HB1163, HD1
RELATING TO COMMERCIAL DRIVERS LICENSING**

Senate Committee on Transportation

The Department of Transportation (DOT) strongly supports H.B. 1163, H.D. 1, which amends the requirements for commercial driver's licensing in Hawaii to align with current federal regulations. This legislation addresses critical gaps in the existing framework by allowing the State to issue limited-term non-domiciled commercial learner's permits and commercial driver's licenses for applicants who cannot provide proof of citizenship or lawful permanent residency.

The State Department of Transportation requests that the amended language for §286-236(a)(3), Hawaii Revised Statutes, to the following:

"(3) Provides to the State proof of citizenship or lawful permanent residency as specified in table 1 to title 49 Code of Federal Regulations, section 383.71, as amended October 14, 2021, or obtains a non-domiciled commercial learner's permit or non-domiciled commercial driver's license as provided in title 49 Code of Federal Regulations, section 383.71(f), that shall be issued as a Non-Domiciled commercial learner's permit and Non-Domiciled commercial driver's license; and..."

This will ensure consistency with Federal regulations and the policy position from the Federal Motor Carrier Safety Administration for Non-Domiciled Commercial Driver's Licenses and Commercial Learner's Permits nationally.

The bill ensures that all commercial drivers meet the qualification standards outlined in 49 CFR, parts 391 and 383, including passing knowledge and driving skills tests that comply with federal minimum standards. It also mandates that applicants provide proof of citizenship or lawful permanent residency as specified in Table 1 of 49 CFR, section 383.71, as amended on October 14, 2021, or obtain a non-domiciled permit or license as provided under 49 CFR, section 383.71(f). These measures enhance safety by ensuring that only qualified individuals operate commercial motor vehicles within the state.

Additionally, the bill requires that tests be prescribed by the director and administered by county examiners of drivers, with communication during the skills test conducted exclusively in English. This provision supports clarity and consistency in testing procedures while maintaining compliance with federal guidelines. The requirement for examiners to verify medical certification status for drivers who self-certify under 49 CFR, section 383.71(b)(1)(i) further strengthens public safety by ensuring that only medically fit individuals are issued commercial driver's licenses.

The inclusion of provisions for intrastate waivers, consistent with interstate waiver processes under 49 CFR, section 391.49, allows flexibility where appropriate without compromising safety standards. Overall, this bill enhances the State's ability to regulate commercial driving in alignment with federal mandates and promotes both safety and operational efficiency.

Thank you for the opportunity to testify in support of this bill.