

ACT 248

H.B. NO. 2975-82

A Bill for an Act Relating to the Driver Improvement Program.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 286-108.5, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

“(g) Every employer who employs any person as a regularly employed driver of motor vehicles listed in section 286-102(c), shall provide for every such driver employed by him a driver improvement program which shall include a system for continuous driver evaluation, annual driver safety courses approved by the state director of transportation, and such other activities as may be required by rules and regulations adopted by the state director of transportation pursuant to chapter 91. Every organization[, such as a union,] through which a driver of a motor vehicle listed in section 286-102(c) is employed on a casual or sporadic basis, and not as a regularly employed driver for any one employer, shall be responsible for providing the driver improvement program for all drivers who are hired for casual or sporadic

employment through the organization. An individual is casually or sporadically employed if he is temporarily engaged only for a particular job or project and not as a regular employee of the employer. Any employer or organization that violates this subsection shall be fined not more than \$500. Every regularly or casually employed driver of motor vehicles listed in section 286-102(c) shall attend the driver improvement program provided for him by his employer or organization. The director of transportation shall adopt rules pursuant to chapter 91 necessary for the purposes of this subsection, including but not limited to rules governing attendance. Any driver who does not fulfill the appropriate driver improvement attendance requirement shall be fined not more than \$100. For purposes of this subsection only, the word "organization" shall not include any labor union with a job placement center. A job placement center shall mean any system involving the registration of persons for purposes of employment, and the dispatching of these persons to various jobs as they become available."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 14, 1982.)