

ACT 46

H.B. NO. 10

A Bill for an Act Relating to Motor Vehicles.

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

SECTION 1. The purpose of this Act is to limit requirements for remedial safety training in the driver improvement program to drivers of vehicles over ten thousand pounds gross vehicle weight, in order to be consistent with federal safety regulations.

SECTION 2. Section 286-202.5, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) Every employer who employs a commercial motor vehicle driver [as categorized in section 286-239, or a category (4) driver in section 286-102,] who

drives a motor vehicle with a gross vehicle weight rating in excess of ten thousand pounds shall provide for every such driver a driver improvement program. This program shall provide a system for continuous driver evaluation and annual driver safety courses approved by the director. For drivers with five years of continuous employment with one employer, this requirement shall be at least once every two years. Every job placement center through which a [category (4) or commercial motor vehicle] driver who drives a motor vehicle with a gross vehicle weight rating in excess of ten thousand pounds 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 its [category (4) and commercial motor vehicle] drivers[.], who drive a motor vehicle with a gross vehicle weight rating in excess of ten thousand pounds. For purposes of this subsection only, "job placement center" means any place where persons may register for purposes of employment, and the dispatching of those persons to various jobs as they become available. Any employer or job placement center that violates this subsection shall be fined not more than \$500.

(b) Every regularly or casually employed driver of a [category (4) vehicle or a commercial] motor vehicle with a gross vehicle weight rating in excess of ten thousand pounds shall attend the driver improvement program provided by the driver's employer or job placement center. The director 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."

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 Statutory material to be repealed is bracketed.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

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

(Approved April 26, 1999.)