

ACT 46

S.B. NO. 1405

A Bill for an Act Relating to Commercial Driver Licensing.

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

SECTION 1. Section 286-236, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) No person shall be issued a commercial driver’s license unless that person meets the qualification standards of 49 Code of Federal Regulations, Part 391, Subparts B and E, has passed a knowledge and driving skills test for driving a commercial motor vehicle which complies with minimum federal standards established by federal regulation enumerated in 49 Code of Federal Regulations, Part 383,

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Subparts G and H, is domiciled in this State as defined in 49 Code of Federal Regulations Part 383.5, and has satisfied all other requirements of the Commercial Motor Vehicle Safety Act (CMVSA) of 1986 (Title XII, Public Law 99-570) in addition to other requirements imposed by state law or federal regulation. The tests shall be prescribed by the director and administered by the respective county examiner of drivers. A person who is not physically qualified to drive under 49 Code of Federal Regulations §391.41(b)(1) or (2) and who is otherwise qualified to drive a motor vehicle may be granted an intrastate waiver by the director. The process for granting intrastate waivers shall be the same as that for interstate waivers in 49 Code of Federal Regulations, Part 391.49, except that the intrastate waiver requests shall be submitted to the director.”

SECTION 2. Section 286-238, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The application for a commercial driver’s license or commercial driver’s instruction permit shall include the following with respect to the applicant:

- (1) The full name and current mailing, residential, and business addresses;
- (2) A physical description including sex and height;
- (3) Date of birth;
- (4) Social security number;
- (5) Signature;
- (6) Color photograph;
- (7) Certifications including those required by 49 Code of Federal Regulations, §383.71(a), except that this certification applies to both intrastate and interstate drivers; and
- (8) Any other information required by section 286-111.

The applicant shall produce proof of residency to show the applicant’s state of domicile as defined in 49 Code of Federal Regulations Part 383.5.”

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect on August 1, 2003.

(Approved May 5, 2003.)