

ACT 67

S.B. NO. 2993

A Bill for an Act Relating to Commercial Driver’s Licenses.

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 title 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 that complies with minimum federal standards established by federal regulation enumerated in title 49 Code of Federal Regulations, part 383, subparts G and H, is domiciled in this State as defined in title 49 Code of Federal Regulations, part 383.5, and has satisfied all other requirements of the Commercial Motor Vehicle Safety Act of 1986, Public Law 99-570, title XII, 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. The test examiners shall communicate with the applicant only in English during the skills test. As of January 30, 2012, the examiner of drivers shall verify that the medical certification status of a driver who self-certified according to title 49 Code of Federal Regulations section ~~[383.71(a)(1)(ii)(A);~~ 383.71(b)(1)(i), non-excepted interstate, is certified. If a driver submits a current medical examiner’s certificate, the examiner of drivers shall date-stamp the certificate and post all required information to the commercial driver’s license information system pursuant to title 49 Code of Federal Regulations section ~~[383.73(a)(5)]~~ 383.73(b)(5) and in accordance with title 49 Code of Federal Regulations section ~~[383.73(j);~~ 383.73(o). A person who is not physically qualified to drive under title 49 Code of Federal Regulations section 391.41(b)(1)(i); or (2); ~~or (3)]~~ 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 title 49 Code of Federal Regulations section 391.49, except that the intrastate waiver requests shall be submitted to the director; ~~provided that the director shall adopt rules under chapter 91 to establish a screening process, including approval by a licensed physician, for granting an intrastate waiver to persons who are not physically qualified under title 49 Code of Federal Regulations section 391.41(b)(3)].”~~

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 3. This Act shall take effect September 1, 2020.

(Approved September 15, 2020.)