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# A BILL FOR AN ACT

RELATING TO COMMERCIAL DRIVER LICENSING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that thousands of  
2 Hawaii's citizen soldiers are required to serve in two major  
3 military conflicts - Operation Iraqi Freedom in Iraq and  
4 Operation Enduring Freedom in Afghanistan. In support of these  
5 troops, the legislature passed Act 170, Session Laws of Hawaii  
6 2005, to assist troops with state licensing restoration laws.

7           The purpose of this Act is to provide further assistance to  
8 returning active duty armed forces, national guard, and reserve  
9 members by specifically providing assistance to military  
10 personnel with commercial drivers licenses and to provide a  
11 forty-five-day grace period in which to reactivate expired  
12 licenses for returning active duty armed forces members.

13           SECTION 2. Section 286-239.5, Hawaii Revised Statutes, is  
14 amended by amending subsection (a) to read as follows:

15           "(a) Unless revoked or suspended, and except as provided  
16 in subsection (b) [7] and section 436B-14.5, any commercial  
17 driver's license that has expired under section 286-239 may be  
18 reactivated by the licensee in accordance with the requirements



1 and procedures set forth for the renewal of commercial drivers'  
2 licenses under section 286-239(h). No person seeking  
3 reactivation of an expired commercial driver's license under  
4 this subsection shall be required to undergo reexamination of  
5 the person's driving skills under section 286-236. The examiner  
6 of drivers shall require the holder of an expired commercial  
7 driver's license to pay a reactivation fee of \$5 for each  
8 thirty-day period, or fraction thereof, that has elapsed after a  
9 ninety-day grace period."

10 SECTION 3. Section 436B-14.5, Hawaii Revised Statutes, is  
11 amended by amending subsections (a) to read as follows:

12 "(a) Notwithstanding any other law to the contrary, any  
13 license, including a commercial driver's license under chapter  
14 286, part XII, held by a member of the armed forces, national  
15 guard, or a reserve component that expires, is forfeited, or  
16 deemed delinquent while the member is on active duty and  
17 deployed during a state or national crisis shall be restored  
18 under the restoration requirements provided in this section[-];  
19 provided that, notwithstanding any other law to the contrary,  
20 the expired commercial driver's license of a member returning to  
21 non-active duty status shall be valid for forty-five days  
22 following the member's return from active duty status.



1 For the purposes of this section, "state or national  
2 crisis" includes but is not limited to:

- 3 (1) A situation requiring the proper defense of nation or
- 4 state;
- 5 (2) A federal or state disaster or emergency;
- 6 (3) A terrorist threat; or
- 7 (4) A homeland security or homeland defense event or
- 8 action."

9 SECTION 4. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

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SB2007

**Report Title:**

Commercial Driver Licensing; Armed Forces

**Description:**

Specifically includes commercial driver licensing in the law exempting members of the armed forces from certain licensing regulations while on active duty. Also automatically reactivates the expired licenses for returning active duty armed forces members for 45 days.

