

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1056  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 1056, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Increase the penalty from \$11,000 to \$25,000 for employers who violate the commercial driver licensing law regarding permitting a licensed commercial driver to drive during the period in which the driver or the vehicle is subject to an out-of-service order;
- (2) Clarify that a person is prohibited from driving a commercial motor vehicle in violation of an out-of-service order;
- (3) Provide a penalty of not more than \$200 for any person convicted or found in violation of driving a commercial vehicle while having any alcohol in the person's body, and a penalty of not more than \$500 for any person convicted or found in violation of having 0.4 per cent blood alcohol; and
- (4) Replace the existing monetary penalty range of not less than \$1,100 nor more than \$2,750 for violating an out-of-service order with \$4,000 for a first conviction and



not less than \$5,000 nor more than \$7,500 for a second or subsequent conviction.

Your Committee finds that this measure is necessary in order to comply with federal regulations regarding commercial driver licensing. According to the Department of Transportation, failure to enact this measure could result in the loss of federal funds to the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050 to continue the discussions; and
- (2) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1056, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1056, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Government Operations,



BRIAN T. TANIGUCHI, Chair



