

Honolulu, Hawaii

FEB 12 2009

RE: S.B. No. 979
S.D. 1

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

Madam:

Your Committee on Transportation, International and Intergovernmental Affairs, to which was referred S.B. No. 979 entitled:

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

begs leave to report as follows:

The purpose of this measure is to prohibit a court from granting a restricted license to a commercial driver if the commercial driver is convicted of operating a vehicle under the influence of an intoxicant.

In addition, the measure specifically limits the court's authority to grant a restricted license to a person convicted of operating a vehicle under the influence of an intoxicant, to only category (1), (2), and (3) licenses.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that this measure is required to conform to federal regulations relating to commercial driver licenses. Under current law, the court may order license restriction on a driver of any category of motor vehicle. This measure clarifies that only non-commercial driver licenses are subject to license restriction to allow the driver to continue to drive for limited purposes. Therefore, commercial drivers are not eligible for the issuance of a restricted license by a court.

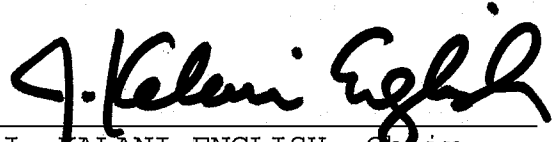


The intent of this measure is to disallow an unsafe commercial driver to continue to pose a risk to motorists and other roadway users.

Your Committee has amended this measure by making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Transportation, International and Intergovernmental Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 979, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 979, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,

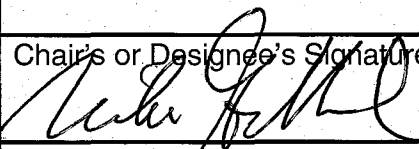


J. KALANI ENGLISH, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:* SB 979	Committee Referral: TIA, JGO	Date: 2-9-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam				✓
TOTAL	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes