
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Section 286-234, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 (d) Any employer who is convicted of a violation of
4 subsection (b)(3) shall be subject to a fine of not less than
5 \$2,750 nor more than [~~\$11,000~~] \$25,000."

6 SECTION 2. Section 286-241.4, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "**§286-241.4 Authority of examiner of drivers to suspend,**
9 **revoke, or cancel commercial driver's license or permit.** (a)

10 The examiner of drivers may suspend, revoke, [~~or cancel~~] cancel,
11 or disqualify any commercial driver's license or permit without
12 a hearing when the examiner of drivers has probable cause to
13 believe that the licensee is disqualified under section 286-
14 240[~~(c) through (h)~~]."

15 SECTION 3. Section 286-249, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§286-249 Penalty.** (a) Any person who drives a
18 commercial motor vehicle in the State without a valid commercial



1 driver's license or permit, or while the person's driving
2 privileges are suspended, revoked, or canceled, or while
3 disqualified from driving a commercial motor vehicle, shall be:

- 4 (1) Disqualified from driving a commercial motor vehicle
5 for a period of not less than one year and up to life;
- 6 (2) Fined not less than \$500 but not more than \$1,000; and
- 7 (3) Imprisoned not more than one year;

8 provided that the court shall have discretion to impose either a
9 fine or imprisonment, or both.

10 (b) A driver who is convicted of violating an out-of-
11 service order shall be fined not less than [~~\$1,100 nor more than~~
12 ~~\$2,750~~] \$2,500 for the first conviction and not less than \$5,000
13 for a second or subsequent conviction, in addition to the
14 driving disqualification of subsection (a)(1) and section 286-
15 240(g) and (h).

16 (c) Any person found in violation of section 286-242(a)
17 shall be fined not more than \$200.

18 (d) Any person found in violation of section 286-242(c)
19 shall be fined not more than \$500."

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

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



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INTRODUCED BY:

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Barbara Maramoto

JAN 23 2009



Report Title:

Commercial Driver Licenses

Description:

Conforms certain penalties to federal regulations; imposes penalties for operating a commercial motor vehicle with alcohol concentration of 0.04 per cent or more.

