

STAND. COM. REP. NO.

2121

Honolulu, Hawaii

FEB - 9 2010

RE: S.B. No. 2754

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Transportation, International and Intergovernmental Affairs, to which was referred S.B. No. 2754 entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING,"

begs leave to report as follows:

The purpose of this measure is to enact statutory changes to the disqualification provisions applicable to persons who operate commercial motor vehicles in violation of an out-of-service order.

Specifically, this measure:

- (1) For vehicles transporting non-hazardous materials, extends the minimum period of disqualification for violations of an out-of-service order from ninety to one hundred eighty days for a first violation and from one to two years for a second violation; and
- (2) Clarifies that the disqualification provisions for out-of-service order violations involving vehicles transporting hazardous materials apply to vehicles required to be placarded under Title 49 Code of Federal Regulations, Part 172, Subpart F.

Your Committee received testimony in support of this measure from the Department of Transportation and the Hawaii Transportation Association. Written testimony presented to the Committee may be reviewed on the Legislature's website.



Your Committee has been informed that failure to enact this measure required by Federal Motor Carrier Safety Administration regulations could result in the loss of approximately \$4,500,000 or five per cent of federal-aid highway funds (based on fiscal year 2008-2009 funding) for the first year of noncompliance, and \$9,100,000 or ten per cent per year thereafter. In addition, Motor Carrier Safety Assistance Program grant funds, amounting to \$710,332 in fiscal year 2008-2009, could be withheld for each year of noncompliance.

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. 2754 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

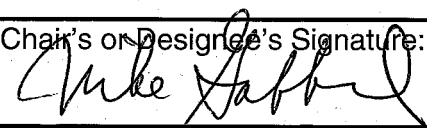
Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,


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.:*	Committee Referral:	Date:		
SB 2754	TIA	2-3-10		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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	5	—	—	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes