

**STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097**

February 10, 2010

**TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION**

**HOUSE BILL NO. 2262**

**COMMITTEES ON ECONOMIC REVITALIZATION, BUSINESS & MILITARY AFFAIRS  
AND TRANSPORTATION**

The Department of Transportation opposes this bill, because it is contrary to 49 CFR 383.3, which allows exemptions only for active duty military personnel. Also, 49 CFR 383.73 mandates states to require CDL applicants to complete the CDL application and testing processes. Passage of this bill would put the State out of compliance with federal regulations, which could cause the State to lose a significant amount of federal funding - approximately \$4,600,000 (or 5 percent) of federal-aid highway funds (based on fiscal year 2007-2008 funding) for the first year of noncompliance and \$9,300,000 (or 10 percent) per year thereafter.

DEPARTMENT OF CUSTOMER SERVICES  
**CITY & COUNTY OF HONOLULU**  
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS  
ADMINISTRATION  
P.O. BOX 30300  
HONOLULU, HAWAII 96820-0300

MUFI HANNEMANN  
MAYOR



GAIL Y. HARAGUCHI  
DIRECTOR

DENNIS A KAMIMURA  
LICENSING ADMINISTRATOR

February 8, 2010

The Honorable Angus L. K. McKelvey, Chair  
and Committee Members  
Committee on Economic Revitalization,  
Business and Military Affairs  
The Honorable Joseph M. Souki, Chair  
and Committee Members  
Committee on Transportation  
House of Representatives  
State of Hawaii  
State Capitol, Room 323  
Honolulu, Hawaii 96813

Dear Chair McKelvey, Chair Souki and Committee Members:

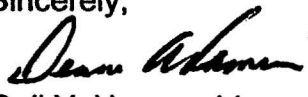

Subject: H.B. No. 2662, Relating to Commercial Driver's License

The City and County of Honolulu and the Examiner of Drivers from all counties are opposed to H.B. No. 2662 which will exempt former military personnel from CDL licensure while operating commercial motor vehicles for military purposes.

Since these individuals are no longer under military control, these individuals and their employers would not be required to meet the requirements of Chapter 286, Part XIII, Commercial Driver Licensing, HRS, which protects the driving public from unsafe and possibly unqualified drivers of these large commercial motor vehicles.

The City and County of Honolulu and the County Examiner of Drivers recommend that H.B. No. 2662 be held.

Sincerely,

  
for  Gail Y. Haraguchi  
Director



February 10, 2010

**TESTIMONY BEFORE THE HOUSE COMMITTEES ON  
ECONOMIC REVITALIZATION BUSINESS AND MILITARY AFFAIRS,  
AND ON TRANSPORTATION  
ON HB 2662 RELATING TO COMMERCIAL DRIVER LICENSE**

Thank you Chair McKelvey, Chair Souki and committee members. I am Gareth Sakakida, Managing Director of the Hawaii Transportation Association (HTA) with over 400 transportation related members throughout the state of Hawaii.

Hawaii Transportation Association has concerns with this bill.

The Federal Motor Carrier Safety Administration's motor carrier safety regulations does not permit operation of a commercial motor vehicle (CMV) without a commercial driver license (CDL) for former military personnel. Not having uniform regulations subjects the state to loss of funds.

Holders of CDLs are held to a higher standard of safety, and face a structured disqualification system. If someone driving a CMV commits one of the disqualifying offenses I do not know how the judicial system would know that this person is subject to the higher standards.

When this person produces their driver license at a roadside inspection I do not know how an officer would be able to determine whether the driver is permitted to drive a CMV.

A CDL is a symbol of meeting certain qualifications of the federal regulations, I do not know how anyone would be able to determine whether the driver has met any of the regulations without a CDL.

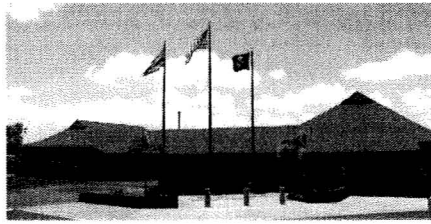
There are a number of special skill areas (double/triple trailer, passenger, tank, hazardous materials, school bus) that are tested in the CDL process, and I do not know if these will be automatically given to the driver.

If the former military member is already skilled in operating a CMV, it is not an undue burden to obtain a CDL.

Thank you.

# OAHU VETERANS COUNCIL

**OAHU VETERANS COUNCIL**  
President - Fred Ballard  
1st V.P. - Cecil Meadows  
2nd V.P. - Jim Santos  
Secretary - John Harms  
Treasurer - Eugenia Woodward  
Chaplain - Frank Lamson



*"a gathering place for veterans"*  
**OAHU VETERANS CENTER**

**OAHU VETERANS CENTER**  
**EXECUTIVE DIRECTOR**  
Sandy Ballard

February 8, 2010

**MEMBER ORGANIZATIONS**  
5th Regimental Combat Team  
15th Infantry Division Assn.  
Air Force Assn. - Chapter 138  
Air Force Sergeants Association  
American Legion Aux. Dept. of HI  
American Legion - Dept. of HI  
American Legion Post 32  
American Veterans Empowerment &  
Support Community Operations  
BPOE VAWS Hawaii Dist.  
China-Burma-India Veterans Assn.  
Chosin Few - Aloha Chapter  
Combat Infantrymen's Assn.  
Combat Veterans Motorcycle Club  
Disabled American Veterans -  
Chapter 3  
Fleet Reserve Association Branch  
And Unit 46  
Hawaii Multiple Schools Unit - Jr. ROTC  
Korean War Veterans Assn -  
Chapter 1  
Military Officers Assn. of America -  
Aloha Chapter  
Military Officers Assn. of America -  
Hawaii State Chapter  
Military Order of the Purple Heart  
Military Order of World Wars  
National Assn. for Atomic Veterans  
National Assn. of Uniformed Services  
National Sojourners - Hawaiian # 9  
National Sojourners - Honolulu # 11  
National Sojourners - Kamehameha #439  
Pearl Harbor Survivors Association  
Radiated Veterans  
Samoan Providers  
Society of Military Widows -  
Aloha Chapter  
Sons & Daughters of  
Pearl Harbor Survivors  
Special Forces Assn. - Chapter VIII  
State Office of Veterans Services  
Veterans of Foreign Wars  
Dept. of Hawaii  
Veterans of Foreign Wars Post 970  
Vietnam Veterans of America  
Chapter 858  
Waves National - Unit 131  
Women Veterans of America #26

## TESTIMONY IN FAVOR OF HOUSE BILL 2662 RELATING TO COMMERCIAL DRIVER'S LICENSE

### HOUSE COMMITTEE ON ECONOMIC REVITALIZATION, BUSINESS, & MILITARY AFFAIRS

### HOUSE COMMITTEE ON TRANSPORTATION

### JOINT HEARING WEDNESDAY, FEBRUARY 10, 2010, 10:30 AM, ROOM 309

Aloha Representatives Angus L.K. McKelvey, Chair Committee on Economic Revitalization, Business & Military Affairs, Isaac W. Choy, Vice Chair, Joseph M. Souki, Chair, Committee on Transportation, Karen Leinani Awana, Vice Chair, and members of both Committees. My name is Fred Ballard, President, Oahu Veterans Council. The Oahu Veterans Council is comprised of over 35 Oahu veteran organizations that in turn represent over 80,000 veterans and their families.

The Council agrees that former members of the armed forces should be added to the list of persons exempt from licensure because they possess skill levels as a result of their former military service, as long as they meet or exceed state requirements.

The Oahu Veterans Council strongly supports the passage of House Bill 2662.

Mahalo for allowing us the opportunity to testify in support of this very important bill.

*Fred Ballard*  
Fred Ballard  
President  
Oahu Veterans Council



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