

Honolulu, Hawaii

March 4, 2011

RE: H.B. No. 1094  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1094 entitled:

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

begs leave to report as follows:

The purpose of this bill is to bring state commercial driver's license (CDL) laws into conformity with the federal Motor Carrier Safety Regulations to ensure Hawaii receives federal funding. This measure makes a number of changes including:

- (1) Adding the definitions of "commercial driver's license downgrade" and "commercial driver's license information system" to state CDL law;
- (2) Requiring the examiner of drivers to verify the certification of a self-certified driver, date-stamp any current medical examiner's certificate submitted by a driver, and post all required information on the Commercial Driver's License Information System (CDLIS);
- (3) Changing the "V" restriction designation on a CDL indicating that the driver is restricted from operating in interstate commerce to indicate that information concerning a driver's medical variance is in the CDLIS;



- (4) Recodifying the original "V" restriction prohibiting a driver from operating in interstate commerce to a "W" code;
- (5) Requiring the examiner of drivers to mark the CDLIS driver record as "not-certified" and initiate a CDL downgrade if a driver fails to produce certain documents to the examiner of drivers;
- (6) Providing parameters for updating information and notification requirements for certain items concerning medical certification and variances for CDL drivers; and
- (7) Requiring the examiner of drivers to record and maintain certain medical information regarding CDL drivers.

The Department of Transportation testified in support of this measure.

Your Committee has amended this bill by:

- (1) Changing its effective date to January 7, 2059, to promote further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1094, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1094, H.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

  
GILBERT KEITH-AGARAN, Chair



