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IN REPLY REFER TO:

February 24, 2011

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE BILL NO. 1094

COMMITTEE ON JUDICIARY

The Department of Transportation supports this H.B. 1094.

The amendments proposed in this bill are designed to make the Hawaii Revised Statutes provisions concerning commercial driver licensing conform to Federal Motor Carrier Safety Regulations. Failure to comply will result in significant penalties in the form of withholding federal funds every year that the State is not in compliance.

The proposed authority for the examiner of drivers to downgrade a commercial driver's license is needed when a driver fails to meet the medical certification requirements for a CDL. Currently the examiner of drivers has authority to withhold driving privileges only when a CDL holder commits a violation or is an immediate threat to highway safety. When a driver is no longer in compliance with the medical requirements for a CDL, it does not constitute a violation or an immediate threat, but the driver is no longer eligible to drive a CDL. Passage of this bill will enable the examiner of drivers to downgrade (remove CDL privileges) in these situations.