

HB977 HD2

RELATING TO TRANSPORTATION.

Conforms state law to the most recent federal regulations to ensure that the Hawaii laws parallel the federal regulations relating to commercial driver licensing. Effective July 1, 2013.

(HB977 HD2)



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
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HONOLULU, HAWAII 96813-5097

March 18, 2013
1:16 p.m.
State Capitol, Conference Room

**H.B. 977, H.D. 2
RELATING TO TRANSPORTATION**

Senate Committee(s) on Transportation and International Affairs
& Public Safety, Intergovernmental and Military Affairs

The Department of Transportation supports H.B.977, H.D. 2, as it will bring the State of Hawaii into compliance with the Federal regulations relating to commercial driver licensing (CDL) and commercial learner's permit (CLP).

The proposed bill will add a new section and amend the current driver's license law to ensure that the Hawaii Revised Statutes parallel the federal regulations. The changes will establish a federal requirement for a commercial learner's permit as a pre-condition for issuing a CDL and also adopt various other changes to enhance the CDL program. The proposed bill requires that a commercial learner's permit holder meet virtually the same requirements as those for a commercial driver's license holder, meaning that a driver holding a CLP will be subject to the same driver disqualification penalties that apply to a CDL holder. In addition, new CDL and CLP restriction codes are added to be uniformed with all the other States in the nation. The proposed bill will add a new definition for a tank vehicle, and amend the definition of texting to include "pressing a single button". The proposed bill will establish a new minimum age of 18 years old for a CLP applicant, set new uniform standards for issuing a CLP, and have a valid period not to exceed 180 days. The commercial learner's permit is intended to enhance the qualification of commercial motor vehicle drivers by ensuring that they obtain a CLP before applying for a CDL. It will enhance safety by ensuring that only qualified drivers are allowed to operate commercial motor vehicles on our State highways.

A state must come in substantial compliance with the requirements in this bill as soon as practical but not later than July 8, 2014. Failure to enact the changes could result in the loss of approximately \$5,500,000 (or 5% of \$109,016,036 federal-aid highway funds for the first year of non-compliance and \$10,900,000 (or 10%) per year thereafter (based on FY 2011 funding).

Further, we respectfully request a technical amendment on page 5 of the bill, Section 1(e):

"....(e) Before issuing a commercial learner's permit, the examiner of drivers shall complete a check of the applicant's driving record as provided in section 286-239(e) or 286-239(h)."

Thank you for the opportunity to provide testimony.

