
A BILL FOR AN ACT

RELATING TO COMMERCIAL DRIVER'S LICENSE QUALIFICATION STANDARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to amend section
2 286-236, Hawaii Revised Statutes, to be compliant with title 49
3 Code of Federal Regulations 391.41(b).

4 SECTION 2. Section 286-236, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) No person shall be issued a commercial driver's
7 license unless that person meets the qualification standards of
8 title 49 Code of Federal Regulations, part 391, subparts B and
9 E, has passed a knowledge and driving skills test for driving a
10 commercial motor vehicle that complies with minimum federal
11 standards established by federal regulation enumerated in title
12 49 Code of Federal Regulations, part 383, subparts G and H, is
13 domiciled in this State as defined in title 49 Code of Federal
14 Regulations, part 383.5, and has satisfied all other
15 requirements of the Commercial Motor Vehicle Safety Act of 1986,
16 Public Law 99-570, title XII, in addition to other requirements
17 imposed by state law or federal regulation. The tests shall be



1 prescribed by the director and administered by the respective
2 county examiner of drivers. The test examiners shall
3 communicate with the applicant only in English during the skills
4 test. As of January 30, 2012, the examiner of drivers shall
5 verify that the medical certification status of a driver who
6 self-certified according to title 49 Code of Federal Regulations
7 section [~~383.71(a)(1)(ii)(A)~~] 383.71(b)(1)(i), non-excepted
8 interstate, is certified. If a driver submits a current medical
9 examiner's certificate, the examiner of drivers shall date-stamp
10 the certificate and post all required information to the
11 commercial driver's license information system pursuant to title
12 49 Code of Federal Regulations section [~~383.73(a)(5)~~]
13 383.73(b)(5) and in accordance with title 49 Code of Federal
14 Regulations section [~~383.73(j)~~] 383.73(o). A person who is not
15 physically qualified to drive under title 49 Code of Federal
16 Regulations section 391.41(b)(1) [~~7~~] or (2) [~~7~~ ~~or~~ ~~(3)~~] and who is
17 otherwise qualified to drive a motor vehicle may be granted an
18 intrastate waiver by the director. The process for granting
19 intrastate waivers shall be the same as that for interstate
20 waivers in title 49 Code of Federal Regulations section 391.49,
21 except that the intrastate waiver requests shall be submitted to



H.B. NO. 2172

1 the director[, ~~provided that the director shall adopt rules~~
 2 ~~under chapter 91 to establish a screening process, including~~
 3 ~~approval by a licensed physician, for granting an intrastate~~
 4 ~~waiver to persons who are not physically qualified under title~~
 5 ~~49 Code of Federal Regulations section 391.41(b)(3)]."~~

6 SECTION 3. Statutory material to be repealed is bracketed
 7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

9

INTRODUCED BY: 

JAN 21 2020



H.B. NO. 2172

Report Title:

DOT; Transportation; Commercial Driver's Licenses; Conformity with Federal Law

Description:

Conforms Hawaii law relating to commercial driver's licenses with federal regulations by removing the provision requiring the Director of Transportation to adopt rules to establish a screening process for granting intrastate waivers to persons who are not physically qualified to drive a commercial motor vehicle due to a medical history or clinical diagnosis of diabetes mellitus. Corrects certain citations to federal regulations.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

