

JAN 23 2020

A BILL FOR AN ACT

RELATING TO COMMERCIAL DRIVER'S LICENSES.

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

1 SECTION 1. Section 286-236, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) No person shall be issued a commercial driver's
4 license unless that person meets the qualification standards of
5 title 49 Code of Federal Regulations, part 391, subparts B and
6 E, has passed a knowledge and driving skills test for driving a
7 commercial motor vehicle that complies with minimum federal
8 standards established by federal regulation enumerated in title
9 49 Code of Federal Regulations, part 383, subparts G and H, is
10 domiciled in this State as defined in title 49 Code of Federal
11 Regulations, part 383.5, and has satisfied all other
12 requirements of the Commercial Motor Vehicle Safety Act of 1986,
13 Public Law 99-570, title XII, in addition to other requirements
14 imposed by state law or federal regulation. The tests shall be
15 prescribed by the director and administered by the respective
16 county examiner of drivers. The test examiners shall
17 communicate with the applicant only in English during the skills



1 test. As of January 30, 2012, the examiner of drivers shall
2 verify that the medical certification status of a driver who
3 self-certified according to title 49 Code of Federal Regulations
4 section ~~[383.71(a)(1)(ii)(A),]~~ 383.71(b)(1)(i), non-excepted
5 interstate, is certified. If a driver submits a current medical
6 examiner's certificate, the examiner of drivers shall date-stamp
7 the certificate and post all required information to the
8 commercial driver's license information system pursuant to title
9 49 Code of Federal Regulations section ~~[383.73(a)(5)]~~
10 383.73(b)(5) and in accordance with title 49 Code of Federal
11 Regulations section ~~[383.73(j).]~~ 383.73(o). A person who is not
12 physically qualified to drive under title 49 Code of Federal
13 Regulations section 391.41(b)(1) [~~7~~] or (2) [~~7, or (3)~~] and who is
14 otherwise qualified to drive a motor vehicle may be granted an
15 intrastate waiver by the director. The process for granting
16 intrastate waivers shall be the same as that for interstate
17 waivers in title 49 Code of Federal Regulations section 391.49,
18 except that the intrastate waiver requests shall be submitted to
19 the director [~~provided that the director shall adopt rules~~
20 ~~under chapter 91 to establish a screening process, including~~
21 ~~approval by a licensed physician, for granting an intrastate~~



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1 ~~waiver to persons who are not physically qualified under title~~
2 ~~49 Code of Federal Regulations section 391.41(b)(3)]."~~

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: *Francis R. Snyce*
Assembly H Baker
Mike Gabbard

Anna Mercedis
B. D. D. D. D.
D. K.



S.B. NO. 2993

Report Title:

Commercial Driver's License Qualification Standards; Medical Waivers; Diabetes

Description:

Aligns the commercial driver's license qualification standards with federal regulations by repealing language related to medical waivers due to diabetes. Makes conforming amendments to Code of Federal Regulation citations.

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