

JAN 21 2022

# A BILL FOR AN ACT

RELATING TO COMMERCIAL DRIVER'S LICENSES.

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

SECTION 1. Section 286-102.3, Hawaii Revised Statutes, is amended to read as follows:

"~~[§]286-102.3~~ Commercial drivers under the age of **twenty-one**. A person is qualified to drive commercially in the State in intrastate commerce if the person:

(1) Is at least ~~[nineteen]~~ eighteen years of age;

(2) Is in compliance with title 49 Code of Federal Regulations, part 390-396, subpart B, except section 391.11(b)(1) in the case of an intrastate driver involved in intrastate commerce in the State;

~~[(3) Only operates a category 3 vehicle as defined in section 286-102(b)(3);~~

~~+(4)]~~ (3) Shall not transport hazardous materials as defined in section 286-2, nor passengers in a school vehicle as defined in section 286-181; and

~~+(5)]~~ (4) Has had a category 3 state driver's license for the two years immediately preceding driving



commercially under this section, with the following conditions:

(A) Has not had any license suspended, revoked, or canceled; and

(B) Has not had any conviction for:

(i) Speeding excessively involving any speed of fifteen miles per hour or more above the speed limit;

(ii) Driving recklessly, as defined by state or local law or regulation, including but not limited to offenses of driving a motor vehicle in wilful or wanton disregard for the safety of person or property;

(iii) Making improper or erratic traffic lane changes;

(iv) Following the vehicle ahead too closely; or

(v) Violating state or local law relating to motor vehicle traffic control, excluding parking violations, arising in connection with a fatal accident."



1       SECTION 2. Section 286-238, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3       "(a) The application for a commercial driver's license or  
4 commercial learner's permit shall include the following with  
5 respect to the applicant:

6       (1) Certifications including those required by title 49  
7 Code of Federal Regulations section 383.71(a), except  
8 that this certification applies to [~~both intrastate~~  
9 ~~and~~] interstate drivers;

10       (2) The names of all states where the applicant has  
11 previously been licensed to drive any type of motor  
12 vehicle during the previous ten years; and

13       (3) Any other information required by section 286-111.

14       The applicant shall produce proof of residency to show the  
15 applicant's state of domicile as defined in title 49 Code of  
16 Federal Regulations section 383.5."

17       SECTION 3. The department of transportation shall adopt or  
18 amend rules pursuant to chapter 91, Hawaii Revised Statutes,  
19 necessary to lower from twenty-one to eighteen years the minimum  
20 age required for a commercial driver's license.



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

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

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INTRODUCED BY: 



# S.B. NO. 2294

**Report Title:**

DOT; Commercial Driver's Licenses; Minimum Age

**Description:**

Requires the Department of Transportation to amend its rules, and makes conforming statutory amendments, to lower the minimum age required for a commercial driver's license. Repeals the requirement that a person shall only operate category 3 vehicles to qualify to drive commercially in the State. Repeals the requirement that an application for a commercial driver's license or commercial learner's permit include intrastate driver certification.

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

