

STAND. COM. REP. NO. **259**-24

Honolulu, Hawaii

FEB 12, 2024

RE: H.B. No. 2491
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2491 entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES,"

begs leave to report as follows:

The purpose of this measure is to update the special penalties related to commercial motor vehicle employer and driver out-of-service violations and railroad-highway grade crossing violations to conform with federal regulations.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that in 2022, the Federal Motor Carrier Safety Administration determined that civil penalties for certain violations under chapter 286, part XIII, Hawaii Revised Statutes, relating to commercial driver licensing, are not in compliance with federal regulations. The specific statutes not in compliance are the civil penalties for commercial motor vehicle employers and drivers with out-of-service violations and railroad highway grade crossing violations. Your Committee further finds that, as required each year, the Department of Transportation has upwardly adjusted the civil penalties under the Civil Penalties Inflation Act of 2015.

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After 2022, effective January 6, 2023, the civil penalties for these violations were again upwardly adjusted by Department. This measure will increase safety on the State's roads by ensuring that commercial motor vehicle employers and drivers are compliant with federal regulations.

Your Committee has amended this measure by:

- (1) Amending the civil penalty amounts to more accurately reflect the penalties provided by Appendix B of Title 49 Part 386, Code of Federal Regulations;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2491, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2491, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Transportation



CHRIS TODD, Chair



