



GOV. MSG. NO. 1236

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

July 1, 2024

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 1, 2024, the following bill was signed into law:

HB2491 HD2 SD1

RELATING TO COMMERCIAL DRIVER'S
LICENSES.
ACT 135

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

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. The purpose of this Act is to bring state law
2 penalties for commercial driver's licenses violations in
3 compliance with required federal penalties under the Federal
4 Motor Carrier Safety Regulations, title 49 Code of Federal
5 Regulations part 383.

6 SECTION 2. Section 286-234, Hawaii Revised Statutes, is
7 amended to read as follows:

8 **"§286-234 Employer responsibilities.** (a) Each employer
9 shall require the applicant to provide the information specified
10 in section 286-233.

11 (b) No employer shall knowingly allow, require, permit, or
12 authorize a driver to drive a commercial motor vehicle:

13 (1) During any period in which the driver has a driver's
14 license or permit suspended, revoked, or canceled by a
15 state, has lost the privilege to drive a commercial
16 motor vehicle in a state, or has been disqualified
17 from driving a commercial motor vehicle;



- 1 (2) During any period in which the driver has more than
2 one driver's license;
- 3 (3) During any period in which the driver, or the
4 commercial motor vehicle the driver is driving, or
5 motor carrier operation, is subject to an out-of-
6 service order;
- 7 (4) During any period in which the driver does not have a
8 current commercial learner's permit or commercial
9 driver's license or does not have the proper class,
10 restrictions, and endorsements; or
- 11 (5) In violation of a federal, state, or local law or
12 regulation pertaining to railroad-highway grade
13 crossings.
- 14 (c) Any employer who violates subsection (a) or (b) (1) or
15 (2) shall for a first conviction be fined ~~not~~ no more than
16 \$100; for conviction of a second offense committed within one
17 year after the date of the prior conviction, the employer shall
18 be fined ~~not~~ no more than \$300; and for conviction of a third
19 or subsequent offense committed within two years after the date
20 of the second conviction, the employer shall be fined ~~not~~ no
21 more than \$1,000.



1 (d) Any employer who is convicted of a violation of
2 subsection (b) (3) shall be subject to [~~a fine of not less than~~
3 ~~\$2,750 nor more than \$25,000.~~] a civil penalty of no less than
4 \$6,974 or more than \$38,612.

5 (e) Any employer who is convicted of a violation of
6 subsection (b) (4) shall be subject to a civil penalty of [~~not~~
7 no more than \$10,000.

8 (f) Any employer who is convicted of a violation of
9 subsection (b) (5) shall be subject to a civil penalty of no more
10 than \$20,017."

11 SECTION 3. Section 286-249, Hawaii Revised Statutes, is
12 amended by amending subsection (b) to read as follows:

13 "(b) A driver who is convicted of violating an out-of-
14 service order shall be [~~fined no less than \$2,500 nor more than~~
15 ~~\$4,000 for a first conviction and no less than \$5,000 nor more~~
16 ~~than \$7,500 for a second or subsequent conviction,~~] subject to a
17 civil penalty of no less than \$3,861 for a first conviction and
18 no less than \$7,723 for a second or subsequent conviction, in
19 addition to the driving disqualification of subsection (a) (1)
20 and section 286-240(i) and (j)."

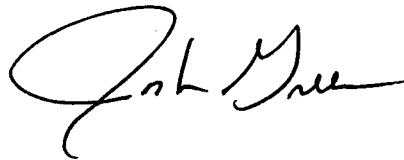


1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.

APPROVED this 1st day of July , 2024



GOVERNOR OF THE STATE OF HAWAII



HB No. 2491, HD 2, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 19, 2024
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki
Speaker
House of Representatives





Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 9, 2024
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-Second Legislature of the State of Hawai‘i, Regular Session of 2024.


President of the Senate


Clerk of the Senate