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# 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 286-239, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) Commercial drivers' licenses may be issued with any  
4 one or more of the following endorsements and restrictions:

5           (1) "H" - Authorizes the driver to drive a vehicle  
6 transporting hazardous materials;

7           (2) "L" - Restricts the driver to vehicles not equipped  
8 with air brakes;

9           (3) "T" - Authorizes driving double and triple trailers;

10           (4) "P" - Authorizes driving vehicles carrying passengers;

11           (5) "N" - Authorizes driving tank vehicles;

12           (6) "Q" - Restricts the driver from operating a commercial  
13 motor vehicle in excess of eighteen thousand pounds  
14 gross vehicle weight rating;

15           (7) "R" - Restricts the driver to operating a commercial  
16 motor vehicle on Lanai and Molokai only;

17           [~~(6)~~] (8) "X" - Represents a combination of hazardous  
18 materials and tank vehicle endorsements;

S.B. NO. 3182

- 1        [~~(7)~~] (9) "S" - Authorizes driving school buses;
- 2        [~~(8)~~] (10) "V" - Indicates there is information about a
- 3                medical variance on the commercial driver's license
- 4                information system driver record;
- 5        [~~(9)~~] (11) "K" - Restricts the driver from operating in
- 6                interstate commerce as defined in title 49 Code of
- 7                Federal Regulations section 390.5;
- 8        [~~(10)~~] (12) "Z" - Restricts the driver to vehicles not
- 9                equipped with full air brakes;
- 10       [~~(11)~~] (13) "E" - Restricts the driver to vehicles not
- 11                equipped with any manual transmission;
- 12       [~~(12)~~] (14) "O" - Restricts the driver to non-tractor
- 13                trailer commercial motor vehicles;
- 14       [~~(13)~~] (15) "M" - Restricts the driver from operating a
- 15                class A passenger vehicle; and
- 16       [~~(14)~~] (16) "N" - Restricts the driver from operating a
- 17                class A and B passenger vehicle."

18        SECTION 2. If any provision of this Act, or the

19        application thereof to any person or circumstance, is held

20        invalid, the invalidity does not affect other provisions or

21        applications of the Act that can be given effect without the

22        invalid provision or application, and to this end the provisions

S.B. NO. 3182

1 of this Act are severable.

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

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

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INTRODUCED BY: *M. N. M.*

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BY REQUEST

# S.B. NO. 3182

**Report Title:**

Commercial Driver's License; Restrictions

**Description:**

Creates two new commercial driver's license (CDL) restrictions. The "R" restriction is for drivers who pass the skills test on Lanai or Molokai and are limited to operate commercial motor vehicles (CMV) on those islands only. The "Q" restriction is for CDL holders who pass the skills test with a CMV that is 18,000 pounds or less gross vehicle weight rating (GVWR).

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

# SB. NO. 3182

## JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES.

PURPOSE: To create two new commercial driver's license (CDL) restrictions. The "R" restriction is for drivers who pass the skills test on Lanai or Molokai and are limited to operate commercial motor vehicles (CMV) on those islands only. The "Q" restriction is for CDL holders who pass the skills test with a CMV that is 18,000 pounds or less gross vehicle weight rating (GVWR).

MEANS: Amend section 286-239(b), Hawaii Revised Statutes.

JUSTIFICATION: There is a need to issue the proposed R restricted commercial driver's licenses for those who pass a limited skills test on Lanai or Molokai. The Federal Motor Carrier Safety Association (FMCSA) has determined that the CDL road tests offered on Lanai and Molokai do not meet federal standards. Due to the lack of highway infrastructure, applicants cannot demonstrate specific on-road driving skills, including the ability to choose a safe gap for changing lanes, passing other vehicles, and crossing or entering traffic and the ability to signal appropriately when changing direction in traffic. The State has submitted to the FMCSA our application for exemption with comments due on September 25, 2023.

The "Q" restriction is needed as there are instances where CDL Class "C" applicants are completing the skills test in a CMV that is 18,000 pounds or less GVWR with hazmat and/or passenger endorsements. This restriction will limit these drivers to operate a vehicle comparable to what they completed the skills test with and prohibit them from operating a CMV over 18,000 GVWR.

The Driver Licensing offices are currently using the "I" restriction, limited other category, but want a separate designation for these license holders to avoid confusion.

Impact on the public: The bill would provide an option for those to take the CDL road test on Lanai or Molokai. Without this option, these applicants would have to take the test on Maui. Adding the "Q" restriction will have no impact on the public.

Impact on the department and other agencies: The bill if enacted could provide commercial driver licensing testing on Lanai and Molokai. Adding the "Q" restriction will provide clarity for the counties.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: TRN 597

OTHER AFFECTED  
AGENCIES: Counties' Department of Finance, Commercial Driver's License Section.

EFFECTIVE DATE: Upon approval.