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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. The legislature finds that, effective  
2 February 7, 2022, the Federal Motor Carrier Safety  
3 Administration is requiring states to comply with federal  
4 regulations mandating entry-level driver training for certain  
5 first-time commercial driver's license applicants. Existing  
6 state law should be modified to conform to this requirement, as  
7 failure to comply will result in the following penalties: the  
8 first year the State fails to comply would result in the  
9 withholding of four per cent of the federal funds required to be  
10 apportioned to Hawaii under the federal Highway Trust Fund; and  
11 the second and subsequent years the State is out of compliance  
12 would result in an eight per cent penalty. Consequently, the  
13 dollar amounts that would be withheld, respectively, are  
14 \$6,185,220 and \$12,370,440 for failure to comply.

15           Accordingly, the purpose of this Act is to amend existing  
16 state law to comply with federal regulations regarding special



1 entry-level training requirements for certain first-time  
2 commercial driver's license applicants.

3 SECTION 2. Section 286-236, Hawaii Revised Statutes, is  
4 amended as follows:

5 1. By amending subsection (e) to read:

6 "(e) The commercial learner's permit shall not be valid  
7 for a period in excess of one hundred eighty days[-]:

8 (1) From the date that the applicant passes the general  
9 and all required endorsement knowledge tests; or

10 (2) If the applicant is not required to take a knowledge  
11 test, from the date that the permit is issued.

12 When driving a commercial motor vehicle, the holder of a  
13 commercial learner's permit shall be accompanied by a person  
14 with a valid commercial driver's license to operate that  
15 category of commercial motor vehicle with the proper  
16 endorsements. The licensed person shall occupy the seat beside  
17 the individual for the purpose of giving instruction in driving  
18 the commercial motor vehicle. The commercial learner's permit  
19 may be renewed no more than an additional one hundred eighty  
20 days without requiring the commercial learner's permit holder to  
21 retake the general or endorsement knowledge tests, and the



1 applicant requalifies meeting the requirements of subsection  
2 (d). The commercial learner's permit holder is eligible to take  
3 the commercial driver's license skills test no earlier than  
4 fourteen days after obtaining the permit."

5 2. By amending subsection (g) to read:

6 "(g) Every applicant shall successfully complete the  
7 commercial driver's license general knowledge test before being  
8 issued a commercial learner's permit. A driver holding a valid  
9 commercial driver's license who seeks an upgrade for which a  
10 skills test is required shall also pass the appropriate  
11 knowledge test prior to obtaining a commercial learner's  
12 permit[-]; provided that, beginning February 7, 2022, except for  
13 a driver holding a valid commercial learner's permit or  
14 commercial driver's license that was obtained prior to  
15 February 7, 2022, every applicant shall:

16 (1) Complete the entry-level driver training requirements  
17 as specified in title 49 Code of Federal Regulations  
18 part 380, subpart F; and

19 (2) Be verified with the Federal Motor Carrier Safety  
20 Administration Training Provider Registry;



1 provided further that the applicant shall complete the  
2 requirements in paragraphs (1) and (2) prior to taking the  
3 skills test for a class A or class B commercial driver's  
4 license, passenger endorsement, or school bus endorsement, and  
5 prior to taking the knowledge test for a hazardous materials  
6 endorsement."

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

9 SECTION 4. This Act shall take effect on January 1, 2050.



**Report Title:**

Transportation; Commercial Driver's License; Entry-level Requirements

**Description:**

Adds a requirement for certain commercial driver's license applicants to complete an entry-level driver training course before taking a skills test for licensure. Exempts applicants holding a valid commercial learner's permit or commercial driver's license obtained prior to February 7, 2022. Effective 1/1/2050. (SD2)

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

