

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 1093  
H.D. 1  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Transportation and International Affairs,  
to which was referred H.B. No. 1093, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify the  
commercial driver licensing law with respect to alcohol  
concentration level of an individual driving a commercial vehicle.

Your Committee received testimony in support of this measure  
from the Department of Transportation, Honolulu Police Department,  
and Hawaii Transportation Association.

This measure amends the definition of "driving a commercial  
motor vehicle while under the influence of an intoxicant" to  
include driving a commercial motor vehicle while the person's  
alcohol concentration is 0.04 or more grams of alcohol per two  
hundred ten liters of breath or 0.04 or more grams of alcohol per  
one hundred milliliters or cubic centimeters of blood, and makes  
conforming amendments to appropriate statutory provisions.

Your Committee finds that this measure conforms the wording  
of Hawaii's law to that of the federal regulations relating to  
commercial driver licensing, and to the statute relating to  
driving while under the influence of an intoxicant except for the  
alcohol percent content threshold, which remains at 0.04 grams.



Your Committee has amended this measure by changing the effective date to upon approval.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1093, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1093, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation and  
International Affairs,



J. KALANI ENGLISH, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Transportation and International Affairs**  
**TIA**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1093, HD1	TIA, JDL	3/21/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
ESPERO, Will (VC)	✓			
DELA CRUZ, Donovan M.	✓			
GABBARD, Mike	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>6</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Will Espero</i>				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy				

\*Only one measure per Record of Votes