

STAND. COM. REP. NO.

875

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 1094
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 Committees on Commerce and Consumer Protection and Transportation and International Affairs, to which was referred H.B. No. 1094, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to amend the licensing process and medical requirements for commercial driver's licensing to comply with the Federal Motor Carrier Safety Regulations.

Your Committees received testimony in support of this measure from the Hawaii Transportation Association.

Your Committees find that the amendments to existing state law proposed by this measure are necessary to comply with the requirements of the Federal Motor Carrier Safety Regulations. Specifically, your Committees find that this measure will allow the examiner of drivers to withhold the authority to operate under a commercial driver's license from individuals who do not meet the medical criteria required to ensure safe operation of a commercial motor vehicle. Your Committees note that failure to make the amendments to existing law proposed by this measure will result in noncompliance with controlling federal regulations and will subject the State to significant penalties in the form of the withholding of federal funds each year that the State remains out of compliance.



Your Committees have amended this measure by:

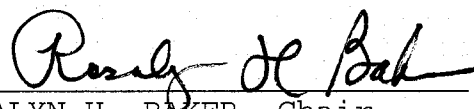
- (1) Inserting an effective date of July 1, 2011; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Transportation and International Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1094, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1094, 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
Committees on Commerce and
Consumer Protection and
Transportation and
International Affairs,



J. KALANI ENGLISH, Chair




ROSALYN H. BAKER, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i


Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1094, HD1	CPN/TIA, JDL	3/22/2011		
<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
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam	✓			
TOTAL	7	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

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 1094, HD1	CPN/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	✓			
TOTAL	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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