

STAND. COM. REP. NO.

543

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 1216  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 1216 entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES,"

begs leave to report as follows:

The purpose and intent of this measure is to amend section 286-236, Hawaii Revised Statutes, to comply with title 49, Code of Federal Regulations, part 380 subpart F, which requires entry level driver training for certain applicants for a commercial driver's license or endorsement.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawaii Transportation Association. Your Committee received comments on this measure from one individual.

Your Committee finds that effective February 7, 2022, the Federal Motor Carrier Safety Administration (FMCSA) will require states to comply with federal entry-level driver training regulations for certain first-time commercial driver license applicants. Failure to comply with the federal mandate could result in millions of dollars being withheld from the State. This measure will amend the state statutes to comply with the federal requirements.



Your Committee recognizes the testimony of the Department of Transportation, noting that several housekeeping amendments are needed in order to clarify the measure.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a grandfather provision allowed by the FMCSA that exempts the holder of a valid commercial learner's permit or commercial driver's license that was obtained prior to February 7, 2022, from the entry-level driver training requirements;
- (2) Clarifying that the validity period of a commercial learner's permit begins on the date that the driver passes the general knowledge test or any required endorsement knowledge test, or from the date the permit is issued if a knowledge test is not required;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1216, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1216, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,



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CHRIS LEE, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Transportation**  
**TRS**

Bill / Resolution No.:* <i>SB 1216</i>	Committee Referral: <i>TRS, CPN/WAM</i>	Date: <i>2/18/2021</i>
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:  
 Pass, unamended 2312    
 Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUE, Lorraine R. (VC)	✓			
ENGLISH, J. Kalani	✓			
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<i>5</i>			

Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature:  
*Lorraine R. Inoue*

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\*Only one measure per Record of Votes