
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 requiring entry level driver training for certain
5 first-time commercial driver license applicants. Failure to
6 comply will result in a penalty. The first year the State fails
7 to comply will result in the withholding of four per cent of
8 funds required to be apportioned to Hawaii under title 23 United
9 States Code section 104(b)(1) and (2). The second and
10 subsequent years the State is out of compliance will result in
11 an eight per cent penalty. The dollar amounts that will be
12 withheld respectively are \$6,185,220 and \$12,370,440.

13 Accordingly, the purpose of this Act is to:

14 (1) Clarify the validity period of a commercial learner's
15 permit; and

16 (2) Bring the State into compliance with federal
17 regulations by requiring certain commercial driver's



1 license applicants to complete an entry-level driver
2 training course before taking other required tests for
3 licensure.

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

6 1. By amending subsections (d) and (e) to read:

7 "(d) A commercial learner's permit may be issued to an
8 individual who holds a valid driver's license, is at least
9 eighteen years of age, meets the qualification standards of
10 title 49 Code of Federal Regulations[7] part 391, subparts B
11 and E, and has passed the written tests required for the desired
12 class of a commercial driver's license.

13 (e) The commercial learner's permit shall not be valid for
14 a period in excess of one hundred eighty days[7] from the date
15 that the applicant passes the general and all required
16 endorsement knowledge tests, or if the applicant is not required
17 to take a knowledge test, the period shall start when the permit
18 is issued. When driving a commercial motor vehicle, the holder
19 of a commercial learner's permit shall be accompanied by a
20 person with a valid commercial driver's license to operate that
21 category of commercial motor vehicle with the proper



1 endorsements. The licensed person shall occupy the seat beside
2 the individual for the purpose of giving instruction in driving
3 the commercial motor vehicle. The commercial learner's permit
4 may be renewed no more than an additional one hundred eighty
5 days without requiring the commercial learner's permit holder to
6 retake the general or endorsement knowledge tests, and the
7 applicant requalifies meeting the requirements of
8 subsection (d). The commercial learner's permit holder is
9 eligible to take the commercial driver's license skills test no
10 earlier than fourteen days after obtaining the permit."

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

12 "(g) Every applicant shall successfully complete the
13 commercial driver's license general knowledge test before being
14 issued a commercial learner's permit. A driver holding a valid
15 commercial driver's license who seeks an upgrade for which a
16 skills test is required shall also pass the appropriate
17 knowledge test prior to obtaining a commercial learner's permit.
18 As of February 7, 2022, except for a driver holding a valid
19 commercial learner's permit or commercial driver's license that
20 was obtained before February 7, 2022, every applicant shall
21 complete the entry-level driver training requirements as



1 specified in title 49 Code of Federal Regulations part 380,
2 subpart F, and be verified with the Federal Motor Carrier Safety
3 Administration Training Provider Registry prior to taking the
4 skills test for class A or class B commercial driver's license,
5 passenger endorsement, or school bus endorsement, and prior to
6 taking the knowledge test for a hazardous materials
7 endorsement."

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

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



Report Title:

Transportation; Commercial Driver's License; Commercial
Learner's Permit; Entry-Level Driver Training Course

Description:

Clarifies the validity period for a commercial learner's permit.
Adds a requirement for certain commercial driver's license
applicants to complete an entry-level driver training course
before taking other required tests for licensure. Effective
1/1/2050. (HD1)

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not legislation or evidence of legislative intent.*

