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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. 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 the Highway  
9 Trust Fund, title 23 United States Code section 104(b)(1) and  
10 (2). The second and subsequent years the State is out of  
11 compliance will result in an eight per cent penalty. The dollar  
12 amounts that will be withheld respectively are \$6,185,220 and  
13 \$12,370,440 if the State does not comply.

14           Accordingly, the purpose of this Act is to:

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



1           (2) Bring the State into compliance with federal  
2           regulations by requiring certain commercial driver's  
3           license applicants to complete an entry-level driver  
4           training course before taking other certain required  
5           tests for licensure.

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

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

9           "(e) The commercial learner's permit shall not be valid  
10 for a period in excess of one hundred eighty days[-] from the  
11 date that the applicant passes the general and all required  
12 endorsement knowledge tests; provided that, if the applicant is  
13 not required to take a knowledge test, the period shall start  
14 when the permit is issued. When driving a commercial motor  
15 vehicle, the holder of a commercial learner's permit shall be  
16 accompanied by a person with a valid commercial driver's license  
17 to operate that category of commercial motor vehicle with the  
18 proper endorsements. The licensed person shall occupy the seat  
19 beside the individual for the purpose of giving instruction in  
20 driving the commercial motor vehicle. The commercial learner's  
21 permit may be renewed no more than an additional one hundred



1 eighty days without requiring the commercial learner's permit  
2 holder to retake the general or endorsement knowledge tests, and  
3 the applicant requalifies meeting the requirements of  
4 subsection (d). The commercial learner's permit holder is  
5 eligible to take the commercial driver's license skills test no  
6 earlier than fourteen days after obtaining the permit."

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

8 "(g) Every applicant shall successfully complete the  
9 commercial driver's license general knowledge test before being  
10 issued a commercial learner's permit. A driver holding a valid  
11 commercial driver's license who seeks an upgrade for which a  
12 skills test is required shall also pass the appropriate  
13 knowledge test [~~prior to~~] before obtaining a commercial  
14 learner's permit. Beginning February 7, 2022, except for a  
15 driver holding a valid commercial learner's permit or commercial  
16 driver's license that was obtained before February 7, 2022,  
17 every applicant shall complete the entry-level driver training  
18 requirements as specified in title 49 Code of Federal  
19 Regulations part 380, subpart F, and be verified with the  
20 Federal Motor Carrier Safety Administration Training Provider  
21 Registry before taking the skills test for a class A or class B



1 commercial driver's license, passenger endorsement, or school  
2 bus endorsement, and before taking the knowledge test for a  
3 hazardous materials endorsement."

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.



**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. (SD2)

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