

CDL DISQUALIFYING OFFENSES & DISQUALIFICATION PERIODS

MAJOR OFFENSES (HRS 286-240)

1. Driving a motor vehicle while under the influence of alcohol, as prescribed by state law.
2. Driving a motor vehicle while under the influence of a controlled substance.
3. Driving a commercial motor vehicle while the person's blood alcohol concentration is 0.04% or more.
4. Refusing to take an alcohol or drug test as required by a State or jurisdiction under its implied consent laws or regulations.
5. Leaving the scene of an accident (driving a motor vehicle).
6. A felony involving the use of a motor vehicle, other than "use of a motor vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance".
7. Driving a commercial motor vehicle when as a result of prior violations committed operating a CMV, the driver's CDL is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV.
8. Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle and negligent homicide.
9. Use of a motor vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance.

Penalties for convictions of Major Offenses (HRS 286-240)

Numbers 1-8 above

1st major offense

And the vehicle was not transporting hazardous materials required to be placarded: 1 year disqualification

And the vehicle was transporting hazardous materials required to be placarded: 3 years disqualification

*2nd and separate incident of any major offense
Life time disqualification*

*Incident after reinstatement
Life time disqualification not eligible for reinstatement*

Number 9 above

Life time disqualification, not eligible for 10 year reinstatement

SERIOUS TRAFFIC VIOLATIONS (HRS 286-231)

1. Speeds excessively, involving any speed of 15 mph or more above the posted speed limit.
2. Drives recklessly, as defined by State or local law or regulation, including but not limited to offenses of driving a motor vehicle in willful or wanton disregard for the safety of persons or property.
3. Makes improper or erratic traffic lane changes.
4. Follows the vehicle ahead too closely.
5. Violates State or local law relating to motor vehicle traffic control arising in connection with a fatal accident.
6. Driving a CMV without obtaining a CDL.
7. Driving a CMV without a current CDL in the driver's possession.
8. Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported.

Penalties for convictions of Serious Offenses (HRS 286-240)

1st conviction

No disqualification

2nd conviction of a separate incident of an offense in this table during a 3-year period

60 days disqualification

*3rd or subsequent conviction of any offense in this table in a separate incident during a 3-year period
120 days disqualification*

RAILROAD-HIGHWAY GRADE CROSSING OFFENSES (HRS 286-240)

The driver operates a commercial motor vehicle in violation of a federal, state or local law and:

1. The driver is not required to always stop, but fails to slow down and check that tracks are clear of an approaching train.
2. The driver is not required to always stop, but fails to stop before reaching the crossing, if the tracks are not clear.
3. The driver is always required to stop, but fails to stop before driving onto the crossing.

