
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 589 Reengrossed

2024 Regular Session

Galle

Abstract: Prohibits the issuance of a commercial driver's license or learner's permit if the applicant is not cleared through the Federal Motor Carrier Safety Administration, Drug, and Alcohol Clearinghouse.

Present law requires the department to initiate and complete a check of the applicant's driving record to ensure that the person is not subject to any disqualifications, suspensions, revocations, or cancellations and that the driver does not have a driver's license from more than one state.

Present law requires, that beginning on or after Jan. 6, 2023, a check with the Federal Motor Carrier Safety Administration, Drug and Alcohol Clearinghouse, on all applicants for the transfer, issuance, renewal, or upgrade of a commercial driver's license.

Proposed law changes the date in present law from on or after Jan. 6, 2023 to Nov. 18, 2024. Additionally, specifies that a check required in present law is on all applications for the transfer, issuance, renewal, or upgrade of a commercial driver's license or a commercial learner's permit.

Proposed law specifies that if the department receives notification that the applicant is prohibited from operating a commercial motor, the department cannot issue, renew, upgrade, or transfer a commercial learner's permit. Further specifies in the event the department receives such notification from the Drug and Alcohol Clearinghouse separate from any applicant made pursuant to proposed law the department must downgrade or disqualify the commercial driver's license or learner's permit in the same manner as provided for the suspension, revocation, or denial of driver's license as provided in present law.

Proposed law specifies that the inadvertent issuance of a commercial driver's license or learner's permit to an applicant will not be considered a breach of duty on the part of the department to the public or the individual.

(Amends R.S. 32:409.1(A)(6)(d))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Change the date in present law from "January 6, 2025" to "November 18, 2024".

2. Change the reference in present law from all "applicants" to "applications" for the transfer, issuance, renewal, or upgrade of a commercial's driver's license.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.