# 2024 Regular Session

#### HOUSE BILL NO. 589

#### BY REPRESENTATIVE GALLE

| 1  | AN ACT  |
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| 2  | To amend and reenact R.S. 32:409.1(A)(6)(d), relative to a commercial learner's permit or |
| 3  | driver's license; to provide for the denial of issuance, renewal, upgrade, or transfer    |
| 4  | of a permit or license if not cleared through a certain federal clearinghouse; to         |
| 5  | provide an effective date; and to provide for related matters.                            |
| 6  | Be it enacted by the Legislature of Louisiana:  |
| 7  | Section 1. R.S. 32:409.1(A)(6)(d) is hereby amended and reenacted to read as              |
| 8  | follows:  |
| 9  | §409.1. Application or special certificate applications; penalties for false              |
| 10 | information   |
| 11 | А.  |
| 12 | * * *   |
| 13 | (6) The department shall initiate and complete a check of the applicant's                 |
| 14 | driving record to ensure that the person is not subject to any disqualifications,         |
| 15 | suspensions, revocations, or cancellations and that the driver does not have a driver's   |
| 16 | license from more than one state. The record check for a commercial driver's license      |
| 17 | shall include:  |
| 18 | * * *   |
| 19 | (d) Beginning on or after January 6, 2023 November 18, 2024, a check with                 |
| 20 | the Federal Motor Carrier Safety Administration, Drug and Alcohol Clearinghouse,          |
| 21 | on all applicants applications for the transfer, issuance, renewal, or upgrade of a       |
| 22 | commercial driver's license or a commercial learner's permit. If the department           |
| 23 | receives notification that the applicant is prohibited from operating a commercial        |
| 24 | motor vehicle, the department shall not issue, renew, upgrade, or transfer a              |
| 23 | receives notification that the applicant is prohibited from operating a comme             |

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

| 1 | commercial learner's permit. In the event the department receives such notification    |
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| 2 | from the Drug and Alcohol Clearinghouse separate from any applicant made               |
| 3 | pursuant to this Paragraph, the department shall downgrade or disqualify the           |
| 4 | commercial driver's license or learner's permit in accordance with the suspension,     |
| 5 | revocation, or denial of a driver's license as provided in R.S. 32:414. An inadvertent |
| 6 | issuance of a commercial driver's license or learner's permit to such an applicant     |
| 7 | shall not be considered a breach of duty on the part of the department to the public   |
| 8 | or the individual.   |
| 9 | * * *  |

## SPEAKER OF THE HOUSE OF REPRESENTATIVES

### PRESIDENT OF THE SENATE

### GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

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