

Existing law provides any person shall be disqualified for life from operating a commercial motor vehicle upon conviction of a second offense of operating under the influence of alcohol, operating with an alcohol concentration of 0.08% or more, or operating while under the influence of a controlled substance while operating a commercial motor vehicle or noncommercial motor vehicle by a commercial driver's license holder.

New law modifies existing law by specifying its applicability is to a second reported submission to a chemical test in connection with an arrest for said offenses.

New law modifies existing law by changing the disqualification for life upon the second reported submission to a chemical test in connection with a traffic stop where the driver was found to have been operating a vehicle under the influence of alcohol.

New law provides that a disqualification for which a timely administrative hearing request has not been received or a disqualification which has been affirmed after an administrative hearing shall be considered a conviction for purposes of compliance with federal motor carrier rules.

Existing law provides that a person shall be disqualified for life from operating a commercial motor vehicle upon conviction of a second offense of driving under the influence of alcohol with an alcohol concentration of at least 0.04% but under an alcohol concentration of 0.08% while operating a commercial vehicle.

New law modifies existing law by changing the disqualification for life upon conviction of a second offense, instead to a second reported submission to a chemical test by a commercial driver's license holder in connection with an investigation. New law provides that such a disqualification for which a timely administrative hearing request has not been received or a disqualification which has been affirmed after an administrative hearing shall be considered a conviction for purposes of compliance with federal motor carrier rules.

New law provides for disqualification of a person for life from operating a commercial motor vehicle for a second reported conviction of operating under the influence of alcohol, or operating while under the influence of a controlled substance while operating a commercial motor vehicle or noncommercial motor vehicle by a commercial driver's license holder.

Existing law provides that a person shall be disqualified from operating a commercial motor vehicle for a minimum period of one year upon the first conviction of a commercial driver's license holder, while operating a commercial or noncommercial motor vehicle, of operating under the influence of alcohol, operating with an alcohol concentration of 0.08% or more, or operating under the influence of a controlled dangerous substance.

New law modifies existing law by changing the disqualification from operating a commercial motor vehicle for a minimum period of one year upon first conviction, instead to a first reported submission to a chemical test in connection with an arrest and provides that such disqualification for which a timely administrative hearing request has not been received, or a disqualification which has been affirmed after an administrative hearing, shall be considered a conviction for purposes of compliance with federal motor carrier rules.

Existing law provides that a person shall be disqualified from operating a commercial motor vehicle for a minimum period of one year upon the first conviction of a commercial driver's license holder while operating a commercial motor vehicle under the influence of alcohol with an alcohol concentration of at least 0.04% but under an alcohol concentration of 0.08%.

New law modifies existing law by changing the disqualification from operating a commercial motor vehicle for a minimum period of one year upon first conviction, instead upon first reported submission to a chemical test in connection with an investigation and provides that such disqualification for which a timely administrative hearing request has not been received, or a disqualification which has been affirmed after an administrative hearing, shall be considered a conviction for purposes of compliance with federal motor carrier rules.

New law provides for disqualification of a person from operating a commercial motor vehicle for a minimum period of one year for a first reported conviction of a commercial

driver's license holder, while operating a commercial motor vehicle or a noncommercial motor vehicle, of operating under the influence of a controlled dangerous substance.

Effective August 1, 2013.

(Amends R.S. 32:414.2(A)(2)(c) and (4)(intro.para.) and (a))