

2021 Regular Session

HOUSE BILL NO. 221

BY REPRESENTATIVE PIERRE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MTR VEHICLE/COMMERCIAL: Provides relative to certain commercial driver's license applicants

1 AN ACT

2 To enact R.S. 32:409.1(A)(6)(d) and (e), relative to certain commercial driver's license
3 applicants; to require a record check prior to issuing certain commercial driver's
4 licenses; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:409.1(A)(6)(d) and (e) are hereby enacted to read as follows:

7 §409.1. Application or special certificate applications; penalties for false
8 information

9 A.

10 * * *

11 (6) The department shall initiate and complete a check of the applicant's
12 driving record to ensure that the person is not subject to any disqualifications,
13 suspensions, revocations, or cancellations and that the driver does not have a driver's
14 license from more than one state. The record check for a commercial driver's license
15 shall include:

16 * * *

17 (d) Beginning on or after January 6, 2023, a check with the Federal Motor
18 Carrier Safety Administration, Drug and Alcohol Clearinghouse, on all applicants
19 for the transfer, issuance, renewal, or upgrade of a commercial driver's license.

1 (e) Beginning on or after February 7, 2022, a check with the Federal Motor
2 Carrier Safety Administration, Training Provider Registry to determine compliance
3 with training standards in the following instances:

4 (i) Before issuing a skills test.

5 (ii) On initial commercial driver's license issuance.

6 (iii) On any commercial driver's license class upgrade.

7 (iv) On any issuance of a passenger, school bus, or hazardous materials
8 endorsement.

9 * * *

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 221 Reengrossed

2021 Regular Session

Pierre

Abstract: Requires a record check of certain commercial driver's license applicants.

Present law requires the Dept. of Public Safety and Corrections (DPS&C) to initiate and complete a review of the applicant's driving record to check for any disqualifications, suspensions, revocations, or cancellations and that the driver is not licensed in more than one state.

Present law requires the record review of the commercial driver's license (CDL) to include:

- (1) A check of the applicant's driving record maintained by his current state licensure and a check of any state where the applicant was licensed to operate any motor vehicle in the last 10 years.
- (2) A check with the Commercial Driver's License Information System to determine whether the applicant has a CDL and whether the CDL has been suspended, revoked, or canceled, or if the applicant has been disqualified from operating a commercial motor vehicle.
- (3) A check with the National Driver Register, if determined to be operational by the Federal Highway Administrator, to determine if the applicant has been disqualified from operating a motor vehicle, has had a license other than a CDL suspended, revoked, or canceled for cause in the three years preceding the date of application, or has been convicted of any federal offenses.

Present law authorizes the DPS&C to perform similar record checks for all applicants of a Class "D" chauffeur's license or a Class "E" personal vehicle license. Prohibits the DPS&C from issuing a driver's license to an applicant who is disqualified from operating a motor vehicle, whose driver's license has been suspended, revoked, or canceled, or who has lost driving privileges in another state or jurisdiction.

Proposed law retains present law and requires, beginning on or after Jan. 6, 2023, the record review of a CDL to include the Federal Motor Carrier Safety Administration, Drug and Alcohol Clearinghouse, on all applicants for the transfer, issuance, renewal, or upgrade of a CDL.

Proposed law retains present law and requires, beginning on or after Feb. 7, 2022, the record review of a CDL to include the Federal Motor Carrier Safety Administration, Training Provider Registry to determine training compliance before issuing a skills test, on initial CDL issuance, on any CDL class upgrade, and on any issuance of a passenger, school bus, or hazardous materials endorsement.

(Adds R.S. 32:409.1(A)(6)(d) and (e))

The House Floor Amendments to the engrossed bill:

1. Make a technical change.