

Regular Session, 2014

HOUSE RESOLUTION NO. 79

BY REPRESENTATIVE JEFFERSON

MTR VEHICLE/COMMERCIAL: Urges and requests the office of motor vehicles to simplify and clarify the process for the holder of a commercial driver's license to have their license reinstated

1 A RESOLUTION

2 To urge and request the office of motor vehicles to simplify and clarify the process for the  
3 holder of a commercial driver's license to have their license reinstated.

4 WHEREAS, the reinstatement process for a holder of a commercial driver's license  
5 following a disqualification related to driving while intoxicated (DWI) charge is currently  
6 a convoluted and confusing process for many citizens; and

7 WHEREAS, both federal law and state law, R.S. 32:414.2, provide that the holder  
8 of a commercial driver's license shall be disqualified from operating a commercial motor  
9 vehicle for a period of one year following a DWI related offense, including all of the  
10 following: a first reported submission to a chemical test in connection with an arrest while  
11 operating a commercial motor vehicle or a noncommercial motor vehicle, operating under  
12 the influence of alcohol, or operating with an alcohol concentration of 0.08 percent or more;  
13 and

14 WHEREAS, after the one-year disqualification is over, there is no clear process for  
15 the commercial driver's license holder to have their license reinstated; and

16 WHEREAS, holders of commercial drivers' licenses are held to much higher  
17 standards than the general public as evidenced by the tougher laws that apply, including a  
18 disqualified license; and

1           WHEREAS, many of the commercial drivers who have had their license disqualified  
2 simply want to get back on the road as soon as possible so they can continue to make a living  
3 and support themselves and their families; and

4           WHEREAS, without a concise and easily understood process for the reinstatement  
5 of their license, holders of commercial drivers' licenses are forced to turn to other avenues  
6 so that they may earn an income; and

7           WHEREAS, as holders of commercial drivers' licenses are held to higher standards,  
8 and their inability to get back on the road and earn an honest living leads to many societal  
9 and economic problems, the simplification and clarification of the reinstatement process for  
10 their licenses would be welcomed by stakeholders and affected groups across the board.

11           THEREFORE, BE IT RESOLVED that the House of Representatives of the  
12 Legislature of Louisiana does hereby urge and request the office of motor vehicles to study  
13 the current process for the holder of a commercial driver's license to have their license  
14 reinstated following a one-year disqualification related to a first-time offense DWI, to report  
15 their findings to the Louisiana House of Representatives at least thirty days prior to the  
16 convening of the 2015 Regular Session of the Legislature of Louisiana, and to make the  
17 findings easily visible and accessible to all commercial drivers' license holders.

18           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
19 secretary of the Department of Public Safety and Corrections and the executive director of  
20 the office of motor vehicles.

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#### 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)]

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Jefferson

HR No. 79

Urges and requests the office of motor vehicles to study the current process for the holder of a commercial driver's license to have their license reinstated following a one-year disqualification related to a first-time offense DWI.