

2016 Regular Session

HOUSE BILL NO. 685

BY REPRESENTATIVE WHITE

MTR VEHICLE/OFFICE: Requires certain test results to be submitted to OMV electronically

1 AN ACT

2 To amend and reenact R.S. 32:408(B)(2)(a)(ii) and to enact R.S. 32:408(B)(8), relative to
3 test results submitted to the office of motor vehicles; to provide for the electronic
4 submission of the driving skills test to the office of motor vehicles; to remove a
5 requirement identifying the vehicle used in the driving skills test; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:408(B)(2)(a)(ii) is hereby amended and reenacted and R.S.
9 32:408(B)(8) is enacted to read as follows:

10 §408. Examination of applicants required; classes of licenses

11 * * *

12 B.

13 * * *

14 (2) A commercial driver's license shall be required when a vehicle is used
15 in commerce as defined in this Chapter, and is a commercial motor vehicle as
16 defined in this Chapter. A farmer shall not need a commercial driver's license when
17 operating a motor vehicle as provided for in Subparagraph (e) of this Paragraph. The
18 department may elect to or, if required by the Federal Highway Administration, shall

1 change the weight and passenger limits expressed herein to conform to regulations
 2 by the Federal Highway Administration. The department shall do so by regulations
 3 promulgated in accordance with the Administrative Procedure Act subject to
 4 oversight by the Joint Legislative Committee on Transportation, Highways and
 5 Public Works. A commercial learner's permit issued to an individual of this state or
 6 another jurisdiction, in accordance with rules and regulations of the Federal Motor
 7 Carrier Administration, when carried with a valid driver's license issued by the same
 8 state or jurisdiction, authorizes the permittee to operate a class of commercial motor
 9 vehicle when accompanied by a holder of a valid commercial driver's license for
 10 purposes of behind-the-wheel training. When issued to the holder of a commercial
 11 driver's license, a commercial learner's permit serves as authorization to take part in
 12 behind-the-wheel training in a commercial motor vehicle for which the driver is not
 13 licensed to drive. The different classes of drivers' licenses to be issued shall be as
 14 follows:

15 (a)

16 * * *

17 (ii) Restriction. An individual who takes a skills test for a Class "A"
 18 Commercial Driver's License in a motor vehicle other than a tractor-trailer
 19 combination, sometimes referred to as an "eighteen wheeler", shall be issued a
 20 license with a restriction prohibiting the operation of a tractor-trailer combination.
 21 This restriction shall be lifted only if the individual successfully completes a skills
 22 test in a tractor-trailer combination. ~~In all cases, the party completing the skills test~~
 23 ~~certificate shall fully describe on the face of the certificate the vehicle in which the~~
 24 ~~skills test was administered.~~ For purposes of this Item, a power unit with a gross
 25 vehicle weight rating of less than twenty-six thousand one pounds shall not qualify
 26 as the tractor portion of a tractor-trailer combination. An individual who takes a
 27 skills test for a Class "A" commercial driver's license in a motor vehicle with the
 28 power unit and towed unit connected with a pintel hook or other non-fifth wheel
 29 connection, shall be issued a license with a restriction prohibiting the operation of

1 a tractor-trailer combination connected by a fifth wheel that requires a Class "A"
2 commercial driver's license.

3 * * *

4 (8) Results of skills tests of applicants for Class "A", "B", or "C" driver's
5 licenses shall be submitted to the department electronically. The department may
6 promulgate rules in accordance with the Administrative Procedure Act to implement
7 the requirement set forth in this Paragraph.

8 * * *

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 685 Reengrossed

2016 Regular Session

White

Abstract: Requires results of skills tests of applicants for certain classes of licenses to submitted to the department electronically rather than by certificate.

Present law requires results of skills test certificates for certain classes of driver's licenses to be submitted to the Dept. of Public Safety and Corrections.

Proposed law removes present law and instead requires results of skills tests of applicants for Class "A", "B", or "C" driver's licenses to be submitted to the Dept. of Public Safety and Corrections electronically.

Proposed law authorizes the department to promulgate rules in accordance with the Administrative Procedure Act to implement proposed law.

(Amends R.S. 32:408(B)(2)(a)(ii); Adds R.S. 32:408(B)(8))

Summary of Amendments Adopted by House

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

1. Require results of only skills tests for applicants for Class "A", "B", or "C" driver's licenses be submitted to the Dept. of Public Safety and Corrections electronically.
2. Authorize the Dept. of Public Safety and Corrections to promulgate rules in accordance with the Administrative Procedure Act to implement proposed law.