

SENATE BILL REPORT

SHB 2532

As Reported By Senate Committee On:
Highways & Transportation, March 1, 2004

Title: An act relating to commercial driver's licenses.

Brief Description: Modifying commercial driver's license provisions.

Sponsors: House Committee on Transportation (originally sponsored by Representative G. Simpson; by request of Department of Licensing).

Brief History:

Committee Activity: Highways & Transportation: 2/24/04, 3/1/04 [DP, DNP].

SENATE COMMITTEE ON HIGHWAYS & TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Horn, Chair; Swecker, Vice Chair; Esser, Haugen, Jacobsen, Kastama, Oke, Poulsen and Spanel.

Minority Report: Do not pass.

Signed by Senator Mulliken.

Staff: Kimberly Johnson (786-7346)

Background: The Federal Motor Carrier Safety Improvement Act of 1999 made several modifications to federal commercial driver's license (CDL) regulations. States are required to come into substantial compliance with these regulations before September 2005.

In addition, new federal rules have been added regarding security threat assessments of individuals applying for a Hazardous Materials endorsement for a CDL. States were required to come into compliance with these new regulations prior to September 2003, but an extension has been granted. The length of the extension runs from April to December 2004 and Washington is waiting for federal approval of its extension application. Failure to comply with these new regulations would subject Washington to potential decertification. Decertification of the state CDL could lead to the following: (1) loss of a percentage of federal highway funding; (2) loss of Federal Motor Carrier Safety grants; and (3) commercial drivers operating under a Washington CDL would not be allowed to operate commercial motor vehicles in any activity deemed to be interstate commerce.

Summary of Bill: The following changes are made to the statutes governing commercial driver's licenses:

- "Masking" of traffic violations from the driving records of a CDL holder is prohibited.

- Additional traffic violations and offenses that would disqualify a person from driving a commercial motor vehicle are added.
- CDL applicants who are applying in Washington for the first time must provide the Department of Licensing a driving record from every state in which the applicant has been licensed in the last ten years.
- The disqualification of a CDL is provided for, where the holder has caused a fatality through the negligent operation of a commercial motor vehicle.
- The immediate disqualification of a CDL is authorized where the holder has been determined to constitute an imminent hazard by the federal DOT.
- Instruction permit holders must be at least 18 years of age, have passed a general knowledge examination, and paid the appropriate application and exam fees.
- CDL instruction permit holders are prohibited from operating a commercial motor vehicle transporting hazardous materials.
- A new endorsement category for school bus operation is created.
- The following definitions are updated: "hazardous materials," "school bus," and "serious traffic violations."

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The changes to the CDL program are required as a result of a federal audit and recent federal legislation. There will be some workload impact to the State Patrol and our budget office has prepared a fiscal note reflecting those impacts.

Testimony Against: None.

Testified: Representative Simpson; Coral Estes, Washington State Patrol; Derek Goudriaan, Department of Licensing.