

HOUSE BILL REPORT

HB 1267

As Reported by House Committee On:
Transportation

Title: An act relating to commercial driver's license requirements.

Brief Description: Modifying commercial driver's license requirements.

Sponsors: Representatives Wallace, Upthegrove, Lovick, Hankins and Dickerson; by request of Department of Licensing.

Brief History:

Committee Activity:

Transportation: 2/15/07, 2/26/07 [DPS].

Brief Summary of Substitute Bill

- Increases the fee charged by the Department of Licensing for a skills examination for a commercial motor vehicle license from \$50 to \$100.
- Requires applicants for commercial vehicle licenses to pass an approved course of instruction or be certified by an employer as having the skills and training necessary to safely operate a commercial motor vehicle.
- Allows the Department of Licensing to waive the requirement of passing an approved course of instruction if the applicant has a valid license from another state.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 20 members: Representatives Clibborn, Chair; Jarrett, Ranking Minority Member; Appleton, Campbell, Dickerson, Eddy, Hailey, Hankins, Hudgins, Lovick, Rodne, Rolfes, Sells, Simpson, Springer, B. Sullivan, Takko, Upthegrove, Wallace and Wood.

Minority Report: Do not pass. Signed by 4 members: Representatives Schindler, Assistant Ranking Minority Member; Armstrong, Curtis and Kristiansen.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: David Munnecke (786-7315).

Background:

The operation of commercial motor vehicles is regulated under both state and federal law. In order to operate a commercial motor vehicle in Washington, a person generally must hold a commercial driver's license with the applicable endorsements for the vehicle they are driving.

However, this requirement does not apply to the following persons:

- the operator of a farm vehicle controlled and operated by a farmer; The vehicle itself must also be used to transport agricultural products, farm machinery, or farm supplies to or from a farm. Finally, the vehicle cannot be used in the operations of a common or contract motor carrier and it must be used within 150 miles of the person's farm.
- a firefighter or law enforcement officer operating emergency equipment who has completed an approved driver training course; or
- the operator of a recreational vehicle used for noncommercial purposes.

In order to receive a commercial driver's license from the State of Washington, an applicant must be a resident of the state and pass knowledge and skills tests that comply with minimum federal standards.

Summary of Substitute Bill:

The fee charged by the Department of Licensing (DOL) for a skills examination for a commercial motor vehicle license is increased from \$50 to \$100.

A person seeking a commercial driver's license must have successfully completed a course of instruction in the operation of a commercial motor vehicle that has been approved by the Director of the DOL or be certified by an employer as having the skills and training necessary to safely operate a commercial motor vehicle.

The DOL may waive the requirement for instruction in the operation of a commercial motor vehicle for an applicant that has been issued a valid commercial driver's license in another state and is transferring to Washington.

Substitute Bill Compared to Original Bill:

The ability of the DOL to set the fee by rule for knowledge and skills tests for commercial motor vehicle licenses is removed and, instead, the fee for a skill examination is increased from \$50 to \$100. The requirement that the applicant for a commercial motor vehicle license present evidence to the DOL that he or she is a Washington resident is also removed.

An employer is allowed to certify that an applicant for a commercial driver's license has the skills and training necessary to safely operate a commercial motor vehicle.

Finally, the effective date of the entire act is made January 15, 2008.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect January 15, 2008.

Staff Summary of Public Testimony:

(In support) There is a need to improve the training and certification of commercial vehicle drivers in this state. Budget cuts at the DOL have led to extensive use of third-party testers, and audits have shown that problems exist with some of the drivers trained at the schools associated with some of the third-party testers.

The Office of the Superintendent of Public Instruction is in favor of this bill, and the Joint Council of Teamsters is not bothered by the fee increase contained in the bill.

(Opposed) None.

Persons Testifying: (In support) Representative Wallace, prime sponsor; Eileen Johnson; Liz Luce and Becky Loomis, Department of Licensing; Allan Jones, Office of the Superintendent of Public Instruction; and Owen Linch, Joint Council of Teamsters.

Persons Signed In To Testify But Not Testifying: None.