

HOUSE BILL REPORT

HB 2234

As Reported by House Committee On:
Transportation

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

Brief Description: Addressing employer notification upon commercial driver's license suspension.

Sponsors: Representatives Hurst and Dahlquist.

Brief History:

Committee Activity:

Transportation: 1/16/12, 1/30/12, 2/1/12 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Licensing (DOL) to notify the employers of a driver who is disqualified from operating a commercial motor vehicle.
- Requires the DOL to create a voluntary database in which an employer may register any employee for which the employer wishes to receive this notification.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 29 members: Representatives Clibborn, Chair; Billig, Vice Chair; Liias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel, Asay, Eddy, Finn, Fitzgibbon, Hansen, Jinkins, Johnson, Klippert, Kristiansen, Ladenburg, McCune, Moeller, Morris, Moscoso, Overstreet, Reykdal, Rivers, Rodne, Ryu, Shea, Takko, Upthegrove and Zeiger.

Staff: Alison Hellberg (786-7152).

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

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commercial driver's license, issued by the Department of Licensing (DOL), with the applicable endorsements for the vehicle he or she is driving. If a person is convicted of certain offenses, the person may be disqualified from driving a commercial motor vehicle for a specified period of time. An employer of a commercial driver licensee is not notified if the employee's license is suspended.

Summary of Substitute Bill:

If a driver's commercial driver's license is suspended, revoked, or canceled or the driver is disqualified from operating a commercial motor vehicle, the DOL must notify the driver's employer or employers, who are on file with the DOL.

The DOL is required to establish a voluntary database in which an employer may register any employee for which the employer wishes to receive this notification.

Substitute Bill Compared to Original Bill:

The requirement that the Department of Social and Health Services (DSHS) notify the DOL when serving a notice of noncompliance upon a parent who is not in compliance with a child support order is removed. Also removed is the requirement that the DOL notify a commercial driver's employer when the DOL receives a notification from DSHS that the driver is out of compliance with a child support order.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 2, 2012.

Effective Date of Substitute Bill: The bill takes effect January 1, 2013.

Staff Summary of Public Testimony:

(In support) The provisions related to DSHS and child support orders should be removed. For certain jobs a commercial driver's license is a required qualification. Most employers have policies in place that an employee must notify the employer if the employee's license is suspended or revoked. In many situations this does not happen and an employee continues to drive for work with a suspended commercial driver's license. This puts the public at risk and could make the employer liable for any harm caused. Employers need to be notified when an employee's commercial driver's license is suspended.

(Opposed) None.

Persons Testifying: Representative Hurst, prime sponsor; Representative Dahlquist; Bruce Chattin, Washington Aggregates and Concrete; and Jerry Trudeau, Miles Sand and Gravel Company.

Persons Signed In To Testify But Not Testifying: None.