

HOUSE BILL REPORT

EHB 2188

As Passed House:
February 16, 2020

Title: An act relating to increasing the types of commercial driver's license qualification waivers allowed for military veterans.

Brief Description: Increasing the types of commercial driver's license qualification waivers allowed for military veterans.

Sponsors: Representatives Leavitt, Gildon, Dufault, Chapman, Eslick, Orwall, Appleton, Slatter, Ryu, Van Werven, Griffey, Young, Wylie, Doglio, Volz and Riccelli.

Brief History:

Committee Activity:

Transportation: 1/20/20, 1/22/20 [DP].

Floor Activity:

Passed House: 2/16/20, 97-0.

Brief Summary of Engrossed Bill

- Authorizes the Department of Licensing (DOL) to waive the requirements for the knowledge examination for commercial driver's license (CDL) applicants for current or former military service members that meet certain federal requirements.
- Requires the DOL to provide an annual report to the House and Senate transportation committees and to the Joint Committee on Veterans' and Military Affairs on the number and types of CDL military service member waivers granted beginning December 1, 2021.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 29 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Young, Assistant Ranking Minority Member; Boehnke, Chambers, Chapman, Dent, Doglio, Duerr, Dufault, Entenman, Eslick, Goehner, Gregerson, Kloba, Lovick, McCaslin, Mead, Orcutt, Ortiz-Self, Paul, Ramos, Shewmake, Van Werven and Volz.

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: Jennifer Harris (786-7143).

Background:

To obtain a commercial driver's license (CDL) from the Washington State Department of Licensing (DOL), an individual must satisfy the following requirements:

1. be a resident of the state;
2. have successfully completed a course of instruction in the operation of a commercial motor vehicle approved by the DOL or have been certified by an employer;
3. have been issued a commercial learner's permit (CLP); and
4. have passed both a knowledge and a skills examination for driving a commercial motor vehicle that complies with federal and state requirements.

The DOL may waive the skills examination and the requirement for completion of a course of instruction for a current or former military service member who meets the following federal requirements:

1. provides evidence and certifies that he or she:
 - is or was regularly employed within the last year in a military position requiring operation of a commercial motor vehicle;
 - was exempted from state CDL requirements because he or she operated commercial motor vehicles for military purposes as active duty military personnel, a member of the military reserves, a member of the national guard on active duty, or active duty United States Coast Guard personnel; and
 - was operating a vehicle representative of the commercial motor vehicle type the driver applicant operates or expects to operate for at least two years immediately preceding separation from the military; and
2. certifies that during the two-year period immediately prior to applying for a CDL, he or she:
 - has not simultaneously held more than one civilian military license;
 - has not had any license suspended, revoked, or cancelled;
 - has not had any convictions for any type of motor vehicle for certain disqualifying offenses;
 - has not had more than one conviction for any type of motor vehicle for certain serious traffic violations; and
 - has not had any convictions for a violation of military, state, or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with any traffic crash, and has no record of a crash in which he or she was at fault.

Summary of Engrossed Bill:

For current or former military service members that meet the federal requirements listed below, the DOL may also waive the requirements for the knowledge examination for CDL applicants.

Under federal law, the current or former military service member must certify and provide evidence that, during the one-year period immediately prior to the application, he or she:

- is or was regularly employed and designated as certain specified classifications of the following: a motor transport operator, Patriot launching station operator, fueler, vehicle operator, pavement and construction equipment operator, motor vehicle operator, or equipment operator;
- is operating a vehicle representative of the commercial motor vehicle type that the driver applicant expects to operate upon separation from the military, or operated such a vehicle type immediately preceding separation from the military;
- has not simultaneously held more than one civilian license;
- has not had any license suspended, revoked, or cancelled;
- has not had any convictions for any type of motor vehicle for certain disqualifying offenses;
- has not had more than one conviction for any type of motor vehicle for certain serious traffic violations; and
- has not had any convictions for a violation of military, state, or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with any traffic crash, and has no record of a crash in which he or she was at fault.

Beginning December 1, 2021, the DOL must provide an annual report to the House and Senate transportation committees and to the Joint Committee on Veterans' and Military Affairs on the number and types of CDL military service member waivers granted.

The stated legislative intent of the bill is to remove an obstacle for qualifying veterans to obtain a CDL to enable them to more quickly apply the skills acquired in the military to serve their communities.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect on January 1, 2021.

Staff Summary of Public Testimony:

(In support) There are workforce shortages in the state for various roles and occupations for which individuals have gained skills and training while in the military. This bill is about providing some of these individuals with the opportunity to get a job for which they are already specifically trained and have applicable experience. Sometimes state regulations serve as unnecessary barriers for individuals who already have acquired the necessary skills for a job. Many states are examining their regulations to address this barrier.

This bill would be very useful to solid waste and recycling companies that need CDL drivers to address CDL driver shortages over the next decade. It is challenging to hire CDL drivers, and this bill would be a great help to address this.

(Opposed) None.

(Other) It makes sense to get qualified military personnel into programs that help them meet CDL qualifications. The construction industry is in desperate need of drivers. It is important

to verify the type of certification that current and former military service members have who would like to apply the knowledge exam waiver.

Persons Testifying: (In support) Representative Leavitt, prime sponsor; and Becky Bogard, Republic Services.

(Other) Bruce Chattin, Washington Aggregates and Concrete Association.

Persons Signed In To Testify But Not Testifying: None.