

## HB 653 -- Commercial Motor Vehicles

Sponsor: Sutherland

This bill changes the laws regarding the operation of commercial motor vehicles.

### PRE-EMPTION OF COMMERCIAL MOTOR VEHICLE LAWS

Under the bill, no local law enforcement officer or local agency can enforce commercial motor vehicle equipment, size, travel, height, and weight violations. Local governments are prohibited from adopting ordinances or regulations regarding the enforcement of commercial motor vehicle laws. However, local governments can adopt ordinances or regulations restricting commercial motor vehicle equipment, size, travel, weight, or height on roads which are not designated as state and federal roads or are not maintained with state and federal moneys.

### FEDERAL MONEYS FOR COMMERCIAL MOTOR VEHICLE ENFORCEMENT

The Superintendent of the State Highway Patrol must apply for all federal funding which is currently available or may become available which has previously been allocated to local political subdivisions.

### COMMERCIAL ZONES

The Highways and Transportation Commission is authorized to enforce motor carrier regulations in commercial zones.

### EDUCATIONAL COMPLIANCE CONTACTS

Motor carriers may voluntarily request an educational compliance contact by the commission to determine whether the motor carrier is in compliance with relevant statutes and regulations. No fines or penalties will be levied for violations discovered during an educational compliance contact. The commission, however, may take any legal actions necessary to shut down the operation of a motor carrier that has committed a violation that presents a safety issue. A motor carrier may only request one compliance contact every five years. A request for an educational compliance contact must not be a reason for the commission to perform a compliance review. Motor carriers which are subject to a current complaint investigation cannot be eligible for an educational compliance contact.

Motor carriers will have 60 days from the written release of the compliance review findings or educational compliance contacts to appeal the commission's decision to the Administrative Hearing Commission.