

HB 744 -- TRANSPORTATION (St. Onge)

COMMITTEE OF ORIGIN: Transportation

This bill authorizes the Highways and Transportation Commission to void billboard permits without paying compensation when:

(1) There has been any misrepresentation of a material fact by the applicant on a permit application and the sign is removed under law;

(2) The commission determines that a change has been made to a conforming sign by the owner and the sign has been removed under law; or

(3) The commission determines that a substantial change has been made to a nonconforming sign by the sign owner so that the sign's nonconforming status was terminated and the sign was removed under the commission's administrative rules for maintenance of nonconforming signs.

The commission may also void any permit when it determines that a permit has been erroneously issued by any Department of Transportation staff member in violation of any state law or administrative rule. The billboard must be subject to removal, and compensation must be paid according to the provisions of law.

Any person convicted of driving while out of service will be disqualified from operating a commercial motor vehicle in the manner specified by federal regulations.

The expungement of a minor in possession violation for a holder of a commercial driver's license or a person operating a commercial motor vehicle at the time of the offense is prohibited. No records can be expunged for a commercial driver's license holder until three years after the date of the suspension or revocation if the person was holding a commercial driver's license at the time of the offense or who has been convicted of or pled guilty to an offense where the person's blood-alcohol content is .04 or above.

Failure to appear in court or pay fines by a commercial license holder or operator of a commercial motor vehicle is included as a commercial driver's license offense requiring indefinite suspension until he or she is in compliance.

FISCAL NOTE: No impact on state funds in FY 2008, FY 2009, and FY 2010.