

HCS SB 240 -- MOTOR VEHICLES

SPONSOR: Stouffer (St. Onge)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation by a vote of 9 to 0.

This substitute changes the laws regarding motor vehicles.

DRIVER'S LICENSES

The substitute makes eligibility for a driver's license or temporary permit for an applicant between 15 and 18 years of age contingent upon documentation that he or she has complied with the eligibility standards developed by the Department of Elementary and Secondary Education.

SCHOOL BUS DRIVERS

The Director of the Department of Revenue must not issue or renew a school endorsement to any applicant whose driving record shows that he or she has been convicted of an intoxication-related traffic offense while operating a school bus. A person convicted of an intoxication-related offense while operating a school bus will have his or her school bus endorsement permanently denied by the court, beginning on the date of the court's order. School bus drivers will be required to notify the superintendent of the school district or the employing contractor whenever the driver receives a citation for an intoxicated-related traffic offense. Notice of the citation must be given prior to the driver resuming operation of a school bus. Failure to notify the school district or the employing contractor of the citation will constitute a valid reason for discharging the school bus driver. The fine for driving with a revoked license while operating a school bus will be \$1,000.

RESTRICTED LICENSE PLATES

Beginning January 1, 2008, the substitute requires a motorist who has had his or her driver's license suspended, revoked, or disqualified for a period of more than 60 days or has been denied a license for an alcohol-related or manslaughter violation to surrender his or her license plates to the Department of Revenue. The department will then issue restricted license plates to be displayed on his or her vehicle.

Law enforcement officers will have probable cause to stop any vehicle displaying restricted plates to determine whether the driver has a valid driver's license or limited driving privileges. The registered owner of a motor vehicle who has been

issued restricted plates will be prohibited from selling his or her vehicle without the permission of the department. Any vehicle acquired by the individual during the period of restriction must display the restricted plates.

UTILITY VEHICLES

"Utility vehicle" is defined as any motorized vehicle manufactured and used exclusively for off-highway purposes which is 63 inches or less in width, has an unladen dry weight of 1,900 pounds or less, travels on four or six wheels, and is used primarily for agricultural, landscaping, lawn care, or maintenance purposes.

No person can operate a utility vehicle upon the highways of this state except:

- (1) Governmental owned and operated vehicles for official use;
- (2) Vehicles operated for agricultural purposes or industrial on-premise purposes between the official sunrise and sunset;
- (3) Vehicles operated occasionally by handicapped persons for short distances only on the state secondary roads between the hours of sunrise and sunset;
- (4) Vehicles which have been issued special permits by a city to be used on highways within the city limits by licensed drivers. The city may charge a \$15 fee for the permit; and
- (5) Vehicles which have been issued special permits by a county to be used on highways within the county limits by licensed drivers. The county may charge a \$15 fee for the permit.

Individuals will be prohibited from operating a utility vehicle:

- (1) In a careless way so as to endanger the person or property of another;
- (2) While under the influence of alcohol or a controlled substance;
- (3) Without a valid operator's or chauffeur's license;
- (4) Within any stream or river except by an operator who owns the property or has permission to be on the property on which the waterway flows through or when fording a low-water crossing;
- (5) At a speed of more than 30 miles per hour on a highway when permitted; or

(6) Carrying a passenger except for agricultural purposes or if the vehicle is designed with seating to carry more than one passenger.

Utility vehicles will be exempt from titling and registration provisions.

COMMERCIAL DRIVERS

The substitute waives the \$25 examination fee for the written and driving commercial driver's license (CDL) test for applicants 70 years of age or older. The CDL written test will only be administered in English, and applicants must be able to read and speak English sufficiently to understand traffic signals, respond to inquiries, and make entries on reports. Applicants are prohibited from using interpreters when testing.

A military member is not required to possess a CDL while driving a vehicle for military purposes. Currently, a military member must be driving a military vehicle to qualify for the exemption.

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

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.

COMMERCIAL VEHICLE ENFORCEMENT OFFICER

Commercial vehicle enforcement officers will be required to meet the mandatory standards for basic training and licensure of peace officers. Officers who are employed and performing their duties on August 28, 2007, will have until July 1, 2011, to comply with the mandatory standards.

The provisions of the substitute regarding school bus drivers driving with a revoked license become effective January 1, 2008.

FISCAL NOTE: Estimated Effect on General Revenue Fund of an income of \$0 in FY 2008, a cost of \$94,875 in FY 2009, and an income of Less than \$5,125 in FY 2010. Estimated Effect on Other State Funds of an income of Unknown to a cost of \$68,025 to \$70,025, an income of Unknown to a cost of \$65,025 in FY 2009, and an income of Unknown to a cost of \$65,025.

PROPONENTS: Supporters say the bill waives the skills test for military personnel who are currently licensed and in the

military.

Testifying for the bill was Senator Stouffer.

OPPONENTS: There was no opposition voiced to the committee.