

HCS HB 62 -- DRIVER'S LICENSES AND COMMERCIAL MOTOR VEHICLES

SPONSOR: Gatschenberger

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Transportation by a vote of 13 to 0.

This substitute changes the laws regarding driver's licenses. In its main provisions, the substitute:

(1) Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination. All of the fees must be payable to the Director of the Department of Revenue for deposit in the State Road Fund established under Article IV, Section 30(b) of the Missouri Constitution.

(2) Specifies that the crew of a locomotive or train does not have to display a driver's license to a law enforcement officer in connection with the operation of a locomotive or train within Missouri.

The substitute also changes the laws regarding commercial motor vehicles to conform with Federal Motor Carrier Safety Administration regulations. In its main provisions the substitute:

(1) Revises the definition of "disqualification" to include the suspension, revocation, or cancellation of a commercial driver's instruction permit;

(2) Defines "electronic device" as a device that includes but is not limited to a cell phone, personal digital assistant, pager, computer, or any other device used to input, write, send, receive, or read text;

(3) Defines "mobile telephone" as a mobile communication device that is classified as or uses a commercial mobile radio service, but does not include a two-way or citizens band radio service;

(4) Revises the definition of "serious traffic violation" to include a violation of state or local law on motor vehicle traffic control prohibiting texting or the use of a mobile telephone while driving a commercial motor vehicle;

(5) Defines "texting" as manually entering text into or reading text from an electronic device including short message service, emailing, instant messaging, commanding or requesting access to a website, pressing more than a single button to initiate or terminate a call on a mobile telephone, or engaging in another form

of electronic text retrieval or entry;

(6) Requires all applicants for a commercial driver's license to maintain the appropriate class of commercial driver's instruction permit issued by this state or another state for a minimum of 14 calendar days prior to the date of completing skills testing;

(7) Changes the laws regarding the amount of time a military member must be regularly employed to receive a waiver from the commercial motor vehicle driving skills test. Currently, the member must be regularly employed in a job requiring the operation of a commercial motor vehicle and has operated the vehicle for at least 60 days during the two years immediately preceding his or her application for a commercial driver's license. The substitute requires the military member to be regularly employed in a military position within the last 90 days for the member to obtain the skills test waiver;

(8) Changes nonresident commercial driver's licenses to nondomiciled commercial driver's licenses and changes the provisions for obtaining a nondomiciled commercial driver's license;

(9) Requires a commercial driver's instruction permit to include the same information as a commercial driver's license and contain the words "CDL PERMIT" or "COMMERCIAL LEARNER PERMIT";

(10) Requires a disqualification period to be in addition to any other previous periods of disqualification in a manner consistent with federal law, unless the major or serious violations are a result of the same incident; and

(11) Prohibits a person from texting or using a hand-held mobile telephone while operating a moving commercial motor vehicle. Currently, only a person less than 21 years of age is prohibited from texting while driving. A person convicted of texting or using a hand-held mobile telephone while driving a commercial motor vehicle may have his or her commercial driver's license disqualified.

PROPONENTS: Supporters say that this bill will make a person take the written portion of the drivers' test more seriously and will create a higher pass rate.

Testifying for the bill was Representative Gatschenberger.

OPPONENTS: There was no opposition voiced to the committee.