

HCS HB 2741 -- COMMERCIAL DRIVER'S LICENSES

SPONSOR: Caton

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Transportation by a vote of 9 to 2 with 1 member voting present. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 8 to 3.

The following is a summary of the House Committee Substitute for HB 2741.

This bill requires an operator of a commercial motor vehicle to speak English sufficiently to:

- (1) Converse with the general public;
- (2) Understand highway traffic signs and signals in English;
- (3) Respond to official inquiries; and
- (4) Make entries on reports and records.

An operator of a commercial motor vehicle who fails to demonstrate the required English language proficiency commits a class D misdemeanor on a first offense and a class B misdemeanor on a second or subsequent offense.

A driver found to be in violation of the English language proficiency requirement is prohibited from operating a commercial motor vehicle in the State until the driver is able to meet the required English language proficiency.

A fine of \$1,000 will be imposed on the driver of the motor vehicle, and a fine of \$3,000 will be imposed on their commercial motor carrier. The commercial motor carrier will be notified of the location of any commercial motor vehicle involved in a violation of the English language proficiency requirement, and upon payment of the \$3,000 fine, a qualified driver will take possession of the vehicle.

The bill provides that if the carrier is unable to pay the fine or present a qualified driver within 12 hours, the owner of any cargo being transported in the commercial motor vehicle may arrange for the transfer of their property to another vehicle, but neither the State nor the owner of the cargo will be liable for any reasonable action to transfer the cargo.

This bill requires a person holding a nondomiciled commercial driver's license or a commercial driver's instruction permit within this state to have a valid work visa or provide proof of citizenship to validate his or her identity while operating a commercial motor vehicle.

An operator who fails to possess a valid work visa and provide proof of citizenship while operating a commercial vehicle will be prohibited from operating a commercial vehicle until such operator is able to meet these requirements and if such operator operates a commercial motor vehicle again without meeting these requirements, such operator commits a class B misdemeanor and is subject to a fine of \$1,000 or imprisonment for up to 90 days.

A fine \$3,000 will be imposed on a commercial motor carrier whose driver fails to possess a valid work visa and proof of citizenship while operating a commercial motor vehicle. The commercial motor carrier will be notified of the location of any commercial motor vehicle involved in the violation of not possessing a valid work visa and proof of citizenship, and upon payment of the \$3,000 fine, a qualified driver will take possession of the vehicle.

The bill provides that if the carrier is unable to pay the fine or present a qualified driver within 12 hours, the owner of any cargo being transported in the commercial motor vehicle may arrange for the transfer of their property to another vehicle, but neither the State nor the owner of the cargo will be liable for any reasonable action to transfer the cargo.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this is about safety on our public roads. Individuals need to be able to read road signs to respond appropriately when a road is closed or other information needs to be conveyed. Accidents caused by individuals who can't read signage result in property damage, injuries, and even deaths. In emergency situations, a trucker needs to be able to quickly respond and communicate dangerous conditions of their cargo or the scene with law enforcement. The responsibility and the dangers presented by a standard car and a tractor trailer are very different. There's a reciprocity agreement with Canada and Mexico that is supposed to allow commercial driver's to make

direct trips to and from one location in the country. However, the process is being misused by drivers who pick up multiple stops before returning, and this places citizens at risk.

Testifying in person for the bill were Representative Caton; Arnie Dienoff; Lewie Pugh, Owner Operator Independent Drivers Association; and Missouri Trucking Association.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say commercial driver's license statutes are based on Federal requirements. Much of this bill is a restating of the rule from the Federal Motor Carrier Safety Administration. Even in a self-driving car, an individual must have a license. Individuals in a self-driving commercial motor vehicle would also have to comply with commercial driver's license requirements. Previously, there was more leeway in obtaining a nondomiciled commercial driver's license, but now they are restricted to certain visas, and the Department of Revenue has been downgrading individuals unable to meet Federal standards from their current commercial driver's licenses.

Testifying in person on the bill was Zachary Wyatt, Department of Revenue.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.