



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 3491		DATE: 3/4/2026	
COMMITTEE: Special Committee on Intergovernmental Affairs			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: AMY DECLUE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written		SUBMIT DATE: 3/3/2026 12:10 PM
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With the increase of MVA's involving CDL drivers who are unable to read or speak sufficient English something needs to be done. Legislative measures need to be taken to protect the people of our state.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: ARNIE C. A.C. "HONEST ABE" DIENOFF		PHONE NUMBER: 314-440-9000	
BUSINESS/ORGANIZATION NAME: STATE PUBLIC ADVOCACY		TITLE: STATE PUBLIC ADVOCATE	
ADDRESS: PO BOX 1535			
CITY: O'FALLON		STATE: MO	ZIP: 63366
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/4/2026 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: MICHAEL WESTEN		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written		SUBMIT DATE: 3/3/2026 11:35 PM
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I SUPPORT HB 3491 as originally drafted.

It's imperative for safety that all CDL holders be extremely proficient in reading, writing, and speaking English.

This should be common sense.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SARAH BERRY		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 3/4/2026 9:10 AM	

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HB 3491 does not create a new safety standard. It duplicates an existing federal requirement and then layers Missouri-specific criminal penalties, fines, and operational restrictions on top of a federally regulated system.

Federal motor carrier safety regulations already require commercial drivers to read and speak English sufficiently to converse with the public, understand traffic signs and signals, respond to official inquiries, and make required reports.¹

HB 3491 therefore does not fill a regulatory gap. Instead, it creates a state criminal enforcement scheme—including misdemeanor and felony exposure, driver fines, carrier fines, and mandatory out-of-service orders—based on conduct that is already governed under federal commercial motor carrier regulations.

That structure creates two immediate legal concerns.

First, federal preemption risk. Congress has established a specific framework governing state regulation of commercial motor vehicle safety. Under 49 U.S.C. §31141, states may not enforce laws related to commercial motor vehicle safety that are incompatible with federal regulations, provide no additional safety benefit, or impose an unreasonable burden on interstate commerce.² By creating state-specific criminal penalties and enforcement mechanisms for conduct already regulated under federal driver qualification rules, HB 3491 invites precisely the type of regulatory conflict that Congress sought to avoid.

Second, vagueness and arbitrary enforcement concerns. The bill criminalizes operation of a commercial vehicle based on whether a driver demonstrates “sufficient proficiency” in English. Without objective testing standards, enforcement procedures, or uniform evaluation criteria, this determination will necessarily be made through subjective roadside judgments by individual officers. When criminal penalties and vehicle immobilization are attached to a standard lacking defined measurement criteria, the risk of inconsistent enforcement and due-process challenges increases significantly.

The Committee should also consider the operational consequences. HB 3491 authorizes the immobilization of commercial vehicles and forced cargo transfer procedures within tight timelines. These provisions directly affect interstate freight movement and raise substantial questions regarding the burden on interstate commerce, a factor federal law explicitly requires regulators to consider when

evaluating state commercial motor vehicle safety laws.²

In short, HB 3491 does not establish a new safety standard. It duplicates federal law while adding a separate state criminal enforcement layer that is legally vulnerable, operationally disruptive, and likely to invite litigation.

For these reasons, I respectfully urge the Committee to vote Do Not Pass on HB 3491.

Footnotes

49 C.F.R. §391.11(b)(2) (requiring that a commercial motor vehicle driver “read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records”).

49 U.S.C. §31141(c) (authorizing the Secretary of Transportation to determine that state commercial motor vehicle safety laws may not be enforced if they are less stringent than federal regulations, incompatible with federal regulations, provide no safety benefit, or impose an unreasonable burden on interstate commerce).



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: JASON RAPPOLD		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 3/4/2026 5:53 PM

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My name is Jason Rappold, and I am a Commercial Vehicle Enforcement Officer with the St. Louis County Police Department's Commercial Vehicle Enforcement Unit. My DSN is 3512, and my employment and current assignment may be verified by inquiring with the Division of Operational Support, Human Resources, at 636-529-8210. I am sending this email via my personal email.

I believe that this bill doesn't fully address the issue, and hope you consider my request.

RSMo. 307.400, 5., reads as follows:

" 5. Notwithstanding the provisions of subsection 1 of this section to the contrary, Parts 390 through 397, Title 49, Code of Federal Regulations shall not apply to commercial motor vehicles operated in intrastate commerce to transport property, which have a gross vehicle weight rating or gross combination weight rating of twenty-six thousand pounds or less. The exception provided by this subsection shall not apply to:

(1) Vehicles transporting hazardous materials and which are not covered farm vehicles as provided in subdivision (3) of this subsection;

(2) Vehicles designed to transport sixteen or more passengers including the driver as defined by Title 49 of the Code of Federal Regulations; or

(3) Vehicles which are defined as covered farm vehicles pursuant to federal laws and regulations and are transporting hazardous materials that require a placard as required by 49 CFR 100-180. "

Unfortunately, this loophole in the law forbids my unit, and all other CVE Officers/CVE Troopers, to properly inspect box trucks with a GVWR under 26,000 lbs. Lately, we have been coming across box trucks making intrastate deliveries. These trucks are registered outside of Missouri and the carriers operating them have business addresses located outside the state. These CMVs typically have a GVWR of 25,500 lbs, but drivers operate them with licenses granted outside of Missouri.

These drivers cannot speak English or read road signs, and are in violation of the USDOT regulations and President Trump's directive. They are operating in commerce, but cannot be properly inspected or placed Out-of-Service because of the limitation noted above.

I ask that you consider an amendment to the House Bill 3491 (2026) that would close this loophole and allow for inspection all CMVs, with a GVWR of GVW over 10,000 lbs, with an out of state registration that are trying to operate "locally" or only within the State of Missouri. I would additionally ask that you consider any CMV with a GVWR or GVW over 10,000 lbs marked with a Carrier address outside of the State of Missouri also be inspectable.

Please consider my request in the interest of Safety and Compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and the Revised Statutes of the State of Missouri, as well as in the interest of all persons operating on our roadways every day.

Thank you for your consideration.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: MIKE WOOD		PHONE NUMBER: 636-528-8571	
BUSINESS/ORGANIZATION NAME: LINCOLN COUNTY PROSECUTING ATTORNEY		TITLE: PROSECUTING ATTORNEY	
ADDRESS: 45 BUSINESS PARK DRIVE			
CITY: TROY		STATE: MO	ZIP: 63379
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/4/2026 12:00 AM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: RICK HARRELL		PHONE NUMBER: 314-276-5737	
BUSINESS/ORGANIZATION NAME: LINCOLN COUNTY SHERIFF's OFFICE		TITLE: SHERIFF	
ADDRESS: 65 BUSINESS PARK DRIVE			
CITY: TROY		STATE: MO	ZIP: 63379
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/4/2026 12:00 AM	
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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: TOM CRAWFORD		PHONE NUMBER: 573-634-3388
REPRESENTING: MISSOURI TRUCKING ASSOCIATION		TITLE:
ADDRESS: 102 E HIGH ST.		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/4/2026 12:00 AM
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