

HCS SCS SB 1001, 896 & 761 -- DRIVERS' LICENSES

SPONSOR: Griesheimer (St. Onge)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation by a vote of 12 to 0.

This substitute changes the laws regarding the licensure of certain motor vehicle drivers.

LAWFUL PRESENCE

Applicants for a noncommercial driver's license who are 65 years of age or older may use a previously issued Missouri driver's license, instruction permit, or nondriver's license as proof of lawful presence.

REVOCATION OF MOTOR CARRIER REGISTRATIONS

The Highways and Transportation Commission is allowed to suspend, revoke, or cancel the registration, license, permit, or other credential issued to a motor carrier if a federal agency or the commission has issued an out-of-service order against the motor carrier. The law is applicable to out-of-service orders placing a motor carrier's entire operation out of service but does not apply to orders placing an individual driver or vehicle out of service. If the commission issues an order, the motor carrier must not operate any commercial motor vehicle and must not allow an employee to operate any commercial motor vehicle in intrastate or interstate commerce. After the commission has issued an order, the motor carrier must surrender all license plates, motor carrier licenses, registrations, permits, and other credentials. After the commission has issued an order, the out-of-state motor carrier will not be eligible to apply for the issuance or reinstatement of any license, registration, permit, certificate, or other credential until the out-of-service order has been rescinded or the orders have been set aside by a court of proper jurisdiction. The substitute specifies that any federal or state order will be admissible in administrative and court proceedings and the orders will constitute prima facie evidence that the motor carrier violated federal regulations or that the motor carrier's operation of commercial motor vehicles poses an imminent hazard.

INTERMEDIATE DRIVER'S LICENSE

Beginning January 1, 2007, parents or legal guardians of applicants for a temporary instruction permit are required to provide 40 hours of behind-the-wheel driving instruction. A minimum of 10 hours must occur during the nighttime hours.

Currently, only 20 hours are required.

For the first six months after the issuance of an intermediate driver's license, the driver cannot operate a vehicle with more than one passenger younger than 19 years of age who is not a member of the driver's immediate family. After the first six-month time period has passed, the driver must not operate a vehicle with more than three passengers younger than 19 years of age who are not members of the driver's immediate family until he or she receives a full driver's license.

An intermediate driver's licensee will have 30 days preceding his or her eighteenth birthday to apply for and receive without further examination full driving privileges if he or she has a clean record as specified for the preceding 12 months.

Any person who violates the provisions regarding intermediate drivers' licenses or temporary permits will be guilty of an infraction, and no points will be assessed to his or her driving record.

The portion of the substitute regarding lawful presence contains an emergency clause.

FISCAL NOTE: No impact on state funds in FY 2007, FY 2008, and FY 2009.

PROPOSERS: Supporters of the lawful presence portion of the bill say that people over the age of 65 are those who are more likely to have birth record problems, and the bill will eliminate that stress. Supporters of the commercial motor vehicle provisions of the bill say that it allows for more efficient and safe movement of goods. Supporters also say motor vehicle crashes are the number one killer of teens in Missouri. This is attributed to inexperience and inadequate driving skills, poor judgment and decision making, and operation during high-risk hours. Distractions pose a great risk to all drivers, but especially for new drivers. Passengers can be a huge distraction for teen drivers.

Testifying for the bill were Senator Griesheimer; Department of Revenue; Department of Transportation; Missouri Safety Council; Farmers Insurance Group; Missouri Insurance Coalition; and Missouri Coalition for Roadway Safety.

OPPOSERS: There was no opposition voiced to the committee.

Robert Triplett, Legislative Analyst