

HCS SB 43 -- COMMERCIAL MOTOR VEHICLES AND LICENSES

SPONSOR: Munzlinger (Kolkmeyer)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Transportation by a vote of 14 to 0.

This substitute 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 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;

(11) Increases the weight limit for idle reduction technology to 550 pounds to reflect the new maximum federal limit. Currently, Missouri allows vehicles equipped with the technology to exceed the maximum gross vehicle weight limit and the axle weight limit by up to 400 pounds to compensate for the additional weight of the technology. Under federal law, the total allowable weight exemption for idle reduction technology was recently increased to 550 pounds; and

(12) 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.

PROPOSERS: Supporters say that this bill will make Missouri's special weight limits for vehicles equipped with idle reduction technology reflect the changes to federal law.

Testifying for the bill was Senator Munzlinger.

OPPOSERS: There was no opposition voiced to the committee.