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**SENATE COMMITTEE ON TRANSPORTATION**

**Senator Jim Beall, Chair**

**2019 - 2020 Regular**

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<b>Bill No:</b>	AB 2141	<b>Hearing Date:</b>	8/4/2020
<b>Author:</b>	Mathis		
<b>Version:</b>	3/4/2020		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Randy Chinn		

**SUBJECT:** Department of Motor Vehicles

**DIGEST:** This bill authorizes DMV to exempt specified veterans from certain commercial driver's license tests.

**ANALYSIS:**

*Existing federal regulations:*

- 1) Permits states to waive the knowledge and skills test required to obtain a commercial driver's license for certain individuals with military commercial motor vehicle experience.

*Existing state law:*

- 1) Prohibits an individual from operating a commercial motor vehicle unless he or she has in his or her immediate possession a valid commercial driver's license (CDL) of the appropriate class.
- 2) Requires a CDL for a variety of trucks weighing more than 26,000 lbs., passenger buses, and vehicles carrying hazardous materials.
- 3) Requires an individual, in order to obtain a CDL, to successfully complete both a written and driving test that comply with the minimum federal standards to operate a commercial motor vehicle. Separate endorsements, obtained through successful completion of knowledge tests, are required for driving tank vehicles, commercial vehicles transporting hazardous materials, commercial vehicles transporting passengers, and other specified commercial motor vehicles.
- 4) Authorizes DMV to waive the driving test for an individual with military commercial motor vehicle experience if the individual is currently licensed with

the U.S. Armed Forces and his or her driving record and experience meet the minimum federal standards.

- 5) Exempts active duty members and most reservists of the U.S. Armed Forces, active duty members of the National Guard, and active duty personnel of the U.S. Coast Guard from all CDL requirements and sanctions.

**This bill:**

- 1) Authorizes DMV to waive the knowledge test for obtaining a commercial driver's license (CDL) for specified military veterans who have received equivalent military training.
- 2) Authorizes DMV to waive the specialized knowledge tests required to obtain an endorsement for tank vehicles, commercial vehicles transporting hazardous materials, and commercial vehicles transporting passengers for specified military veterans who have received equivalent military training.
- 3) Deletes the state policy statement prohibiting the waiving of fees for obtaining CDLs by veterans.

**COMMENTS:**

- 1) *Background.* Pursuant to federal law, in 2014 the DMV implemented the Troops to Trucks program to make it easier for trained military veterans to obtain civilian commercial driver's licenses (CDL), which are required to operate large trucks and busses. The program allows DMV to waive the CDL driving test for qualified military service members who are or were, employed within the last year in a military position requiring the operation of a military vehicle equivalent to a commercial motor vehicle. To be eligible the individual need to have a relatively clean driving record including no alcohol or drug offenses, no record of at-fault accidents, and few traffic violations. The DMV has waived 1500 tests since the program inception.

In 2018, federal rules were expanded to also allow for waivers of the CDL knowledge test. This bill authorizes the DMV to waive the CDL knowledge tests, in addition to waiving the driving test allowed under current DMV regulations. In addition, the bill authorizes the waiver for specialized knowledge tests for operating tank vehicles, transporting hazardous materials, and transporting passengers.

- 2) *Eliminating Duplicative Testing*. Commercial vehicles are bigger and heavier than passenger vehicles. They are harder to drive and, because of their mass and payload, create increased risk for others. Consequently, additional testing is required to earn a license to drive commercial vehicles. Recent legislation has recognized that commercial driver training can be inadequate leading to injury and death (SB 1236, Monning, Chapter 984 of 2018). However, there seem to be no concerns that the testing exemptions created by this bill will create unnecessary public risk. The California Highway Patrol has reviewed the provisions of this bill and does not have any concerns. They believe that the military driver training is sufficient and note that several other states have adopted these provisions without incident.
- 3) *Fees*. This bill removes the statutory statement of state policy against waiving CDL fees for veterans, but the bill does not mandate that fees be waived. CDL fees are \$82 with additional fees for tank or hazardous materials endorsements.

**RELATED LEGISLATION:**

**SB 1236 (Monning, Chapter 984 of 2018)** — Requires DMV to adopt regulations relating to entry-level driver training requirements for commercial truck drivers.

**AB 2659 (Bloomfield, Chapter 406 of 2012)** — Authorizes DMV to waive the CDL skills test for certain military members.

**FISCAL EFFECT:** Appropriation: No    Fiscal Com.: Yes    Local: No

According to the Assembly Appropriations Committee:

- Minor, absorbable costs to DMV to update internal policies and procedures, create new certification forms and update DMV publications and website content.
- This bill removes from statute a prohibition against waiving any fees required by law for a commercial driver's license; however, the bill does not authorize DMV to waive commercial driver's license fees for current or former members of the armed forces. Presumably, DMV would not waive fees for such individuals, absent explicit legislative authorization to do so.

**POSITIONS: (Communicated to the committee before noon on Monday, July 27.)**

**SUPPORT:**

None received.

**OPPOSITION:**

None received.

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