
CONSENT

Bill No: AB 2141
Author: Mathis (R), et al.
Amended: 3/4/20 in Assembly
Vote: 21

SENATE TRANSPORTATION COMMITTEE: 14-0, 8/4/20
AYES: Beall, Bates, Allen, Dahle, Dodd, Galgiani, Lena Gonzalez, McGuire,
Morrell, Roth, Rubio, Skinner, Umberg, Wieckowski
NO VOTE RECORDED: Melendez

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 76-0, 6/8/20 (Consent) - See last page for vote

SUBJECT: Department of Motor Vehicles

SOURCE: Author

DIGEST: This bill authorizes the Department of Motor Vehicles (DMV) to exempt specified veterans from certain commercial driver's license (CDL) tests.

ANALYSIS: Existing federal regulations 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 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 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.

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 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, this bill authorizes the waiver for specialized knowledge tests for operating tank vehicles, transporting hazardous materials, and transporting passengers.

Comments

- 1) *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, Statutes 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.
- 2) *Fees*. This bill removes the statutory statement of state policy against waiving CDL fees for veterans, but this bill does not mandate that fees be waived. CDL fees are \$82 with additional fees for tank or hazardous materials endorsements.

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

SUPPORT: (Verified 8/13/20)

None received

OPPOSITION: (Verified 8/13/20)

None received

ASSEMBLY FLOOR: 76-0, 6/8/20

AYES: Aguiar-Curry, Arambula, Bauer-Kahan, Berman, Bigelow, Bloom, Boerner Horvath, Bonta, Brough, Burke, Calderon, Carrillo, Cervantes, Chau, Chen, Chiu, Choi, Chu, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Diep, Eggman, Flora, Fong, Frazier, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gloria, Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Kamlager, Kiley, Lackey, Levine, Limón, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Nazarian, Obernolte, O'Donnell, Patterson, Petrie-Norris, Quirk-Silva, Ramos, Reyes, Luz Rivas,

Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Smith, Mark Stone,
Ting, Voepel, Waldron, Weber, Wicks, Wood, Rendon
NO VOTE RECORDED: Low, Muratsuchi, Quirk

Prepared by: Randy Chinn / TRANS. / (916) 651-4121
8/14/20 12:33:59

**** **END** ****