Regular Session, 2011

HOUSE BILL NO. 507

BY REPRESENTATIVE LANDRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOL BUS DRIVERS: Provides relative to school bus driver qualifications and related matters

AN ACT

To amend and reenact R.S. 32:408(B)(3)(f) and 414.2(E)(2)(introductory paragraph) and (c), relative to commercial driver's license holders; to prohibit certain persons from operating school buses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. 32:408(B)(3)(f) and 414.2(E)(2)(introductory paragraph) and (c) are hereby amended and reenacted to read as follows:

§408. Examination of applicants required; classes of licenses

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B.

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(3) The department shall issue endorsements for commercial drivers' licenses if applicants for such endorsements pass the appropriate knowledge and skills tests necessary for issuance of the endorsement and if the applicant passes any requisite security assessment for issuance of a particular endorsement. However, if an applicant for an endorsement is eligible for a waiver of the test requirements pursuant to any applicable federal waiver program implemented by the department at the time the applicant applies for the endorsement, the department shall issue the endorsement to the applicant. A federal waiver program may be implemented at the

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department's discretion. The following endorsements shall be available to the classes of commercial drivers' licenses:

* * *

(f) "S" - school bus. The department shall not issue an "S" endorsement to any applicant who meets the disqualification criteria set forth in R.S. 32:414.2(E)(1), notwithstanding the date of the disqualifying event. The department may issue an "S" endorsement to an applicant who would qualify for a reduced disqualification period pursuant to R.S. 32:414.2(E)(2).

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§414.2. Commercial motor vehicle drivers; disqualification; issuance of Class "D" or "E" license; alcohol content in breath and blood; implied consent

* * *

E.

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(2) ~~The disqualification period imposed by this Subsection may be reduced~~ Upon application of the driver, the department may reinstate his school bus driving privileges if ~~the driver~~ he meets all the following conditions:

* * *

(c) The driver has successfully completed medical treatment or medically approved group therapy or special education courses for or about the disease of alcoholism, alcohol abuse, or drug abuse, in a suitable public or private institution or program approved by the appropriate state authority following the disqualifying offense or refusal.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Landry HB No. 507

Abstract: Prohibits DPS&C from issuing an "S" endorsement to certain persons and provides for modifications in mechanism by which persons can qualify for an "S" endorsement after disqualification period.

Present law provides that an "S" endorsement may be issued to an applicant who would have been disqualified from driving a school bus for certain convictions or violations relating to driving under the influence had he had an "S" endorsement at the time of the conviction or violation.

Proposed law provides an applicant shall not be issued an "S" endorsement if he has certain convictions or violations relating to driving under the influence prior to the date of application for the "S" endorsement.

Present law reduces disqualification period after, among other conditions, completing medical treatment or medically approved group therapy or special education courses for or about the disease of alcoholism, alcohol abuse, or drug abuse.

Proposed law clarifies that the treatment or group therapy required by present law must be completed after the disqualifying offense.

(Amends R.S. 32:408(B)(3)(f) and 414.2(E)(2)(intro. para.) and (c))

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