
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)]

St. Germain

HB No. 696

Abstract: Provides for the testing and licensing of commercial motor vehicle drivers and third parties who give commercial motor vehicle driving tests and examinations.

Present law provides that OMV shall be entitled to the criminal history record and identification files of the bureau of any person who is required to register as a sex offender pursuant to R.S. 15:542 et seq., and who is seeking a driver's license or required to obtain a special identification card.

Proposed law provides that OMV shall be entitled to the criminal history record and identification files of the bureau of principal of any third party tester or examiner who has or is seeking a contract to administer commercial driving examinations and tests pursuant to present law, and any OMV employee or applicant who issues or will issue a commercial driver's license.

Proposed law provides that OMV shall administer a one-time national background check of any OMV applicant who seeks to, as part of his employment, issue commercial driver's licenses or any current OMV employee who as part of his employment issues commercial driver's licenses.

Present law provides that all third party examiners shall meet the same qualifications and training as state examiners to the extent necessary to conduct knowledge and skills tests in compliance with present law. Department employees shall, at least annually, take the tests actually administered by the third party as if the employee were a test applicant, or the department shall, at least annually, test a sample of drivers who were examined by the third party to compare pass/fail results.

Proposed law provides that all third party examiners shall meet the same qualifications and training as state examiners to the extent necessary to conduct knowledge and skills tests in compliance with proposed law. DPS&C employees shall at least every two years take the tests actually administered by the third party as if the employee were a test applicant, or the department shall test a sample of drivers who were examined by the third party to compare pass/fail results.

Present law provides that the third party shall provide evidence to the applicant who has successfully passed the written knowledge and driving skills tests on a form approved by the department. The applicant shall provide this form to the department before being issued a commercial driver's license.

Proposed law provides that the third party shall provide proof of testing in a manner prescribed by the department.

Proposed law provides that a commercial learner's permit issued to an individual of this state or another jurisdiction, in accordance with rules and regulations of the Federal Motor Carrier Administration, when carried with a valid driver's license issued by the same state or jurisdiction, authorizes the permittee to operate a class of motor vehicle when accompanied by a holder of a valid commercial driver's license for purposes of behind-the-wheel training. When issued to the holder of a commercial driver's license, a commercial learner's permit serves as authorization to take part in behind-the-wheel training in a commercial motor vehicle for which the driver is not licensed to drive.

Proposed law provides that an individual who takes a skills test for a Class "A" commercial driver's license in a motor vehicle with the power unit and towed unit connected with a pintel hook or other non-fifth wheel connection, shall be issued a license with a restriction prohibiting the operation of a tractor-trailer combination connected by a fifth wheel that requires a Class "A" commercial driver's license.

Proposed law provides that except as required by 49 CFR Section 383.133, a skills test for a commercial driver's license shall be conducted in English without the use of interpreters.

Proposed law provides that the principal of the third party examiner or tester who has or is seeking a contract with DPS&C, public safety services, to administer commercial driving examinations and tests shall consent to, pass, and pay the costs of an annual background check.

(Amends R.S. 15:587(A)(1)(e) and R.S. 32:405, 408(A)(4)(b) and (d), (B)(2)(intro. para.) and (a)(ii) and (F)(1); Adds R.S. 32:408.1(5))