

Regular Session, 2012

HOUSE BILL NO. 668

BY REPRESENTATIVE ST. GERMAIN

MTR VEHICLE/COMMERCIAL: Provides relative to certifications made by persons applying for CDL license

1 AN ACT

2 To amend and reenact R.S. 32:403.4(A), relative to commercial motor vehicle drivers; to
3 require persons applying for commercial driver's licenses to make certain
4 certifications; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:403.4(A) is hereby amended and reenacted to read as follows:

7 §403.4. Medical evaluation report required of persons driving a commercial motor
8 vehicle

9 A.(1) A person applying for a Class "A", "B", or "C" commercial driver's
10 license shall not have any physical or mental disability affecting the ability to
11 exercise ordinary and reasonable control in the operation of a commercial motor
12 vehicle. Such person, unless exempted by the office of motor vehicles or by a rule
13 or regulation, shall provide a current medical report, on a form approved by the
14 office of motor vehicles, prepared by a duly licensed medical examiner, certifying
15 that he is capable of exercising ordinary and reasonable control in the operation of
16 a commercial motor vehicle. Such person shall submit a valid medical report at
17 every renewal and shall carry a current medical certificate on his person at all times
18 when driving a commercial motor vehicle requiring either a Class "A", "B", or "C"
19 commercial driver's license as defined herein.

1 (2) A person applying for a commercial driver's license shall certify one of
2 the following:

3 (a) Non-excepted interstate. That he operates or expects to operate in
4 interstate commerce, is subject to and meets the qualification requirements of 49 Part
5 CFR 391, and is required to obtain a medical examiner's certificate as required by 49
6 CFR 391.45.

(b) Excepted interstate. That he operates or expects to operate in interstate commerce but engages or will engage exclusively in transportation or operations excepted by 49 CFR 390.3(f), 391.2, 391.68, or 398.3, all 49 Part CFR 391 qualification requirements, and is therefore not required to obtain a medical examiner's certificate as required by 49 CFR 391.45.

12 (c) Non-excepted intrastate. That he operates only in intrastate commerce
13 and therefore is subject to state driver qualification requirements.

14 (d) Excepted intrastate. That he operates in intrastate commerce but engages
15 exclusively in transportation or operations excepted from state driver qualification
16 requirements.

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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)]

St. Germain

HB No. 668

Abstract: Requires persons applying for a commercial driver's license to certify that they meet certain federal requirements.

Present law requires that a person applying for a Class "A", "B", or "C" commercial driver's license meet certain qualifications.

Proposed law retains present law and requires that a person applying for a Class "A", "B", or "C" commercial driver's license shall certify one of the following:

(1) Non-excepted interstate. That he operates or expects to operate in interstate commerce, is subject to and meets the qualification requirements of 49 CFR Part 391, and is required to obtain a medical examiner's certificate as required by 49 CFR 391.45.

- (2) Excepted interstate. That he operates or expects to operate in interstate commerce but engages or will engage exclusively in transportation or operations excepted by 49 CFR 390.3(f), 391.2, 391.68, or 398.3, all 49 Part CFR 391 qualification requirements, and is therefore not required to obtain a medical examiner's certificate as required by 49 CFR 391.45.
- (3) Non-excepted intrastate. That he operates only in intrastate commerce and therefore is subject to state driver qualification requirements.
- (4) Excepted intrastate. That he operates in intrastate commerce but engages exclusively in transportation or operations excepted from state driver qualification requirements.

(Amends R.S. 32:403.4(A))