

1 HOUSE BILL NO. 904

2 INTRODUCED BY C. KNUDSEN, L. JONES

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING COMMERCIAL DRIVER'S LICENSES;  
5 DIRECTING THE DEPARTMENT OF TRANSPORTATION TO PROVIDE FREE COMMERCIAL DRIVER'S  
6 LICENSE TRAINING; REVISING COMMERCIAL DRIVER'S LICENSE LAW TO COMPLY WITH FEDERAL  
7 REQUIREMENTS; DIRECTING THE DEPARTMENT OF JUSTICE TO QUERY THE ENTRY-LEVEL DRIVER  
8 TRAINING PROVIDER REGISTRY AND THE COMMERCIAL DRUG AND ALCOHOL CLEARINGHOUSE  
9 UNDER CERTAIN CONDITIONS; REQUIRING THE DEPARTMENT TO TAKE CERTAIN ACTIONS AS A  
10 RESULT OF THE REQUIRED QUERIES; PROVIDING RULEMAKING AUTHORITY; PROVIDING AN  
11 APPROPRIATION; AMENDING SECTIONS 61-5-110 AND 61-14-202, MCA; AND PROVIDING EFFECTIVE  
12 DATES."

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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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16 **NEW SECTION. Section 1. CDL training -- rulemaking.** The department of transportation shall  
17 provide commercial driver's license training free of cost to residents eligible to receive a commercial driver's  
18 license. The training must be available in each of the transportation commission districts established in 2-15-  
19 2502 and must include sufficient classroom and vehicle time so that a student who fulfills the requirements of  
20 the training may be issued a commercial driver's license. The department of transportation may adopt rules  
21 necessary to implement this section.

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23 **Section 2.** Section 61-5-110, MCA, is amended to read:

24 **"61-5-110. Records check of applicants -- examination of applicants -- cooperative driver**  
25 **testing programs -- reciprocal agreement with foreign country.** (1) Prior to examining an applicant for a  
26 driver's license, the department shall conduct a check of the applicant's driving record by querying the national  
27 driver register, established under 49 U.S.C. 30302, and the commercial driver's license information system,  
28 established under 49 U.S.C. 31309.

1 days of the notification. The rules must further provide that if, after the department completes and records the  
2 downgrade on the commercial driver's license system driver record, the department receives federal motor  
3 carrier safety administration notification that:

4 (a) a driver is no longer prohibited from operating a commercial motor vehicle, the department  
5 shall make the driver eligible for reinstatement of the commercial learner's permit or commercial driver's license  
6 privilege to the driver's license; and

7 (b) the driver was erroneously identified as prohibited from operating a commercial motor vehicle,  
8 the department shall:

9 (i) reinstate the commercial learner's permit or commercial driver's license privilege to the driver's  
10 license as expeditiously as possible; and

11 (ii) expunge from the commercial driver's license system driver record and motor vehicle record  
12 any reference related to the driver's erroneous prohibited status."

14 NEW SECTION. Section 4. Appropriation. (1) There is appropriated \$100,000 from the general fund  
15 to the department of transportation for the biennium beginning July 1, 2023, to implement [section 1].

16 (2) There is appropriated \$100,000 from the general fund to the department of justice for the  
17 biennium beginning July 1, 2023, to implement ~~[sections 2 and 3]~~ commercial driver's license rulemaking and  
18 records checks.

20 NEW SECTION. Section 5. Codification instruction. [Section 1] is intended to be codified as an  
21 integral part of Title 61, chapter 5, part 1, and the provisions of Title 61, chapter 5, part 1, apply to [section 1].

23 COORDINATION SECTION. Section 6. Coordination instruction. If both Senate Bill No. 47 and  
24 [this act] are passed and approved, [section 1 of Senate Bill No. 47] is void, [sections 2 and 3 of this act] are  
25 void, and [section 1 of this act] must be replaced with:

26 "NEW SECTION. Section 1. Entry-level driver training -- requirements -- responsibilities of  
27 department of transportation. (1) The department of transportation:

28 (a) shall develop and implement an entry-level driver training program, including theory and

1 behind-the-wheel training, that complies with federal requirements for class A and class B commercial driver's  
2 licenses, excluding endorsements;

3 (b) shall make available to the public the entry-level driver training program provided for in  
4 subsection (1)(a), which must be free of cost to Montana residents eligible to receive a commercial driver's  
5 license and must be available in each of the transportation commission districts established in 2-15-2502;

6 (c) may utilize various formats of entry-level driver trainings, including in-person training and  
7 asynchronous or synchronous virtual training; and

8 (d) may coordinate with other state agencies or organizations to develop and implement entry-level  
9 driver training.

10 (2) An entry-level driver training program developed by the department of transportation must  
11 include use of facilities, vehicles, and instructors sufficient to issue a commercial driver's license.

12 (3) The department of transportation may establish rules for the development and administration of  
13 an entry-level driver training program."

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15 **NEW SECTION. Section 7. Effective dates.** (1) [Sections 1 through 3 and 5] are effective January 1,  
16 2024.

17 (2) [Section 4] and this section are effective July 1, 2023.

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