

Amendment - 2nd Reading/2nd House-tan - Requested by: Theresa Manzella (S) Committee of Whole

- 2023

68th Legislature 2023

Drafter: Joe Carroll, 406-444-3804

HB0904.002.001

1 HOUSE BILL NO. 904

2 INTRODUCED BY C. KNUDSEN, L. JONES

3
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."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15
16 **NEW SECTION. Section 1. CDL ENTRY-LEVEL DRIVER training -- rulemaking.** The department of
17 transportation shall provide ENTRY-LEVEL DRIVER TRAINING FOR commercial driver's license training LICENSES THAT
18 COMPLIES WITH FEDERAL REQUIREMENTS FOR CLASS A AND CLASS B COMMERCIAL DRIVER'S LICENSES, EXCLUDING
19 ENDORSEMENTS, free of cost to ~~residents~~ PERSONS eligible to receive a MONTANA commercial driver's license.
20 The training must be available in each of the transportation commission districts established in 2-15-2502 and
21 must include sufficient VIRTUAL OR IN-PERSON classroom and vehicle time so that a student ~~who fulfills the~~
22 ~~requirements of the training may be issued~~ IS ELIGIBLE TO APPLY FOR a commercial driver's license. The
23 department of transportation may adopt rules necessary to implement this section.

24
25 **Section 2.** Section 61-5-110, MCA, is amended to read:

26 **"61-5-110. Records check of applicants -- examination of applicants -- cooperative driver**
27 **testing programs -- reciprocal agreement with foreign country.** (1) Prior to examining an applicant for a

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1 integral part of Title 61, chapter 5, part 1, and the provisions of Title 61, chapter 5, part 1, apply to [section 1].

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3 COORDINATION SECTION. SECTION 6. COORDINATION INSTRUCTION. IF BOTH SENATE BILL NO. 47 AND
4 [THIS ACT] ARE PASSED AND APPROVED, THEN [SECTION 1 OF SENATE BILL NO. 47] IS VOID, [SECTIONS 2 AND 3 OF THIS
5 ACT] ARE VOID, AND [SECTION 1 OF THIS ACT] MUST BE REPLACED WITH:

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

8 (a) shall develop and implement an entry-level driver training program, including theory and
9 behind-the-wheel training, that complies with federal requirements for class A and class B commercial driver's
10 licenses, excluding endorsements;

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

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

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

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

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

22

23 NEW SECTION. Section 7. Effective dates. (1) [Sections 1 through 3, ~~and 5, and 6~~] AND THIS
24 SECTION are effective January 1, 2024 ON PASSAGE AND APPROVAL.

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

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- END -