

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 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.

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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
28 driver's license, the department shall conduct a check of the applicant's driving record by querying the national

1 downgrading the commercial learner's permit or commercial driver's license. The rules must provide that
2 downgrade must be completed and recorded on the commercial driver's license system driver record within 60
3 days of the notification. The rules must further provide that if, after the department completes and records the
4 downgrade on the commercial driver's license system driver record, the department receives federal motor
5 carrier safety administration notification that:

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

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

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

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

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

18 (2) There is appropriated ~~\$100,000~~ \$20,000 from the general fund to the department of justice for
19 the biennium beginning July 1, 2023, to implement [sections 2 and 3] COMMERCIAL DRIVER'S LICENSE RULEMAKING
20 AND RECORDS CHECKS.

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22 NEW SECTION. Section 5. Codification instruction. [Section 1] is intended to be codified as an
23 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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25 COORDINATION SECTION. SECTION 6. COORDINATION INSTRUCTION. IF BOTH SENATE BILL NO. 47 AND
26 [THIS ACT] ARE PASSED AND APPROVED, THEN [SECTION 1 OF SENATE BILL NO. 47] IS VOID, [SECTIONS 2 AND 3 OF THIS
27 ACT] ARE VOID, AND [SECTION 1 OF THIS ACT] MUST BE REPLACED WITH:

28 "NEW SECTION. Section 1. Entry-level driver training -- requirements -- responsibilities of