

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass
Vote:	7 - 0 - 0
Yeas:	Buckley, Butler, Gilman, Read, Smith G., Tomei, Beyer
Nays:	0
Exc.:	0
Prepared By:	Judith Callens, Administrator
Meeting Dates:	1/22, 2/5

WHAT THE MEASURE DOES: Exempts school bus manufacturers, dealers and mechanics who operate school buses that are not transporting students from school bus endorsement requirements. Increases the minimum civil penalty for violation of an out-of-service order from not less than \$1,000 to not less than \$1,100; increases maximum penalty from not more than \$2,000 to not more than \$2,750 imposed on the operator of a commercial vehicle. Establishes a minimum civil penalty of not less than \$2,750 and increases maximum civil penalty from \$10,000 to \$11,000 on the employer of an operator of a commercial motor vehicle if the employer knowingly allows operator to violate the out-of-service order or notice. Eliminates exemption for holders of farm endorsements from commercial driver license disqualifications. Clarifies that farm endorsements allow operation of tankers and double trailer combinations. Establishes that a holder of a commercial driver license commits a "serious violation" if found to be reckless driving, operating the vehicle 30 miles per hour or more above posted limit with the court imposing a suspension, or operating the vehicle at a speed of 100 miles per hour or greater. Allows person receiving a lifetime commercial driver license suspension to apply to the department for a right to apply for a commercial driver license or reinstatement after 10 years from date of lifetime suspension. Defines "holds a commercial driver license" as persons with a commercial driver license that is either valid, expired less than one year, or suspended but not canceled or revoked.

ISSUES DISCUSSED:

- Compliance tied to federal highway funds
- Higher standards to which commercial driver licensees are held
- Procedure for relinquishing a commercial driver license

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Currently, an out-of-service order is issued when a commercial vehicle inspection finds a mechanical problem that deems the vehicle unsafe to drive. HB 2268 brings Division of Motor Vehicles statutes into compliance with federal commercial driver licensing laws and regulations. According to the Oregon Department of Transportation, failure to comply with federal regulations may result in jeopardizing the federal-aid highway funds (potential loss of \$12.5 million in 2007-08 and \$25.2 million annually thereafter) and the loss of Motor Carrier Safety Assistance Program funds (approximately \$2.7 million annually).