

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 4 - 0 - 1
Yeas: George L., Monnes Anderson, Starr, Metsger
Nays: 0
Exc.: Deckert
Prepared By: Janet Adkins, Administrator
Meeting Dates: 3/29, 3/29

WHAT THE MEASURE DOES: Brings several provisions of Oregon statutes into compliance with federal commercial driver licensing laws and regulations. Exempts mechanics and bus company personnel who drive empty school buses from school bus endorsement requirements, retaining commercial license driver license (CDL) requirement. Increases the minimum civil penalty for operator violation of an out-of-service order from \$1,000 to \$1,100 and increases maximum penalty from \$2,000 to \$2,750. Establishes a minimum civil penalty of \$2,750 and increases maximum civil penalty from \$10,000 to \$11,000 for the employer of an operator if the employer knowingly allows the 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 CDL commits a "serious violation" for reckless driving, operating the vehicle 30 miles per hour or more above the posted limit with the court imposing a suspension, or operating the vehicle at a speed of 100 miles per hour or more. Allows person receiving a lifetime CDL suspension to apply to the Department of Transportation for the right to apply for a CDL or reinstatement after ten years from date of the suspension.

ISSUES DISCUSSED:

- Compliance tied to federal highway funds
- Importance of national standards
- Additional revisions necessary since 2005 statute changes
- Higher standards to which commercial driver licensees are held

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: House Bill 2268 brings Oregon's commercial driver licensing (CDL) statutes into compliance with federal laws. Changes were made to comply in 2005 (HB 2107) but recent federal guidelines clarified additional aspects of the law necessitating the changes in this measure. According to the Department of Transportation, failure to comply with federal regulations jeopardizes federal-aid highway funds (\$12.5 million in 2007-08 and \$25.2 million annually thereafter) and Motor Carrier Safety Assistance Program funds (approximately \$2.7 million annually).

Out-of-service orders are issued when a commercial vehicle inspection finds a mechanical problem that deems the vehicle unsafe to drive. House Bill 2268 clarifies and increase fines for operating out-of-service vehicles.

Farm endorsements exempt CDL holders from sanctions for some offenses, but these exemptions are no longer allowed under federal regulations. One example is the current exemption under the farm endorsement from the stricter .04 blood alcohol content standard for CDL holders. This exemption is eliminated under House Bill 2268. The bill also clarifies that a Class A farm endorsement allows operation of a tank or double trailer combination (current Oregon interpretation).

Oregon's 2005 creation of a new suspension for drivers exceeding 100 miles per hour or 30 miles over the speed limit necessitated adding these new violations to CDL serious traffic violations. These violations affect the CDL license even if the holder commits them while driving a non-commercial vehicle.

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This summary has not been adopted or officially endorsed by action of the committee.