



Oregon

Kate Brown, Governor

Department of Transportation

Director's Office

355 Capitol St. NE, MS 11

Salem, OR 97301

DATE: February 1, 2022

TO: House Committee on Veterans and Emergency Management

FROM: Lindsay Baker, Assistant Director, Government and External Relations
Oregon Department of Transportation

SUBJECT: HB 4068, Emergency Powers Relating to Commercial Driver Licenses

INTRODUCTION

House Bill 4068 grants authority to the Oregon Department of Transportation (ODOT), at the direction of the Governor and during a state of emergency, to issue commercial driving privileges to individuals with experience operating a military motor vehicle equivalent to a commercial motor vehicle. HB 4068 also permits the Department, at the direction of the Governor, to extend the validity period of commercial driver licenses that expire during the state of emergency until the termination of the state of emergency.

DISCUSSION

ODOT issues commercial driver licenses according to state and federal requirements. [49 CFR Part 383](#) sets federal testing, medical, suspension, disqualification, and revocation requirements for commercial driver licenses. While states may choose to be more restrictive than federal regulations, they cannot be less so.

Federal regulations do not allow states to waive commercial driver license requirements, unless there is a concurrent federal waiver. Issuing and extending commercial driver licenses, as permitted by HB 4068, would not comply with existing federal regulations for commercial driver licensing. Failure to comply with federal standards could result in decertification of Oregon's commercial driver licensing program and loss of federal highway funds.

ODOT understands concerns regarding disruption of national supply chains due to lack of commercial drivers. ODOT welcomes further discussion on possible amendments to HB 4068 that would allow Oregon to remain compliant with federal CDL regulations, and looks forward to partnering with the Committee on this important topic.

SUMMARY

HB 4068 permits ODOT, at the direction of the Governor, to issue commercial driver licenses to individuals with experience operating a military motor vehicle equivalent to a commercial motor vehicle, as well as extend expired commercial driver licenses, in a declared state of emergency. Federal CDL regulations do not allow states to waive licensing requirements in a state of emergency. Therefore, HB 4068 could put Oregon out of compliance with federal regulations, risking decertification of Oregon's commercial driver licensing program and the loss of state highway funds.

ODOT thanks the committee for their commitment to ensuring that supply chains remain intact during emergency situations, and welcomes any further discussion on the topic and possible amendment to HB 4068.