

HOUSE BILL NO. 1438

Introduced by

Representatives D. Johnson, Gruchalla, Hofstad

Senators Fiebiger, G. Lee, Oehlke

1 A BILL for an Act to create and enact a new section to chapter 39-06.2 of the North Dakota
2 Century Code, relating to a temporary nonresident commercial driver's license; and to amend
3 and reenact section 39-06.2-08 of the North Dakota Century Code, relating to an application for
4 a commercial driver's license.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 39-06.2-08 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **39-06.2-08. Application for commercial driver's license.**

- 9 1. The application for a commercial driver's license or commercial driver's instruction
10 permit must include the following:
- 11 a. The full name and current mailing address of the ~~person~~ applicant;
 - 12 b. A physical description of the ~~person~~ applicant, including sex, height, weight,
13 and eye and hair color;
 - 14 c. Date of birth;
 - 15 d. The applicant's social security number, unless the application is for a
16 temporary nonresident commercial driver's license and the applicant is a
17 resident of a foreign jurisdiction;
 - 18 e. The ~~person's~~ applicant's signature;
 - 19 f. The certifications including those required by 49 CFR part 383.71(a);
 - 20 g. Any other information required by the director; and
 - 21 h. A consent to release driving record information.
- 22 2. The application must be accompanied by an application fee of fifteen dollars.

- 1 ~~2.~~ 3. When the holder of a commercial driver's license changes the holder's name or
2 mailing address, an application for a duplicate license must be made as provided in
3 section 39-06-18.
- 4 ~~3.~~ 4. ~~No person~~ An individual who has been a resident of this state for thirty days may
5 not drive a commercial motor vehicle under the authority of a commercial driver's
6 license issued by another jurisdiction.
- 7 ~~4.~~ 5. Any ~~person~~ individual who knowingly falsifies information or certifications required
8 under subsection 1 is subject to suspension, revocation, or cancellation of the
9 ~~person's~~ individual's commercial driver's license for a period of at least sixty
10 consecutive days.

11 **SECTION 2.** A new section to chapter 39-06.2 of the North Dakota Century Code is
12 created and enacted as follows:

13 **Temporary nonresident license.**

- 14 1. The department may issue a temporary nonresident commercial driver's license to
15 an applicant who does not present a social security card as required by section
16 39-06.2-08 but who otherwise meets the requirements for a nonresident
17 commercial driver's license. A license issued under this subsection may not be
18 renewed and expires on the earlier of the sixtieth day after the date the license is
19 issued, the expiration date of a temporary worker visa presented to the
20 department, or the expiration date of the form I-94 arrival/departure record or a
21 successor document presented to the department. If an individual with a valid
22 temporary nonresident commercial license provides a social security number to the
23 department, the department shall issue a nonresident commercial license. The
24 department shall renew without a skills or knowledge test a nonresident
25 commercial license that has been expired for a duration not longer than one year.
- 26 2. The department may not issue more than one temporary nonresident commercial
27 driver's license per applicant.
- 28 3. The fee for a temporary nonresident commercial driver's license is twenty dollars.