

HOUSE BILL NO. 1121

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact section 39-06.2-07 of the North Dakota Century Code,
2 relating to commercial driver's license qualification standards.

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

4 **SECTION 1. AMENDMENT.** Section 39-06.2-07 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-06.2-07. Commercial driver's license qualification standards.**

- 7 1. An individual may not be issued a commercial driver's license unless that individual is
8 a resident of this state; has passed a knowledge and skills test, ~~including that may~~
9 include a skills test administered by another state or skill test results electronically
10 submitted by another state, for driving a commercial motor vehicle which complies with
11 minimum federal standards established by federal regulations enumerated in 49 CFR
12 part 383, subparts G and H; and has satisfied all other requirements of state and
13 federal law, including the Commercial Motor Vehicle Safety Act. The tests must be
14 prescribed and conducted by the director. The applicant shall pay the fee listed in
15 section 39-06.2-19 for each of the tests.
- 16 2. The director may authorize third-party testing, if:
- 17 a. The test is the same as that which would otherwise be administered by this state;
18 and
- 19 b. The third party has entered an agreement with this state which complies with
20 requirements of 49 CFR part 383.75.
- 21 3. The director may waive the skills test specified in this section for a commercial driver's
22 license applicant who meets the requirements of 49 CFR part 383.77.
- 23 4. A commercial driver's license or commercial learner's permit may not be issued to an
24 individual while the individual is subject to a disqualification from driving a commercial

1 motor vehicle or while the individual's driver's license is suspended, revoked, or
2 canceled in any state. A commercial driver's license may not be issued to an individual
3 who has a commercial driver's license issued by any other state unless the individual
4 first surrenders all licenses from other states. The director shall notify the issuing state
5 of the surrender of the license.

6 5. An individual who has been a resident of this state for thirty days may not drive a
7 commercial motor vehicle under the authority of a commercial driver's license issued
8 by another jurisdiction.

9 6. a. A commercial learner's permit may be issued to an individual who holds a valid
10 class D operator's license who has passed the vision and written tests required
11 for an equivalent commercial driver's license.

12 b. The commercial learner's permit may not be issued for a period to exceed one
13 hundred eighty days. ~~Only one renewal or reissuance may be granted within a~~
14 ~~two-year period.~~ The commercial learner's permit may be renewed for an
15 additional one hundred eighty days without requiring the individual to retake the
16 knowledge test. After this initial period, the director may issue a letter of authority
17 that authorizes the applicant to drive to a driver's license office, complete the
18 road test, and return home. The director may issue the letter of authority if all
19 allowable permits have been issued, or the individual may retake the knowledge
20 test and be issued another commercial learner's permit valid for one hundred
21 eighty days. The holder of a permit, unless otherwise disqualified, may drive a
22 commercial motor vehicle only when accompanied by the holder of a commercial
23 driver's license valid for the type of vehicle driven who occupies a seat beside the
24 individual for the purpose of giving instruction in driving the commercial motor
25 vehicle. A holder of a permit is not eligible for a license until that individual has
26 had the permit issued for at least fourteen days.