Sixty-eighth Legislative Assembly of North Dakota

## **SENATE BILL NO. 2112**

Introduced by

**Transportation Committee** 

(At the request of the Department of Transportation)

- 1 A BILL for an Act to create and enact section 39-06.2-08.2 of the North Dakota Century Code,
- 2 relating to the drug and alcohol clearinghouse requirements for commercial drivers.

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

- 4 **SECTION 1.** Section 39-06.2-08.2 of the North Dakota Century Code is created and 5 enacted as follows:
- 6 39-06.2-08.2. Commercial driver's license drug and alcohol clearinghouse

## 7 requirements.

- 8 <u>1.</u> The director shall query a federal drug and alcohol clearinghouse before issuing,
- 9 <u>renewing, upgrading, or transferring a commercial driver's license or commercial</u>
- 10 <u>learner's permit and review the driver's information when notified by the clearinghouse</u>
- 11 <u>of a status change.</u>
- 12 <u>2. The director shall downgrade or remove the commercial driving privilege from the</u>
- 13 <u>license if the licensee is found to be in violation or noncompliance with the</u>
- 14 <u>clearinghouse requirements and until the driver complies with the return-to-duty</u>
- 15 <u>requirements.</u>
- 16 3. If the driver complies with the return-to-duty requirements pursuant to the limitations of
- 49 CFR Part 392, subpart B, the director shall upgrade the license of a driver which
- 18 <u>was downgraded under this section.</u>