Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1121
(Transportation Committee)
(At the request of the Department of Transportation)

AN ACT to amend and reenact section 39-06.2-07 of the North Dakota Century Code, relating to commercial driver's license qualification standards.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

1. An individual may not be issued a commercial driver's license unless that individual is a resident of this state; has passed a knowledge and skills test~~, including~~ that may include a skills test administered by another state or skill test results electronically submitted by another state, for driving a commercial motor vehicle which complies with minimum federal standards established by federal regulations enumerated in 49 CFR part 383, subparts G and H; and has satisfied all other requirements of state and federal law, including the Commercial Motor Vehicle Safety Act. The tests must be prescribed and conducted by the director. The applicant shall pay the fee listed in section 39-06.2-19 for each of the tests.

2. The director may authorize third-party testing, if:

   a. The test is the same as that which would otherwise be administered by this state; and

   b. The third party has entered an agreement with this state which complies with requirements of 49 CFR part 383.75.

3. The director may waive the skills test specified in this section for a commercial driver's license applicant who meets the requirements of 49 CFR part 383.77.

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

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

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

   b. The commercial learner's permit may not be issued for a period to exceed one hundred eighty days. ~~Only one renewal or reissuance may be granted within a two-year period.~~ The commercial learner's permit may be renewed for an additional one hundred eighty days without requiring the individual to retake the knowledge test. After this initial period, the director may issue a letter of authority that authorizes the applicant to drive to a driver's license office, complete the road test, and return home~~. The director may issue~~

~~the letter of authority if all allowable permits have been issued~~, or the individual may retake the knowledge test and be issued another commercial learner's permit valid for one hundred eighty days. The holder of a permit, unless otherwise disqualified, may drive a commercial motor vehicle only when accompanied by the holder of a commercial driver's license valid for the type of vehicle driven who occupies a seat beside the individual for the purpose of giving instruction in driving the commercial motor vehicle. A holder of a permit is not eligible for a license until that individual has had the permit issued for at least fourteen days.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1121.

House Vote:	Yeas 83	Nays 3	Absent 8
Senate Vote:	Yeas 46	Nays 0	Absent 1

Chief Clerk of the House

Received by the Governor at 11:40 A.M. on March 11, 2015.

Approved at 1:32 P.M. on March 12, 2015.

Governor

Filed in this office this 12th day of March, 2015,

at 425 o'clock P M.

Secretary of State