

# SENATE BILL REPORT

## EHB 2188

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As of March 3, 2020

**Title:** An act relating to increasing the types of commercial driver's license qualification waivers allowed for military veterans.

**Brief Description:** Increasing the types of commercial driver's license qualification waivers allowed for military veterans.

**Sponsors:** Representatives Leavitt, Gildon, Dufault, Chapman, Eslick, Orwall, Appleton, Slatter, Ryu, Van Werven, Griffey, Young, Wylie, Doglio, Volz and Riccelli.

**Brief History:** Passed House: 2/16/20, 97-0.

**Committee Activity:** Transportation: 2/24/20.

### Brief Summary of Bill

- Authorizes the Department of Licensing (DOL) to waive the requirements for the knowledge examination for commercial driver's license (CDL) applicants for current or former military service members that meet certain federal requirements.
- Requires the DOL to provide an annual report to the House and Senate transportation committees and to the Joint Committee on Veterans' and Military Affairs on the number and types of CDL military service member waivers granted beginning December 1, 2021.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Bryon Moore (786-7726)

**Background:** A person must have a commercial driver's license (CDL) in order to legally drive a commercial vehicle in Washington. Several types of vehicles are characterized as commercial vehicles under Washington law. Any single vehicle with a gross vehicle weight rating (GVWR) of 26,001 pounds or more is a commercial vehicle. This designation also covers any combination of vehicles if the vehicle being driven has a GVWR of 26,001 pounds or more, or the towed vehicle has a GVWR of 10,001 pounds when the combined GVWR equals 26,001 pounds or more.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Vehicles designed to carry 16 or more passengers are considered commercial vehicles, as are school buses. Certain vehicles that carry hazardous materials are also considered commercial vehicles.

To obtain a CDL, a person must apply to the Department of Licensing (DOL) and pay the application fee. DOL will not issue a CDL unless the applicant: (1) is a resident of the state; (2) has successfully completed an approved commercial-driver instruction course; (3) has passed a knowledge and skills test that complies with state and federal requirements; and (4) has fulfilled the requirements of the federal Commercial Motor Vehicle Safety Act, together with any other state laws or other federal regulations. A medical examiner must certify a person is physically qualified to drive a commercial vehicle.

The federal government also regulates commercial drivers under the Federal Motor Carriers Safety Administration (FMCSA). These regulations include driver's license standards and driver qualifications. States must comply with certain federal requirements, and the Secretary of Transportation can withhold a portion of federal funding from noncomplying states.

Under FMCSA regulations, states may elect to waive the CDL knowledge or skills tests for an applicant with demonstrated comparable recent military experience with certain restrictions. These restrictions include that the applicant document (1) they were regularly employed within the last year in a military position requiring operation of a commercial vehicle, and (2) they were operating a vehicle representative of the classification of vehicle that they expect to operate for at least the two years immediately preceding discharge from the military.

Under current state law, DOL allows the skills test of the CDL process to be waived, but does not allow waiver of the knowledge test for an applicant with demonstrated comparable recent military experience.

**Summary of Bill:** For current or former military service members that meet the federal requirements listed below, DOL may also waive the requirements for the knowledge examination for CDL applicants.

Beginning December 1, 2021, DOL must provide an annual report to the House and Senate transportation committees and to the Joint Committee on Veterans' and Military Affairs on the number and types of CDL military service member waivers granted.

The stated legislative intent of the bill is to remove an obstacle for qualifying veterans to obtain a CDL to enable them to more quickly apply the skills acquired in the military to serve their communities.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill takes effect on January 1, 2021.

**Staff Summary of Public Testimony:** PRO: The military members have unique skills and this is a way to allows veterans to apply those skills and partially address the truck driver shortage. This waiver is only for veterans with comparable military experience. This is another step toward making the process more streamlined for the veterans.

**Persons Testifying:** PRO: Representative Mari Leavitt, Prime Sponsor; Shane Inman, VLC.

**Persons Signed In To Testify But Not Testifying:** No one.