

SENATE BILL REPORT

SHB 1597

As Reported By Senate Committee On:
Highways & Transportation, March 27, 2003

Title: An act relating to physical examinations for commercial drivers' licenses.

Brief Description: Allowing holders of commercial drivers' licenses to delay a physical examination.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Mielke, Armstrong, Boldt, Orcutt, Wood, Woods, Kristiansen, Campbell, Hatfield, Sump and Schoesler).

Brief History:

Committee Activity: Highways & Transportation: 3/25/03, 3/27/03 [DP].

SENATE COMMITTEE ON HIGHWAYS & TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Horn, Chair; Benton, Vice Chair; Swecker, Vice Chair; Esser, Haugen, Kastama, Mulliken, Oke and Prentice.

Staff: Kimberly Johnson (786-7346)

Background: Current state law requires that as a prerequisite to obtaining a commercial driver's license (CDL) or commercial driver's instruction permit an applicant must provide proof to the Department of Licensing (DOL) that he or she has undergone a physical exam that meets the federal requirements for commercial drivers.

Federal rules do not require an applicant for a CDL to provide proof that the applicant has undergone a physical exam as a prerequisite to obtaining a CDL. However, federal rules do require that prior to operating a commercial motor vehicle a CDL holder must: (1) be physically qualified to operate a commercial motor vehicle; and (2) have on his or her person a copy of a medical examiner's certificate stating the driver is fit to operate a commercial motor vehicle.

Summary of Bill: The prerequisite requirement that an applicant for a CDL, or CDL instruction permit, provide proof of a physical exam to DOL in order for DOL to issue a CDL is removed.

A CDL holder may not operate a commercial motor vehicle unless: (1) the driver is physically qualified to do so; and (2) the driver has on his or her person, a copy of a medical examiner's certificate stating the driver is fit to operate a commercial motor vehicle. An exemption is provided for drivers of farm vehicles.

It is a traffic infraction for a person to drive a commercial vehicle without having a copy of the medical examiner's certificate on his or her person and a fine of up to \$250 may be imposed on a driver found to have committed the infraction. The amount may be reduced to \$50 if the individual can provide proof that he or she had a certificate at the time of the infraction.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill would help unemployed commercial drivers by removing the requirement that they have the added expense of a physical exam while unemployed solely to maintain their licensed status. Once a driver is employed, he or she would be required to have the exam before driving.

Testimony Against: This bill puts the public safety at risk by allowing drivers to have their commercial driver's license without a physical exam. It is not that expensive to maintain a physical fitness certificate. Enforcement and penalties are not proactive and in fact would only be applied after a physically unfit driver is caught operating a commercial vehicle on Washington roads.

Testified: Representative Mielke (pro); Derek Goudriaan, Department of Licensing (con).