

2014 -- S 2253

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - UNIFORM COMMERCIAL DRIVER'S
LICENSE ACT

Introduced By: Senators Picard, and Pearson

Date Introduced: January 30, 2014

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-10.3-14 of the General Laws in Chapter 31-10.3 entitled "Rhode
2 Island Uniform Commercial Driver's License Act" is hereby amended to read as follows:

3 **31-10.3-14. Classes of licenses -- Endorsements.** -- (a) The department, upon issuing a
4 commercial license, shall indicate on the license the class or type of vehicles the licensee may
5 drive. Licenses shall be issued with the classifications and endorsements and any restrictions as
6 defined by state regulation or 49 CFR 383.

7 (b) The department shall establish any qualifications that it believes reasonably
8 necessary for the safe operation of the various types, sizes, or combinations of vehicles and shall
9 determine by appropriate examination whether each applicant is qualified for the license
10 classification, endorsement, or restriction for which application has been made.

11 (c) The department shall not issue a commercial license unless the applicant meets the
12 following qualifications in addition to all other applicable qualifications adopted by policy or
13 regulation:

14 (1) The applicant shall be at least twenty-one (21) years of age; except for intrastate
15 operations, the applicant must be at least eighteen (18) years of age. This exception shall not
16 apply to school bus drivers and drivers of placarded vehicles.

17 (2) The applicant shall not currently be under a license or privilege withdrawal in this or
18 any other state, Mexico or province of Canada.

1 (3) Within the three (3) years immediately preceding the application, the applicant shall
2 not have committed any of the offenses for which license withdrawal is mandatory upon
3 conviction and shall not have engaged in any conduct for which a license withdrawal may be
4 implemented.

5 (4) The applicant shall not have been found to have committed a disqualifying offense
6 under the Federal Commercial Motor Vehicle Safety Act of 1986 (now 49 U.S.C. section 31101
7 et seq.); as may be amended from time to time.

8 (5) The applicant shall certify in the license application that all of these qualifications
9 have been met.

10 (d) The department shall not issue a tank endorsement unless the applicant, in addition to
11 all other applicable qualifications, has been licensed to operate ~~for and has regularly driven for~~
12 ~~not less than one year in~~ a vehicle or combination of vehicles covered by the license classification
13 on which the tank endorsement shall be placed.

14 (e) The department shall not issue a school bus endorsement unless the applicant has had
15 at least three (3) years of driving experience prior to the date of application and the department is
16 fully satisfied as to the applicant's good character, competency, and fitness to be so employed.
17 Effective September 30, 2005, all school bus operators must have the "S" endorsement as defined
18 under 49 Code of Federal Regulations 383.153(a)(9)(vi) subject to endorsement and testing
19 requirements set forth in 49 Code of Federal Regulations 383.93 and 383.123. The administrator
20 shall adopt regulations governing character, competency, and fitness.

21 (f) The department shall not issue a passenger endorsement unless the applicant has had
22 at least three (3) years of driving experience prior to the date of application and the department is
23 fully satisfied as to the applicant's good character, competency, and fitness to be so employed.
24 The administrator shall adopt regulations governing character, competency, and fitness.

25 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would amend the requirements necessary to issue a tank endorsement under this
- 2 section.
- 3 This act would take effect upon passage.

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