

HB 2304 -- COMMERCIAL DRIVING PRIVILEGES

SPONSOR: Knight

This bill specifies that, in addition to other requirements in Chapter 302, RSMo, at the time of application for any commercial driver's license or instruction permit, the Department of Revenue must access the Federal Motor Carrier Safety Administration's Drug and Alcohol Clearinghouse to verify an applicant's eligibility for issuance under Federal law. If the applicant is prohibited from operating a commercial motor vehicle under the Federal regulation, the Department must deny the issuance of the license or instruction permit.

If the Department of Revenue receives notification from the Drug and Alcohol Clearinghouse that a Missouri commercial driver's license holder or instruction permit holder is prohibited from operating a commercial vehicle, the Department must downgrade the license or instruction permit. The downgrade action will be recorded on the person's Commercial Driver's License Information System (CDLIS) driver record within 60 days of receipt of the notification.

If the Department receives notification that the prohibition has been lifted before the effective date of the downgrade, the state must terminate the downgrade without removing the person's commercial driving privilege.

If the downgrade action has been taken and updated on the CDLIS driver record and the Department then receives notice that the driver was erroneously identified as prohibited from operating a commercial motor vehicle, the Department must reinstate the person's commercial driving privilege and expunge the downgrade action from the CDLIS driver record.

No driver holding a commercial driver's license or instruction permit can operate a commercial motor vehicle if prohibited by Federal regulation.