

SENATE BILL NO. 1300

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BEAN.

4959S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to commercial driver's licenses.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 302, RSMo, is amended by adding thereto
2 one new section, to be known as section 302.737, to read as
3 follows:

302.737. 1. At the time of application for any
2 commercial driver's license or commercial learner's permit,
3 the department of revenue shall access the Federal Motor
4 Carrier Safety Administration administered Drug and Alcohol
5 Clearinghouse to verify the applicant's eligibility for
6 issuance per requirements defined in 49 CFR Parts 382 and
7 383. If the response or notification from the Drug and
8 Alcohol Clearinghouse indicates the applicant is prohibited
9 from operating a commercial motor vehicle by 49 CFR
10 382.501(a), the department of revenue shall deny the
11 issuance of the commercial driver's license or commercial
12 driver's instruction permit.

13 2. Upon receiving notification from the Drug and
14 Alcohol Clearinghouse that the holder of a Missouri
15 commercial driver's license or commercial driver's
16 instruction permit is prohibited from operating a commercial
17 motor vehicle by 49 CFR 382.501(a), the department of
18 revenue shall downgrade the commercial driver's license or

19 commercial driver's instruction permit. Such downgrade
20 action must be taken and recorded on the CDLIS driver record
21 within sixty days of the receipt of such notification from
22 the Drug and Alcohol Clearinghouse.

23 (1) If, before the effective date of the downgrade,
24 the department of revenue receives notification from the
25 Drug and Alcohol Clearinghouse that the holder of the
26 commercial driver's license or commercial driver's
27 instruction permit is no longer prohibited from operation by
28 49 CFR 382.501(a), the department of revenue shall terminate
29 the downgrade without removing the commercial driver's
30 license privilege or commercial driver's instruction permit
31 privilege.

32 (2) If, after downgrade has occurred, the department
33 of revenue receives notification from the Drug and Alcohol
34 Clearinghouse that the driver is no longer prohibited from
35 operating a commercial motor vehicle by 49 CFR 382.501(a),
36 the department of revenue shall allow reinstatement of the
37 commercial driver's license privilege or commercial driver's
38 instruction permit privilege.

39 (3) If the downgrade action taken pursuant to this
40 section has been taken and updated on the CDLIS driver
41 record and the department of revenue receives notice from
42 the Federal Motor Carrier Safety Administration that the
43 driver was erroneously identified as prohibited from
44 operating a commercial motor vehicle, the department of
45 revenue shall:

46 (a) Reinstatement the commercial driver's license
47 privilege or commercial driver's instruction permit
48 privilege; and

49 (b) Expunge the downgrade action from the CDLIS driver
50 record.

51 3. No driver holding a commercial driver's license or
52 commercial driver's instruction permit shall operate a
53 commercial motor vehicle if prohibited by 49 CFR 382.501(a).

54 4. The director of the department of revenue may
55 promulgate rules as necessary to administer and enforce this
56 section. Any rule or portion of a rule, as that term is
57 defined in section 536.010, that is created under the
58 authority delegated in this section shall become effective
59 only if it complies with and is subject to all of the
60 provisions of chapter 536 and, if applicable, section
61 536.028. This section and chapter 536 are nonseverable and
62 if any of the powers vested with the general assembly
63 pursuant to chapter 536 to review, to delay the effective
64 date, or to disapprove and annul a rule are subsequently
65 held unconstitutional, then the grant of rulemaking
66 authority and any rule proposed or adopted after August 28,
67 2024, shall be invalid and void.

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