

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to create and enact section 39-06.2-08.2 of the North Dakota Century Code,
2 relating to the drug and alcohol clearinghouse requirements for commercial drivers.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Section 39-06.2-08.2 of the North Dakota Century Code is created and
5 enacted as follows:

6 **39-06.2-08.2. Commercial driver's license drug and alcohol clearinghouse**
7 **requirements.**

- 8 1. The director shall query a federal drug and alcohol clearinghouse before issuing,
9 renewing, upgrading, or transferring a commercial driver's license or commercial
10 learner's permit and review the driver's information when notified by the clearinghouse
11 of a status change.
- 12 2. The director shall downgrade or remove the commercial driving privilege from the
13 license if the licensee is found to be in violation or noncompliance with the
14 clearinghouse requirements and until the driver complies with the return-to-duty
15 requirements.
- 16 3. If the driver complies with the return-to-duty requirements pursuant to the limitations of
17 49 CFR Part 392, subpart B, the director shall upgrade the license of a driver which
18 was downgraded under this section.