

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 3134

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 6, 2024

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 3134.

As amended and reported, this bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission (chief administrator) to access and use information from the Federal Motor Carrier Safety Administration's (FMCSA) drug and alcohol clearinghouse indicating whether a commercial learner's permit (CLP) or commercial driver license (CDL) holder or applicant may lawfully operate a commercial motor vehicle. Under this bill, the chief administrator is required to request information from the drug and alcohol clearinghouse for all applicants applying for an initial, renewal, transfer, or upgraded CDL or CLP. If the chief administrator receives notification that the applicant is prohibited from operating a commercial motor vehicle, the chief administrator is prohibited from issuing, renewing, transferring, or upgrading a CDL or CLP.

Additionally, under this bill, upon receiving notification from the drug and alcohol clearinghouse that a holder of a CDL or CLP is prohibited from operating a commercial motor vehicle, the chief administrator is required to downgrade the CDL or CLP, regardless of whether that notification is received in response to a request when an applicant is applying to obtain, renew, transfer, or upgrade a CDL or CLP. The downgrade is required to be completed and recorded on the Commercial Driver License Information System driver record within 60 days after the chief administrator's receipt of such a notification. Upon notification from the FMCSA that a driver has completed the return-to-duty process, the chief administrator may reinstate the driver's CDL or CLP privileges. Upon notification from the FMCSA that a violation was entered into the drug and alcohol clearinghouse erroneously, the chief administrator is required to reinstate the driver's CDL or CLP privileges and remove the downgrade from the applicant's driving record.

The bill also requires the chief administrator to request information from the drug and alcohol clearinghouse for all applicants applying to

renew a hazardous material endorsement. If the chief administrator receives notification that the applicant is prohibited from operating a commercial motor vehicle, the chief administrator is required to deny the renewal and downgrade the CDL or CLP if the applicant has one.

This bill brings New Jersey into compliance with updates to federal law.

COMMITTEE AMENDMENTS:

The committee amended the bill to make a technical change to a citation and to make a grammatical correction.