

Commercial Driver License Act

State licensing personnel have struggled for years with the problem of “Multi-Licensed” commercial drivers—drivers holding driver licenses from more than one state. A recently-enacted federal law, The Commercial Motor Vehicle Safety Act of 1986, mandates an end to multiple licensing. In addition, it also establishes a computerized notification network that will advise state licensing authorities within seven seconds whether an applicant for a commercial driver license already has a license—valid or suspended—in another state.

Trucking companies will have access to the same network, making it increasingly unlikely that an employer will unknowingly hire a driver holding more than one license.

The Commercial Driver License Act (CDL) applies to all drivers—interstate and intrastate—who operate commercial vehicles. A commercial vehicle is defined as:

- A vehicle with a gross vehicle weight rating (GVWR) of 26,001 or more pounds, or
- A vehicle designed to transport 15 or more passengers (including driver) or
- A vehicle of any size transporting hazardous material in sufficient quantities to be required to be placard under the hazardous materials transportation regulations.

Highlights of the Commercial Driver License Act:

- Applies to all drivers of commercial vehicles as defined above.
- Makes it illegal for commercial vehicle drivers to hold more than one license—effective July 1, 1987.
- Does not establish a national or federal license. Each state administers its own testing procedures which must conform to uniform federal standards.
- Requires drivers to notify state that issued his license and his employer of all out-of-state moving violation convictions.
- Requires drivers applying for work to provide a history of any employment as a commercial vehicle driver for the preceding ten years.
- Prohibits employers from knowingly employing a driver who is in violation of the Act.
- Establishes civil penalties of up to \$2500 and fines of up to \$5000 and/or 90 days imprisonment if drivers or employers knowingly and willfully violate the Act.
- Establishes driver disqualification procedures as follows:
 - (1) One Year Disqualification—Driving a commercial vehicle while under the influence of alcohol or a controlled substance; leaving the scene of an accident; using a commercial vehicle in the commission of a felony.
 - (2) Three Year Disqualification—Any of the above while transporting hazardous materials.
 - (3) Life Disqualification—Second time offenders, or first time offenders who use a commercial motor vehicle in the commission of a felony involving controlled substances.

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- Establishes driver suspension procedures for serious violations such as accidents involving fatalities, excessive speeds, other violations determined by the U.S. Department of Transportation (DOT) as follows:
 - 60 Days Suspension–Two violations within two years.
 - 120 Days Suspension–Three violations within three years.
- Establishes legal maximum blood alcohol concentration (BAC) of 0.04, effective October 27, 1988.
- Establishes CDL testing and licensing requirements, effective July 15, 1988.
 - Sets minimum passing scores for written and driving skill tests and medical certification.
 - Requires driving skill test to be performed in the type of vehicle to be driven.
 - Requires additional testing for drivers transporting hazardous materials and for other license classifications as DOT deems necessary.
- Establishes the commercial driver license information system (CDLIS).
 - CDLIS will serve as a clearinghouse and depository of information on commercial drivers.
 - Requires all states to provide commercial driver information.
 - DOT, all states, employers, employees will all have access to CDLIS.

Key Dates

- 1986 – Passage of the Commercial Motor Vehicle Safety Act
- July 1, 1987 – Illegal for driver to hold more than one driver license
- October 27, 1988 – Legal maximum BAC of 0.04 becomes effective
- January 1, 1989 – Transfer of state driver records into the CDLIS system must be completed
- April 1, 1992 – All commercial drivers must have a state issued commercial driver license that meets the minimum requirements
- October 1, 1993 – All states must be in compliance with the Act or face a possible five percent loss of Federal Highway Construction Funding. This loss increases to ten percent if states are not in compliance by October 1, 1994.

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