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BILL ANALYSIS

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Senate Bill 1211 (as introduced 3-13-08)
Sponsor: Senator Valde Garcia
Committee: Senior Citizens and Veterans Affairs

Date Completed: 3-25-08

CONTENT

The bill would amend the Michigan Vehicle Code to allow the Secretary of State to waive the driving skills test for a commercial driver license applicant who paid the applicable license fees for the vehicle group designation or indorsement, applied within one year of his or her honorable discharge from the U.S. Armed Forces, and did both of the following:

- Certified that, during the two years immediately preceding discharge, he or she met the conditions for waiver of the driving skills test specified in Federal regulations (49 CFR 383.77(a)) and was regularly employed in a military occupational specialty that required operation of a commercial motor vehicle.
- Presented military documentation verifying that, for at least the two years immediately preceding discharge, he or she operated a vehicle representative of the commercial motor vehicle for which he or she sought a vehicle group designation or indorsement.

(Under 49 CFR 383.77(a), a state has the discretion to waive the driving skill test for a commercial motor vehicle operator who is currently licensed at the time of his or her application for a commercial driver license, and substitute the test with either an applicant's driving record and previous passage of an acceptable skills test or an applicant's driving record in combination with certain driving experience. The state must impose conditions and limitations to restrict the applicants from whom it may accept alternative requirements for the skills test. Those conditions must require an applicant to certify that, during the two-year period immediately before applying for a commercial driver license, he or she:

- Has not had more than one license.
- Has not had any license suspended, revoked, or canceled.
- Has not had any convictions for any type of motor vehicle for the disqualifying offenses contained in 49 CFR 383.51(b).
- Has not had more than one conviction for any type of motor vehicle for serious traffic violations.
- Has not had any convictions for a violation of state or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with any traffic accident, and has no record of an accident in which he or she was at fault.

The disqualifying convictions under 49 CFR 383.51(b) include, for example, driving under the influence, leaving the scene of an accident, and using a vehicle to commit a felony.)

MCL 257.312e

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government. Private companies administer these driving skills tests, and applicants pay any associated fees.

Fiscal Analyst: Stephanie Yu

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.