



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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S.B. 170*

132nd General Assembly

(As Re-referred to H. Government Accountability and Oversight)

Sens. LaRose, Hoagland, Terhar, Yuko, Sykes, Uecker, Hackett, Manning, Balderson, Beagle, Burke, Dolan, Eklund, Gardner, Hottinger, Huffman, Jordan, Kunze, Lehner, McColley, O'Brien, Oelslager, Peterson, Schiavoni, Skindell, Tavares, Thomas, Williams, Wilson

Reps. Green, Sheehy, Householder, Howse, Hughes, Johnson, Kick, Lepore-Hagan, Manning, Reece, West

BILL SUMMARY

- Requires the Director of Public Safety to seek approval from the U.S. Federal Motor Carrier Safety Administration to implement a temporary pilot program regarding the waiver of the skills test for a commercial driver's license for military personnel.

CONTENT AND OPERATION

Introduction

Under federal law, states are authorized to waive the skills test portion of the application for a Commercial Driver's License (CDL) for military service members and recently separated veterans that meet specified requirements.¹ Ohio law codifies this skills test exemption. One element of the exemption requires an applicant for a CDL to show that for at least two years immediately preceding the date of application for the CDL or at least two years immediately preceding the date the applicant separated from military service or employment, the applicant regularly operated a vehicle

* This analysis was prepared before the report of the House Rules and Reference Committee appeared in the House Journal. Note that the legislative history may be incomplete.

¹ See "Military Exemption for Skills Testing Requirements" Federal Motor Carrier Safety Administration, available at: <https://www.fmcsa.dot.gov/registration/commercial-drivers-license/states> (August 8, 2017).

representative of the commercial motor vehicle type that the applicant operates or expects to operate.²

Temporary pilot program waiving skills test

The bill requires the Director of Public Safety to submit a proposal to the U.S. Federal Motor Carrier Safety Administration (FMCSA) to temporarily suspend the element of the exemption set forth above. The bill then requires the Director to request FMCSA to allow the Director to temporarily replace it with a provision of law that allows an applicant to certify and provide evidence that for at least two years *during any portion of* the applicant's military service or employment, the applicant operated a vehicle representative of the commercial motor vehicle type that the applicant operates or expects to operate.³

If FMCSA approves the proposal, the Director must implement the skills test exemption as described above as a pilot program for four years, beginning, at the latest, 30 days from the date the Director receives approval from FMCSA. By operation, the bill would suspend the current portion of the exemption for the duration of the pilot program and reinstate it upon its termination.⁴

In addition, throughout the duration of the pilot program, the Director must collect data regarding its implementation. Within 30 days after the date on which the program ends, the Director must submit a report summarizing the data to the Speaker of the House and the President of the Senate.⁵

HISTORY

ACTION	DATE
Introduced	06-28-17
Reported, S. Local Gov't, Public Safety, & Veterans Affairs	12-05-17
Passed Senate (31-0)	12-05-17
Reported, H. Transportation & Public Safety	03-07-18
Re-Referred, H. Gov't Accountability & Oversight	---

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² 49 Code of Federal Regulations § 383.77 and R.C. 4506.09(D)(1)(c)(iii).

³ Section 1(A) (emphasis added).

⁴ Section 1(B).

⁵ Section 1(B) and (C).

