



# OHIO LEGISLATIVE SERVICE COMMISSION

## Final Analysis

Margaret E. Marcy

### Sub. S.B. 170

132nd General Assembly  
(As Passed by the General Assembly)

**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, Anielski, Antani, Antonio, Arndt, Brenner, Celebrezze, Craig, Cupp, Dever, Edwards, Faber, Gavarone, Ginter, Gonzales, Greenspan, Hagan, Hambley, Henne, Hill, Holmes, Hoops, Huffman, Ingram, Keller, Kent, Landis, Lanese, Lang, McClain, Miller, Patmon, Patton, Pelanda, Reineke, Retherford, Rezabek, Riedel, Roegner, Romanchuk, Ryan, Schaffer, Scherer, Schuring, Seitz, Slaby, R. Smith, Sprague, Stein, Strahorn, Sweeney, Thompson, Wiggam, Young

**Effective date:** August 1, 2018

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## ACT 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.
- Requires the universal validation sticker available to owners of passenger vehicle fleets to be issued without an expiration date beginning January 1, 2019.
- Increases the number of vehicles (from 250 to 500) that must be in a fleet in order for the fleet owner to qualify for a universal validation sticker.

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\* This version updates the effective date.

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## CONTENT AND OPERATION

### Temporary pilot program waiving CDL skills test

Under federal law, a state may waive the skills test portion of the application for a Commercial Driver's License (CDL) for military service members and recently separated veterans who meet specified requirements.<sup>1</sup> Ohio law codifies this skills test waiver.

The act requires the Director of Public Safety to submit a proposal to the U.S. Federal Motor Carrier Safety Administration (FMCSA) to permit Ohio to temporarily suspend one requirement that an applicant must meet to qualify for the waiver and replace it with an alternative. The following table shows the current requirement and the proposed alternative:<sup>2</sup>

Current waiver requirement	Alternative waiver requirement
To be eligible for a skills-test waiver an applicant for a CDL who is a service member or separated veteran must show:  (1) The applicant has at least two years driving experience with a commercial motor vehicle;  (2) The driving experience occurred immediately preceding the date of application or immediately preceding the date the applicant separated from military service or employment; and  (3) During the two-year period, the applicant regularly operated a vehicle representative of the commercial motor vehicle type that the applicant expects to operate. <sup>3</sup>	To be eligible for a skills-test waiver an applicant for a CDL who is a service member or separated veteran must show:  (1) Same;  (2) The driving experience occurred <i>during any period of</i> the applicant's military service or employment; and  (3) Same.

If FMCSA approves the proposal, the Director must implement the skills test waiver with the alternative requirement as a pilot program. The act specifies that the pilot program is for a period of four years, beginning, at the latest, 30 days from the date the Director receives approval from FMCSA. During the pilot program, the current

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<sup>1</sup> 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).

<sup>2</sup> Section 1(A).

<sup>3</sup> 49 Code of Federal Regulations § 383.77 and R.C. 4506.09(D)(1)(c)(iii).



requirement is suspended by operation of the act and is reinstated on the program's termination.<sup>4</sup>

In addition, throughout the term of the pilot program, the Director must collect data regarding its implementation. Within 30 days after the program ends, the Director must submit a report summarizing the data to the Speaker of the House and the President of the Senate.<sup>5</sup>

### **Universal validation sticker for fleet vehicles**

Under continuing law, an owner of a motor vehicle must obtain a validation sticker from the Registrar of Motor Vehicles or a deputy registrar at the time of vehicle registration. The validation sticker indicates the date when the registration for that vehicle expires. The owner must place the validation sticker on the rear license plate to quickly indicate to law enforcement that a vehicle's registration is current.<sup>6</sup>

The owner of a fleet of passenger vehicles may obtain a universal validation sticker developed by the Director of Public Safety. The universal validation sticker is not tied to a specific vehicle, and the owner may place it on any of the vehicles in the fleet.<sup>7</sup> Under the act, beginning January 1, 2019, the Registrar or a deputy registrar must issue all universal validation stickers without an expiration date. Thus, the owner does not need to replace the sticker at the time of registration. It only needs replaced if it is lost, mutilated, or destroyed. This saves an owner of a larger fleet the time of annually placing new stickers on each of the fleet's vehicles.<sup>8</sup>

The act also increases the number of vehicles (from 250 to 500) that must be in a fleet in order for the fleet owner to qualify for a universal validation sticker.<sup>9</sup>

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<sup>4</sup> Section 1(B).

<sup>5</sup> Section 1(B) and (C).

<sup>6</sup> R.C. 4503.19.

<sup>7</sup> R.C. 4503.191.

<sup>8</sup> R.C. 4503.191 and 4503.83.

<sup>9</sup> R.C. 4503.191.



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## 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	03-13-18
Reported, H. Gov't Accountability & Oversight	03-15-18
Passed House (97-0)	03-21-18
Senate concurred in House amendments (33-0)	04-11-18

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