



MURIEL BOWSER
MAYOR

January 22, 2024

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and enactment by the Council of the District of Columbia is the "Commercial Driver License Amendment Act of 2024".

In all jurisdictions of the United States, issuance and maintenance of commercial driver licenses ("CDLs") are controlled by federal statutes and regulations. Failure of a jurisdiction to maintain compliance with the federal requirements may result in the jurisdiction losing its ability to issue CDLs. The enclosed legislation amends the Uniform Classification and Commercial Driver's License Act of 1990 to update outdated references to federal law and specify the relevant controlling federal regulations.

I urge the Council to take prompt and favorable action on the legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser", written over a faint, larger version of the same signature.

Muriel Bowser

Enclosure



Chairman Phil Mendelson
at the request of the Mayor

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Uniform Classification and Commercial Driver’s License Act of 1990 by updating several references to the U.S. Code regarding the Commercial Motor Vehicle Safety Act and modifying the standards for disqualification of a person from operation of a motor vehicle.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Commercial Driver’s License Amendment Act of 2024”.

Sec. 2. The Uniform Classification and Commercial Driver’s License Act of 1990, effective September 20, 1990 (D.C. Law 8-161; D.C. Official Code § 50-401 *et seq.*), is amended as follows:

(a) Section 2(2) (D.C. Official Code § 50-401(2)) is amended by striking the phrase “the Commercial Motor Vehicle Safety Act of 1986, approved October 27, 1986 (100 Stat. 3207; 49 U.S.C. sec. 2701 *et seq.*) (“Commercial Motor Vehicle Safety Act”),” and inserting the phrase “49 U.S.C. § 31309” in its place.

(b) Section 3 (D.C. Official Code § 50-402) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “section 12005(a) of the Commercial Motor Vehicle Safety Act (49 U.S.C. sec. 2704(a))” and inserting the phrase “49 U.S.C. § 31305” in its place.

32 (2) Paragraph (7) is amended by striking the phrase “section 12007 of the
33 Commercial Motor Vehicle Safety Act (49 U.S.C. sec. 2706)” and inserting the phrase “49
34 U.S.C. § 31309” in its place.

35 (3) Paragraph (8) is amended by striking the phrase “section 12007 of the
36 Commercial Motor Vehicle Safety Act (49 U.S.C. sec. 2708)” and inserting the phrase “49
37 U.S.C. § 31311” in its place.

38 (c) Section 7 (D.C. Official Code § 50-406) is amended to read as follows:

39 “Sec. 7. Disqualification.

40 “The Mayor shall disqualify a person from the operation of a commercial motor vehicle
41 if:

42 “(1) The person has been convicted of an offense specified in 49 C.F.R. § 383.51,
43 and the person shall be disqualified for the time period set forth therein;

44 “(2) The person’s driving has been determined to constitute an imminent hazard,
45 as specified in 49 C.F.R. § 383.52(a), and the person shall be disqualified for a time period not to
46 exceed the time periods set forth in 49 C.F.R. § 383.52(b) and (c);

47 “(3) The person falsified information specified in 49 C.F.R. § 383.73(j), and the
48 person shall be disqualified for at least the minimum time period set forth therein; or

49 “(4) The person has been convicted of fraud related to the issuance of a
50 commercial driver’s license or commercial learner’s permit, or has failed to timely take a
51 knowledge or skills retest or fails a knowledge or skills retest after suspected fraud, as provided
52 in 49 C.F.R. § 383.73(k), and the person shall be disqualified for the time period set forth
53 therein.”

54 Sec. 3. Fiscal impact statement.

55 The Council adopts the fiscal impact statement in the committee report as the fiscal
56 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
57 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

58 Sec. 4. Effective date.

59 This act shall take effect following approval by the Mayor (or in the event of veto by the
60 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
61 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
62 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
63 Columbia Register.

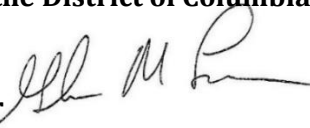
Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: May 4, 2023

SUBJECT: Fiscal Impact Statement – Commercial Driver’s License Amendment Act of 2023

REFERENCE: Draft Bill as provided to the Office of Revenue Analysis on April 21, 2023

Conclusion

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

Background

The Department of Motor Vehicles (DMV) registers commercial motor vehicles, issues commercial driver’s licenses (CDL) of various classes, and requires the operator of a commercial motor vehicle to hold a CDL.¹ DMV regulates the operation of commercial motor vehicles and CDLs, including when a CDL holder should be disqualified from holding the CDL for a defined period or indefinitely. DMV’s laws and regulations around commercial motor vehicles and their operators are consistent with federal laws and regulations.

The bill updates statutory references to federal laws around commercial motor vehicles to be consistent with the prevailing federal codes and regulations.² The bill also repeals the District’s CDL disqualification parameters and aligns them with federal disqualification criteria.³

¹ Uniform Classification and Commercial Driver’s License Act of 1990, effective September 20, 1990 (D.C. Law 8-161; D.C. Official Code § 50-401 et seq.).

² 49 C.F.R. §§ 31309 and 31311.

³ 49 C.F.R. §§ 383.51, 383.52, 383.73(j), and 383.73(k).

The Honorable Phil Mendelson

FIS: "Commercial Driver's License Amendment Act of 2023," Draft Bill as provided to the Office of Revenue
Analysis on April 21, 2023

Financial Plan Impact

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill. DMV can implement the bill's changes within the agency's existing budgeted resources. The bill's changes ensure that District laws will be consistent with federal statutes and regulations whenever those change, without having to further change District laws.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



Legal Counsel Division

MEMORANDUM

TO: Tommy Wells
Director
Office of Policy and Legislative Affairs

FROM: Megan D. Browder
Deputy Attorney General
Legal Counsel Division

DATE: March 16, 2023

RE: Legal Sufficiency Certification of Draft Legislation, the “Commercial Driver License Amendment Act of 2023” and Transmittal Letter
(AE-23-127-B)

This is to Certify that this Office has reviewed the above-referenced draft legislation and found it to be legally sufficient. If you have any questions, please do not hesitate to call me at 724-5524.

A handwritten signature in black ink that reads "Megan D. Browder". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Megan D. Browder