2023 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 135

BY REPRESENTATIVE KNOX

MOTOR VEHICLES: Urges and requests the office of motor vehicles to implement federal regulations relative to commercial drivers' licenses

1	A CONCURRENT RESOLUTION
2	To urge and request the office of motor vehicles to begin implementing new federal
3	regulations related to state driver's licensing agencies accessing and using
4	information obtained through the Drug and Alcohol Clearinghouse.
5	WHEREAS, public safety is endangered by the operation of commercial motor
6	vehicles by drivers who are under the influence of drugs or alcohol; and
7	WHEREAS, the state of Louisiana is responsible for ensuring its commercial motor
8	vehicle operators are not endangering public safety; and
9	WHEREAS, federal law regulates Department of Transportation drug testing and
10	oversees the procedures when a drug or alcohol test is failed or refused by someone with a
11	commercial driver's license; and
12	WHEREAS, four-year-old Katie Grantham was killed in an accident involving a
13	commercial vehicle operator who was hired after a previously failed Department of
14	Transportation drug test; and
15	WHEREAS, tragic situations such as Katie Grantham's necessitated changes in the
16	federal regulations regarding commercial driver's licenses for operators with previously
17	failed or refused Department of Transportation drug and alcohol tests; and
18	WHEREAS, the Federal Motor Carrier Safety Administration amended its
19	regulations to establish requirements for state driver's licensing agencies to access and use
20	information obtained through the Drug and Alcohol Clearinghouse, a database administered

1 by the Federal Motor Carrier Safety Administration that contains driver-specific controlled 2 substance and alcohol records, effective November 18, 2024; and 3 WHEREAS, the new regulations require state driver's licensing agencies not issue, renew, upgrade, or transfer a commercial driver's license for any individual prohibited under 4 5 the Federal Motor Carrier Safety Administration's regulations from performing safety-6 sensitive functions, including driving a commercial motor vehicle, due to one or more drug 7 or alcohol program violations; and 8 WHEREAS, when the new regulations take effect in November of 2024, commercial 9 drivers' licenses will be appropriately restricted for driving a commercial vehicle following 10 a failed or refused Department of Transportation drug or alcohol test; and 11 WHEREAS, tragic situations such as Katie Grantham's necessitated changes in the 12 federal regulations regarding commercial driver's licenses for operators with previously 13 failed or refused Department of Transportation drug and alcohol tests; and 14 WHEREAS, it is through the relentless dedication and persistence of Katie 15 Grantham's loving family that efforts are still being made to prevent avoidable tragedies like 16 this in the future; and 17 WHEREAS, these families recognize the urgent need to implement changes now, 18 which is why there is no time for the office of motor vehicles to await delayed 19 implementation when acting at this very moment could save lives; and 20 WHEREAS, the new regulations are a significant step forward in addressing the issue 21 of potentially impaired drivers operating commercial motor vehicles and should be 22 implemented as soon as possible. 23 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 24 urge and request the office of motor vehicles begin implementation of the new regulations 25 immediately or as soon as it can feasibly do so.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
secretary of the office of motor vehicles.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 135 Original

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Urges and requests the office of motor vehicles to begin implementing new federal regulations related to state driver's licensing agencies accessing and using information obtained through the federal Drug and Alcohol Clearinghouse.