

# ASSEMBLY, No. 707

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblyman MICHAEL TORRISSI, JR.**

**District 8 (Atlantic and Burlington)**

**SYNOPSIS**

Requires MVC to waive knowledge test requirement for certain military service members who apply for commercial driver license.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning commercial driver licenses and amending  
2 P.L.2013, c.48.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 1 of P.L.2013, c.48 (C.39:3-10.17b) is amended to  
8 read as follows:

9 1. a. As used in this **[act]** section:

10 "Commercial motor vehicle" means a motor vehicle or  
11 combination of motor vehicles used or designed to transport  
12 passengers or property that has a gross vehicle weight rating of  
13 26,001 or more pounds or displays a gross vehicle weight rating of  
14 26,001 or more pounds or a gross combination weight rating of  
15 26,001 or more pounds inclusive of a towed unit with a gross  
16 vehicle weight rating of more than 10,000 pounds. The term shall  
17 not include any of the other types of vehicles listed under the  
18 definition of commercial motor vehicle pursuant to section 3 of  
19 P.L.1990, c.103 (C.39:3-10.11).

20 "Military commercial driver license" means an authorization for  
21 a person to operate a commercial motor vehicle which is issued by  
22 any branch of the active duty or the reserve component of the  
23 Armed Forces of the United States or the National Guard of any  
24 state.

25 b. Notwithstanding the provisions of section 4 of P.L.1990,  
26 c.103 (C.39:3-10.12) or any other law to the contrary, the Chief  
27 Administrator of the New Jersey Motor Vehicle Commission shall  
28 waive the knowledge test and skills test required pursuant to section  
29 4 of P.L.1990, c.103 (C.39:3-10.12), as applicable, for a  
30 commercial driver license applicant who has experience operating a  
31 commercial motor vehicle while serving in the military and who  
32 submits satisfactory proof that the applicant meets the requirements  
33 for such a waiver under the federal "Commercial Motor Vehicle  
34 Safety Act of 1986," as those requirements are set forth in 49 C.F.R.  
35 s.383.77.

36 c. In order to qualify for the **[waiver]** waivers permitted under  
37 subsection b. of this section, an applicant for a commercial driver  
38 license shall submit to the chief administrator, in addition to the  
39 application:

40 (1) satisfactory proof that the applicant is a member of a branch  
41 of the active or the reserve component of the Armed Forces of the  
42 United States or the National Guard of any state, or that the  
43 applicant is a veteran who received an honorable discharge from a  
44 branch of the active or reserve component of the Armed Forces of  
45 the United States or the National Guard of any state;

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (2) the applicant's military commercial driver license or other  
2 documentation certifying the applicant's experience in the operation  
3 of a commercial motor vehicle while serving in the military; and

4 (3) any additional documentation that the chief administrator  
5 deems necessary to determine the equivalent class of commercial  
6 motor vehicle that the applicant is authorized to operate.

7 d. A waiver shall not be granted under the provisions of this  
8 **[act]** section if the granting of the waiver would place the State out  
9 of substantial compliance with the requirements of the federal  
10 "Commercial Motor Vehicle Safety Act of 1986."

11 e. Nothing in this section shall be construed to exempt an  
12 applicant for a commercial driver license from any other State or  
13 federal requirements for obtaining a commercial driver license or  
14 any endorsement thereon, including, but not limited to, the  
15 submission of fingerprints and a criminal history records check.  
16 (cf: P.L.2013, c.48, s.1)

17  
18 2. This act shall take effect on the first day of the sixth month  
19 next following the date of enactment, except that the chief  
20 administrator may take such anticipatory actions in advance thereof  
21 as may be necessary to effectuate this act.  
22  
23

24 STATEMENT  
25

26 This bill requires the Chief Administrator of the New Jersey  
27 Motor Vehicle Commission to waive the knowledge test  
28 requirement for certain military service members who apply for a  
29 commercial driver license.

30 Under the federal "Commercial Motor Vehicle Safety Act of  
31 1986," the federal government requires the states to meet certain  
32 standards governing the issuance of commercial driver licenses.  
33 These standards include the requirement that every applicant pass a  
34 knowledge test and a skills test before obtaining the license.  
35 However, federal regulations allow the states to waive these testing  
36 requirements for military service members who meet certain  
37 conditions set forth by the federal government (49 C.F.R. s.383.77).

38 As authorized, the State currently requires the MVC to waive the  
39 skills test requirement for qualified military service members who  
40 apply for certain commercial driver licenses. Under the bill, the  
41 MVC would also waive the knowledge test requirement for  
42 qualified military service members. As required by federal  
43 regulations, a current or former military service person may qualify  
44 for the knowledge test waiver if, during the one-year period  
45 immediately preceding the date of application, the person: (1) was  
46 regularly employed as an operator of certain military vehicles; (2)  
47 operated a vehicle that is representative of the type of commercial  
48 motor vehicle that the person expects to operate; (3) has not

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1 simultaneously held more than one civilian license; (4) has not had  
2 any license suspended, revoked, or canceled; (5) has not been  
3 convicted of certain types of serious traffic offenses; and (6) has not  
4 been convicted of certain types of motor vehicle violations arising  
5 in connection with a traffic accident and has no record of an  
6 accident in which the person was at fault.

7 However, under current State law, military applicants who seek  
8 to operate the following categories of commercial vehicles are not  
9 permitted to receive the skills test waiver: (1) vehicles designed to  
10 transport 16 or more passengers; (2) vehicles designed to transport  
11 between eight and 16 persons if used to transport such persons for  
12 hire on a daily basis to and from places of employment; (3) vehicles  
13 used in the transportation of hazardous materials; or (4) vehicles  
14 used for the transportation of children to or from a school or other  
15 similar places of education. Similarly, these applicants would not  
16 qualify for the knowledge test waiver provided under the bill.