# **Department of Finance and Administration**

## Legislative Impact Statement

### Bill: HB2013 Amendment Number: Engrossment 4/1/13 (Am. #S1) Bill Subtitle: TO AMEND THE ARKANSAS UNIFORM COMMERCIAL DRIVER LICENSE ACT, ? 27-23-101 ET SEQ., TO COMPLY WITH FEDERAL COMMERCIAL DRIVER LICENSE REGULATIONS AND TO MAKE TECHNICAL CORRECTIONS.

# Basic Change :

Sponsor: Representative Catlett

This bill makes various changes to the Uniform Commercial Driver License Act, as is required by the Federal Motor Carrier's Safety Regulations, regarding commercial driver testing, licensing, and disqualification. The federal regulatory changes require the State of Arkansas to make mandatory changes to Arkansas law in order to receive federal highway funds.

The amendment contained in the 4/1/13 engrossment changes the effective date of the bill to comply with the federal CDL law implementation deadlines. All sections of the bill which relate to the prohibition of using a hand held mobile telephone while driving a commercial motor vehicle must be implemented by September 1, 2013. All other sections of this bill must be implemented by July 8, 2014. **Revenue Impact :** 

If this bill is not passed, the Arkansas Highway and Transportation Department may lose \$17 million in federal highway funding the first year and \$33 million the second year.

#### Taxpayer Impact :

Taxpayers who apply for a commercial driver's license will follow new procedures.

# Resources Required :

Both DFA and ASP will be required to implement new programming and train personnel on the new rules and procedures. ASP has completed the programming and roll-out of the automated testing at the ASP testing facilities. Programming has been completed for transmission of test scores to DFA.

#### Time Required :

No additional time is required if the amendment is passed.

#### Procedural Changes :

New procedures will be developed and implemented at both DFA and ASP.

#### Other Comments :

If this bill is not passed, the Arkansas Highway and Transportation Department may lose \$17 million in federal highway funding the first year and \$33 million the second year.

# Legal Analysis :

Amendment S-1 to HB2013 establishes effective dates for certain sections of the bill. The following are effective on and after September 1, 2013:

- § 27-23-103(37)(J) [Adds "using a hand-held mobile telephone while driving" to the definition of "serious traffic violation."]
- § 27-23-103(45) and (50) [Adds the definitions of "mobile telephone" and "use of a hand-held mobile telephone" for purposes of administering § 27-23-131.]
- § 27-23-131 [New section added to the Arkansas Code that contains the substance of the prohibition against use of a hand-held mobile telephone while driving a commercial motor vehicle.]

The remaining provisions of the bill are effective on and after July 8, 2014.