

# Department of Finance and Administration

## Legislative Impact Statement

**Bill: SB341**

**Amendment Number: H1**

**Bill Subtitle: TO AMEND THE COMMERCIAL DRIVER ALCOHOL AND DRUG TESTING ACT TO COMPLY WITH FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION REGULATIONS.**

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### **Basic Change :**

**Sponsors: Sen. J. Boyd and Rep. McClure**

**House Amendment No. 1** --- SB341-H1 (engrossed H3/29/23) clarifies the responsibilities of the Office of Driver Services (ODS) of the Department of Finance and Administration:

- Upon receipt of an application to issue, renew, transfer, or upgrade a commercial driver license or commercial learner permit, ODS shall query the Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) and deny the application if the query indicates the driver is prohibited from operating a commercial motor vehicle;
- Upon receipt of notification from the Clearinghouse that a driver is prohibited from operating a commercial motor vehicle, ODS shall revoke the driver's commercial driver license or commercial learner permit effective immediately and downgrade the driver to a standard driver's license; and
- ODS shall maintain the confidentiality of the Clearinghouse records.

**Original Bill** --- SB341 amends § 27-23-201 to be compliant with the Federal Motor Carrier Safety Administration's requirements for the Commercial Driver's License Drug and Alcohol Clearinghouse, a central repository that maintains records of all drug and alcohol program violations for holders of a commercial driver's license (CDL).

Currently, the Office of Driver Services (ODS) of the Department of Finance and Administration collects alcohol and drug screening results and maintains the Commercial Driver Alcohol and Drug Testing Database. The Federal Clearinghouse replaces the use of the current database which will no longer be maintained.

This is a mandated federal requirement for continued receipt of federal highway funds.

### **Revenue Impact :**

ODS collects a fee of \$1.00 for each drug and alcohol record. From January 1, 2022 through December 31, 2022, ODS collected \$5,182.00 for drug and alcohol records.

### **Taxpayer Impact :**

ODS would query the Clearinghouse upon application for a commercial driver's license or commercial learner permit. ODS is not required to query the drug and alcohol database currently.

### **Resources Required :**

The Arkansas Integrated Revenue System (AIRS) will need to be modified with an estimated project cost of \$84,000 with ongoing yearly maintenance of \$4,000.

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### **Time Required :**

Adequate time is provided for implementation.

### **Procedural Changes :**

There will be various procedural changes and training material will be distributed for employees.

### **Other Comments :**

None.

### **Legal Analysis :**

None.