

2019 -- H 5163

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - RHODE ISLAND UNIFORM
COMMERCIAL DRIVER'S LICENSE ACT

Introduced By: Representatives Phillips, Solomon, Shekarchi, Ucci, and Hawkins

Date Introduced: January 23, 2019

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 31-10.3-19 and 31-10.3-30 of the General Laws in Chapter 31-
2 10.3 entitled "Rhode Island Uniform Commercial Driver's License Act" are hereby amended to
3 read as follows:

4 **31-10.3-19. Examination of applicants.**

5 (a) The department shall examine every applicant for a commercial license or learner's
6 permit. The examination shall include: (1) a test of the applicant's eyesight to be administered
7 according to standards set by the Federal Motor Carrier Regulations; (2) his or her ability to read
8 English in understanding highway signs regulating, warning, and directing traffic; (3) his or her
9 knowledge of the traffic laws of this state; and (4) shall include an actual demonstration of ability
10 to exercise ordinary and reasonable control in the operation of a motor vehicle or combination of
11 vehicles of the type covered by the license classification, endorsement, or restrictions which the
12 applicant is seeking. The examination may also include any further physical and mental
13 examinations that the department deems necessary to determine the applicant's fitness to safely
14 operate a motor vehicle upon the highways. Any applicant who achieves a passing grade, exhibits
15 the proficiency required or otherwise satisfies any requirements of any part of the examination
16 process but fails to meet any other requirements shall be permitted, for a period of up to two
17 years, to retake only those sections which the applicant failed to pass.

18 (b) A nonresident, who establishes residence in the state of Rhode Island and makes

1 application for a Rhode Island commercial license, shall not be required to demonstrate his or her
2 ability to operate a motor vehicle, unless the examiner has reason to believe such a demonstration
3 is needed; provided, that the nonresident surrenders a valid commercial license that was issued
4 under the requirements of the Commercial Motor Vehicle Safety Act of 1986 (see now 49 U.S.C.
5 § 31101 et seq.); may be as amended from time to time by another state.

6 (c) The department shall be permitted to promulgate rules and regulations pertaining to
7 third-party testing for the skills tests required for commercial driver's licenses in accordance with
8 49 CFR Part 383, as it may be revised from time to time.

9 **31-10.3-30. Commercial driver's license required.**

10 (a) Except when operating under a commercial instruction permit and accompanied by
11 the holder of a commercial license valid for the vehicle being operated, no person shall operate a
12 commercial motor vehicle unless the person has been issued a valid commercial driver's license
13 containing the endorsements, classifications, or restrictions applicable to the type of vehicle being
14 operated.

15 (b) No person shall be issued a commercial driver's license until he or she has passed a
16 written and driving test for the operation of a commercial motor vehicle which complies with the
17 minimum federal standards in 49 C.F.R. Part 383, as revised from time to time, and has satisfied
18 all other federal requirements as well as any other requirements imposed by state law [subject to](#)
19 [the provisions of § 31-10.3-19\(a\)](#). The tests shall be prescribed and conducted by the department
20 or a third party designated by the department.

21 (c) A commercial license may be issued only to a person who operates or who intends to
22 operate commercial motor vehicles and who is domiciled in this state.

23 (d) A commercial license shall not be issued to a person during a period in which that
24 person is disqualified from operating a commercial motor vehicle or while that person's license is
25 suspended, revoked, cancelled, or otherwise withdrawn in any state or province of Canada; nor
26 shall a commercial driver's license be issued to a person who has a license issued by any other
27 state unless the person first surrenders the commercial driver's license issued by the other state,
28 which license shall be returned to the issuing state for cancellation.

29 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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COMMERCIAL DRIVER'S LICENSE ACT

1 This act would permit applicants for commercial driver's licenses to carry over parts of
2 the required examinations that they passed for a period of two years and require them to retake
3 those portions not passed.

4 This act would take effect upon passage.

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