

**2019 -- H 5163 SUBSTITUTE A**

LC000236/SUB A/2

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2019**

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, 31-10.3-20, 31-10.3-23 and 31-10.3-30 of the General  
2 Laws in Chapter 31-10.3 entitled "Rhode Island Uniform Commercial Driver's License Act" are  
3 hereby amended to 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. Each applicant shall successfully complete the skills test in the following  
13 order: pre-trip inspection, basic vehicle control skills, on-road skills. If an applicant fails one  
14 segment of the skills test the applicant cannot continue to the next segment of the test; however,  
15 scores for the passed segments of the skills test shall remain valid and an applicant will not be  
16 required to retake the segments previously passed prior to expiration of the commercial learner's  
17 permit. The examination may also include any further physical and mental examinations that the  
18 department deems necessary to determine the applicant's fitness to safely operate a motor vehicle

1 upon the highways.

2 (b) A nonresident, who establishes residence in the state of Rhode Island and makes  
3 application for a Rhode Island commercial license, shall not be required to demonstrate his or her  
4 ability to operate a motor vehicle, unless the examiner has reason to believe such a demonstration  
5 is needed; provided, that the nonresident surrenders a valid commercial license that was issued  
6 under the requirements of the Commercial Motor Vehicle Safety Act of 1986 (see now 49 U.S.C.  
7 § 31101 et seq.); may be as amended from time to time by another state.

8 (c) The department shall be permitted to promulgate rules and regulations pertaining to  
9 third-party testing for the skills tests required for commercial driver's licenses in accordance with  
10 49 CFR Part 383, as it may be revised from time to time.

11 **31-10.3-20. Fees.**

12 The fees charged for commercial licenses, endorsements, classifications, restrictions, and  
13 required examinations shall be as follows:

- 14 (1) For every commercial operator's first license, thirty dollars (\$30.00);  
15 (2) For every renewal of a commercial license, fifty dollars (\$50.00);  
16 (3) For every duplicate commercial license, ten dollars (\$10.00);  
17 (4) For every duplicate commercial ~~instruction~~ learner's permit, ten dollars (\$10.00);  
18 (5) For any change of:  
19 (i) Classification(s), ten dollars (\$10.00);  
20 (ii) Endorsement(s), ten dollars (\$10.00);  
21 (iii) Restriction(s), ten dollars (\$10.00);  
22 (6) For every written and/or oral examination, ten dollars (\$10.00);  
23 (7) The Rhode Island board of education shall establish fees that are deemed necessary  
24 for the Community College of Rhode Island to administer the skill test, not to exceed one  
25 hundred dollars (\$100);  
26 (8) For every commercial ~~Class P (learner's permit) first license, thirty dollars (\$30.00);~~  
27 ~~and~~ , sixty dollars (\$60.00)  
28 (9) ~~For every renewal of a commercial Class P (learner's permit) license, thirty dollars~~  
29 ~~(\$30.00).~~

30 **31-10.3-23. Expiration of licenses.**

31 Every commercial license issued by the department shall expire on the licensee's birth  
32 date in the fifth year following the initial issuance, excluding ~~Class P (learner's permit) licenses~~  
33 commercial learner's permits which shall expire ~~one hundred eighty (180) days~~ one year from the  
34 date of initial issuance, and excluding a first issuance which shall expire on the licensee's birth

1 date in the second year following initial issuance.

2 **31-10.3-30. Commercial driver's license required.**

3 (a) Except when operating under a commercial ~~instruction~~ [learner's](#) permit and  
4 accompanied by the holder of a commercial license valid for the vehicle being operated, no  
5 person shall operate a commercial motor vehicle unless the person has been issued a valid  
6 commercial driver's license containing the endorsements, classifications, or restrictions applicable  
7 to the type of vehicle being operated.

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

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

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

22 SECTION 2. This act shall take effect on January 1, 2020.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

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

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1           This act would provide criteria for the administration of the skills test portion of a  
2 commercial driver's license exam and would allow the applicant to carry over parts of the  
3 examinations that applicants pass in sequence and require them to retake only those portions not  
4 passed.

5           This act would take effect on January 1, 2020.

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