

New Commercial Driver's License Regulations

By Martin J. Costello

The Federal Motor Carrier Safety Administration has instituted new rules affecting Commercial Driver's Licenses (CDL). These rules have significantly revised the CDL regulations, particularly in the area of disqualification. The revisions include:

1. Expansion of the Definition of Serious Traffic Violation,
2. A Conviction-Masking Prohibition, and
3. Disqualification of CDL holders for violations obtained while driving a non-commercial motor vehicle.

The new revisions have expanded the list of traffic violations that will disqualify – prohibit! – a CDL holder from operating a commercial motor vehicle (CMV). The new rules apply even if you are not driving a CMV! These so-called “serious traffic violations” now include convictions for excessive speeding (15 mph or more over the posted limit), reckless driving, improper lane changes, following another vehicle too closely, and any traffic law violation that leads to a fatal accident. A conviction for any of these offenses will disqualify a CDL holder, regardless of whether the violation occurs in a CMV or a non-CMV such as your personal vehicle. The offenses also include driving a CMV without obtaining a CDL, driving a CMV without a CDL in the driver's possession, and driving a CMV without the proper class of CDL endorsements.

Additionally, the new regulations prohibit states from masking violations that would normally appear of a CDL holder's driving record, or deferring imposition of judgment, allowing a driver to enter into a diversion program, or using any other disposition that would prevent a CDL driver's conviction for any type of traffic violation in any type of vehicle from appearing on the CDL holder's driving record.

The new rules also require CDL drivers to be disqualified if they have been convicted of traffic offenses while operating a non-CMV, which result in their license being canceled, revoked, or suspended; or of committing drug or alcohol-related offenses, such as DWIs, even while driving a non-CMV.

These new laws have significantly changed the regulations concerning CDLs. The Teamsters Union has obtained several charts that explain the disqualification periods – which depend on the type of traffic violation committed, the type of vehicle being driven when the offense was committed, and the number of prior similar offenses – that are available to you through your Union steward. If you have any questions concerning the disqualification periods for the various offenses, see your Union steward. You can also find the charts online at: <http://www.teamster.org/sh/safetyhealth.asp>.

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