HB479

199360-2

By Representatives Grimsley, Jones (M), McMillan, Robertson, South, Hill, Hurst, Scott, Crawford, Lee, Wood (R), Brown (C), Reynolds, Kitchens, Isbell, Sorrells, Clarke, Sullivan, Moore (M), Rogers, Forte, Wood (D), Oliver, Morris, Drummond, Rafferty, Kiel, Carns, Dismukes, Faust, McCampbell, Marques, Gray, Fincher, Shaver, Daniels, Shiver, Sorrell, Standridge, Clouse, Alexander, Lawrence, Hall, Hatcher, Sells, Drake, Boyd, England, Warren, Wadsworth, Chestnut, Bracy, Sanderford, Ellis, Estes, Shedd, Moore (P), Collins, Ledbetter and Allen

RFD: Transportation, Utilities and Infrastructure

First Read: 18-APR-19
SYNOPSIS: This bill will permit Alabama to issue Class A commercial driver licenses, limited to intrastate travel, to applicants at least 18 years of age and under 21 years of age.

Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates funds, or provides a local source of revenue, to the entity for the purpose.

The purpose or effect of this bill would be to require a new or increased expenditure of local funds within the meaning of the amendment. However,
the bill does not require approval of a local
governmental entity or enactment by a 2/3 vote to
become effective because it comes within one of the
specified exceptions contained in the amendment.

A BILL
TO BE ENTITLED
AN ACT

Relating to transportation; to permit the issuance
of Class A commercial driver licenses, limited to intrastate
travel, to applicants at least 18 years of age and under 21
years of age; and in connection therewith would have as its
purpose or effect the requirement of a new or increased
expenditure of local funds within the meaning of Amendment 621
of the Constitution of Alabama of 1901, now appearing as
Section 111.05 of the Official Recompilation of the
Constitution of Alabama of 1901, as amended.
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds that current
economic conditions are such that the number of individuals
willing and qualified to operate commercial vehicles is
insufficient in relation to the volume of freight available,
and that it will be advantageous, consistent with Commercial
Driver License safety rules, for this state to issue Class A
commercial driver licenses to persons who have reached the age
of 18 years and have not yet reached the age of 21 years and
who otherwise meet the requirements imposed by state and federal law to obtain a commercial driver license for use only in intrastate commerce.

Section 2. Notwithstanding any provision of law to the contrary, the Alabama State Law Enforcement Agency shall issue Class A commercial driver licenses to persons who have reached their 18th birthday but have not yet reached their 21st birthday and are otherwise qualified for a commercial driver license, with such operation being restricted to intrastate commerce. Any person possessing a Class A commercial driver license shall comply with all state and federal laws and safety regulations.

Section 3. All applicants shall be familiar with and governed by the Federal Motor Carrier Safety Regulations at 49 CFR 380, Subparts E, F, and G, and Parts 382 through 397, inclusive.

Section 4. Nothing in this act allows the issuance of any commercial driver license in violation of federal law. This act applies only where federal law allows the states a field of operation or authorizes a variance from applicable federal standards.

Section 5. If federal law is amended to permit persons who have not yet reached the age of 21 years to operate a commercial vehicle in interstate commerce with a Class A commercial driver license, then this state shall promulgate such rules, regulations, restrictions, and
eligibility requirements as are necessary to permit interstate travel.

Section 6. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

Section 7. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Amendment 621, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, because the Legislative Fiscal Office has determined the bill has an aggregate fiscal impact of less than $50,000 annually.

Section 8. This act shall become effective on February 7, 2020, following its passage and approval by the Governor, or its otherwise becoming law.