

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB178

Chairperson: Senator Deb Fischer

Committee: Transportation and Telecommunications

Date of Hearing: January 25, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 178 amends Nebraska law to to keep the state in substantial compliance with federal laws governing commercial motor vehicles and commercial driver licenses (CDL). The bill contains two areas of compliance that require changes.

First, the bill provides new requirements for medical certification for a CDL holder. The drivers are not subject to new or different medical fitness standards under the new federal rule. Rather, the new requirements are for keeping track of CDL holders' medical fitness by requiring drivers to self-certify with the DMV to one of four categories depending on the kind of driving the driver does. Certain certification information will be collected from drivers when they go through the process.

The bill authorizes the DMV to store the certification information, downgrade CDL holders that fail to keep their certification current, and to share certification information with other states for purposes of enforcing CDL law and enhancing public safety by ensuring that commercial motor vehicle drivers have a current medical certification. Federal law requires Nebraska to have these provisions in place no later than January 30, 2012 to remain in compliance.

LB 178 also contains provisions that amend Nebraska law to harmonize its provisions with federal rules and regulations pertaining to the operation of commercial motor vehicles and transportation of Hazardous Materials on Nebraska Roadways. The necessity for such changes was identified during a 2009 federal audit. Failure to enact such changes may lead to the state losing 50 percent of its federal funds under the Motor Carrier Safety Assistance Program.

Principal Introducer: _____

Senator

