

SB0187 - MVA - LOS - Drunk Driving - Commercial Dr

Uploaded by: Patricia Westervelt

Position: FAV

January 14, 2025

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings
2 East, Miller Senate Office Building
Annapolis MD 21401

RE: Letter of Support - Senate Bill 187 - Drunk Driving - Commercial Driver's Licenses - Disqualification From Driving

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) supports Senate Bill 187 as it will bring Maryland law into compliance with the Federal Motor Carrier Safety Administration (FMCSA) regulations requiring commercial driver disqualification.

SB 187 requires the Maryland Motor Vehicle Administration (MVA) to suspend a Commercial Instructional Permit (CIP) or Commercial Driver's License (CDL) for one year for the first offense and for life for a second offense if a driver is caught operating or attempting to operate a motor vehicle while that person's blood alcohol concentration (BAC) is .08 or greater.

This bill seeks to bring Maryland law into compliance with Federal Motor Carrier Safety Administration (FMCSA) regulations established under 49 CFR Section 383.51, which requires CDL drivers to be disqualified for certain periods for certain offenses. The 2019 FMCSA Annual Performance Review contained a finding that the MVA CDL program does not properly impose sanctions to drivers at the Administrative Per Se level to a CIP/CDL holder when found to be operating a non-commercial motor vehicle with a BAC of .08 or higher. The proposed legislation would correct that by treating the uncontested Administrative Per Se conviction the same as a court conviction for purposes of administrative sanctions against CIP/CDL holders caught operating with a BAC above .08. SB 187 would address the 2019 FMCSA finding and allow Maryland to take action against offenders. This would ensure Maryland is fully compliant with federal law.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 187 a favorable report.

Respectfully submitted,

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SB187 - Letter of Information - Maryland Motor Tru

Uploaded by: Louis Campion

Position: INFO



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COMMITTEE: Senate Judicial Proceedings

LETTER OF INFORMATION

The trucking industry fully appreciates the dangers of drunk driving. Federal regulations require motor carriers to test all commercial driver license holders for alcohol and drug use after crashes, on a random basis, and whenever a supervisor has reasonable suspicion that a driver may be impaired. Alcohol test rules place drivers out of service if they are found with any alcohol in their systems, and those who are found with blood alcohol concentrations at or above 0.04 percent are disqualified from driving with a commercial driver's license.

For many years the Federal Motor Carrier Safety Administration has identified major driving offenses that disqualify commercial drivers even if the driver commits the offense in a passenger (non-commercial) vehicle. Major offenses require a minimum disqualification of one year and include the following:

- Driving under the influence of alcohol as prescribed by State law.

MMTA believes SB187 would simply bring Maryland into conformance with a Federal law that has been in place for a number of years. Therefore we have no concerns about its passage.

About Maryland Motor Truck Association: Maryland Motor Truck Association is a non-profit trade association that has represented the trucking industry since 1935. In service to its 1,000 members, MMTA is committed to support, advocate and educate for a safe, efficient and profitable trucking industry in Maryland.

For further information, contact: Louis Campion, (c) 443-623-5663