# ASSEMBLY, No. 3541

# STATE OF NEW JERSEY

## 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

**Sponsored by:**
**Assemblyman DANIEL R. BENSON**
**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

Requires school bus drivers to retake certain knowledge test upon license renewal.

**CURRENT VERSION OF TEXT**

As introduced.

**AN ACT** concerning retesting for school bus drivers and amending P.L.1990, c.103.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

1. Section 4 of P.L.1990, c.103 (C.39:3-10.12) is amended to read as follows:

4. a. Notwithstanding any other provision of law to the contrary, the chief administrator shall adopt and administer a classified licensing system and a program for testing and ensuring the fitness of persons to operate commercial motor vehicles in accordance with the minimum federal standards established under the federal "Commercial Motor Vehicle Safety Act of 1986," Pub. L. 99-570 (49 U.S.C. s. 2701 et seq.) and the regulations promulgated pursuant to that law. The chief administrator shall not issue a commercial driver license to a person unless that person passes a knowledge and skills test for the operation of a commercial motor vehicle which complies with the federal standards. The chief administrator may issue commercial driver examination or learner's permits, subject to such conditions and restrictions as deemed necessary, to carry out the provisions of **[**this act**]** P.L.1990, c.103 (C.39:3-10.9 et seq.).

b. A knowledge and skills test shall not be required by the chief administrator for the renewal of a commercial driver license issued pursuant to the provisions of **[**this act**]** P.L.1990, c.103 (C.39:3-10.9 et seq.). However, a knowledge and skills test may be required for (1) the renewal of an endorsement permitting the operation of vehicles required to be placarded for hazardous materials, (2) **[**for**]** the renewal or reissuance of a commercial driver license if the license was suspended or revoked under section 12 of **[**this act**]** P.L.1990, c.103 (C.39:3-10.20) during the last license period preceding the renewal or reissuance, or (3) **[**for**]** the renewal or reissuance of a license which had not been renewed for a period of three or more years. A knowledge test shall be required to maintain a school bus endorsement as provided pursuant to this subsection.

A person with a school bus endorsement shall pass a school bus endorsement knowledge test at the time of renewal of the person's commercial driver license in order to maintain the school bus endorsement.

c. Upon the request of an applicant for a commercial driver license, the chief administrator shall administer to the applicant oral knowledge tests for the commercial driver license and any endorsements if the applicant supplies sufficient proof or otherwise demonstrates to the satisfaction of the chief administrator **[**his**]** the

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

applicant's inability to comprehend a written test. The chief administrator shall provide an English and Spanish version of the knowledge tests for a commercial driver license and for any endorsements and shall be authorized to provide versions in such other languages as [he, in his discretion,] the chief administrator may deem appropriate.

d. A person who satisfactorily completes the knowledge tests required by [this act] P.L.1990, c.103 (C.39:3-10.9 et seq.) for a commercial driver license and any endorsement shall not be required under R.S.39:3-10, R.S.39:3-10.1, or any other section in Title 39 of the Revised Statutes to take any other knowledge test for the operation of a commercial motor vehicle.

e. (Deleted by amendment, P.L.2005, c.147)[.]

f. For the purposes of an application for a commercial driver license by a person who has never held a license issued under the provisions of [this act] P.L.1990, c.103 (C.39:3-10.9 et seq.), a person who satisfactorily completes the knowledge test for the commercial driver license but not the test for an endorsement, or a person who satisfactorily completes the knowledge test for an endorsement but not the test for the commercial driver license, shall not be required to retake that test which was satisfactorily completed.

g. No provision in [this act] P.L.1990, c.103 (C.39:3-10.9 et seq.), or in any manual, test, or administrative procedure developed to implement the provisions of [this act] P.L.1990, c.103 (C.39:3-10.9 et seq.), shall be deemed to expand the requirements for commercial motor vehicle operators concerning pre-trip inspection, after-trip inspection, and inspection during a trip as such requirements are set forth in federal law or regulation. This subsection, however, shall not be deemed to limit the authority of the chief administrator, or the authority of any State department or agency, to promulgate, pursuant to other provisions of State law, standards and procedures on vehicle inspections which are consistent with federal law and regulation.

h. Classified licensing of drivers of school buses shall be by endorsement on the commercial driver licenses issued pursuant to P.L.1990, c.103 (C.39:3-10.9 et seq.).

(cf: P.L.2005, c.147, s.3)

2. This act shall take effect immediately.

STATEMENT

This bill requires school bus drivers to retake the school bus endorsement knowledge test each time the school bus driver applies to renew the driver's commercial driver's license in order to maintain the driver's school bus endorsement.