

Senate Transportation Committee

Vivian Hall 271-3091

HB 1252, requiring the department of safety to only administer tests for commercial driver's licenses in English and prohibiting the assistance of an interpreter during such tests.

Hearing Date: April 14, 2026

Time Opened: 1:45 p.m.

Time Closed: 2:06 p.m.

Members of the Committee Present: Senators McConkey, Ward, Prentiss and Fenton

Members of the Committee Absent : Senator Ricciardi

Bill Analysis: This bill:

I. Codifies the recent enforcement of a federal requirement that the administration of the skills test for commercial driver's licenses only be conducted in English and that interpreters are not permitted for the administration of the skills test.

II. Extends the same requirements for the administration of the knowledge test for commercial driver's licenses.

III. Requires commercial driver's licensees of the past 5 years who previously satisfied the knowledge or skills test requirement through testing in a language other than English or with the assistance of an interpreter to pass such examinations in English and without the assistance of an interpreter.

IV. Directs the department of safety to adopt rules regarding the requirement and to provide notice and an opportunity for hearing to current licensees required to pass an examination in English in order to maintain their license.

V. Provides an exemption for the use of interpreters for the knowledge and skills test where such individual or licensee qualifies or previously qualified for a federal exemption pursuant to 49 C.F.R. part 391.

Sponsors:

Rep. Gorski
Rep. Creighton

Rep. T. Walsh
Rep. Sabourin dit
Choiniere

Rep. Labrie
Rep. Rice

Sen. Ricciardi

Who supports the bill: 8 individuals have signed in support of HB 1252. For more information, please contact Vivian Hall at vivian.hall@gh.nh.gov

Who opposes the bill: 123 individuals signed in as opposed to HB 1252. For more information, please contact Vivian Hall at vivian.hall@gc.nh.gov

Who is neutral on the bill: None.

Summary of testimony presented in support:

Representative Ted Gorski, Hillsborough District 2

- Rep. Gorski stated that according to recent news reports, many non-English speaking drivers have been the cause of a significant amount of accidents.
- He shared that National Highway Traffic Safety Administration reported 5,700 truck accidents in 2023; 814 of those accidents were caused by drivers who could not speak English.
- He said that since they suspended the English-speaking requirements for CDLs in 2016, there has been a sharp increase in accidents.
- He explained that the proposed legislation would require that the driving test is given exclusively in English.
- He stated that the New Hampshire Division of Motor Vehicles currently gives the CDL knowledge test in Spanish, French, Mandarin, Portuguese, Farsi, and Arabic.
- He explained that the legislation would require that anyone who took the knowledge test in a non-English language within the last 5 years would have to retake it to keep their CDL.

Senator Fenton said that the state has a shortage of CDL drivers. This bill would require that people who took the test in another language retake the test within 90 days. He asked if he thought this would cause a loss of experienced CDL drivers.

Rep. Gorski he said that it would not create a loss because if they are here to understand and speak English, they should be able to take the test and pass.

Senator Fenton asked if this was the same for tow-truck drivers.

Rep. Gorski repeated that if someone is here to speak English, then they should be able to take the test and pass.

Senator Ward asked if the American Sign Language carve out was for only people who could not speak. She raised concern that it could be an issue if they are deaf.

Rep. Gorski said that they made the carve out to ensure they were in line with federal statutes.

Senator Ward asked if the people using ASL did it only for speech and not for hearing.

Rep. Gorski responded that it was for speech and hearing.

Senator Ward asked if someone would have a CDL driver that could not hear.

Rep. Gorski answered that it would be possible.

Hollie Noveletsky

- Ms. Noveletsky shared her experience with non-English-speaking drivers damaging her property, noting that as a steel fabrication company owner, commercial drivers are essential to her business.
- She stated that in the last decade, six drivers have hit her newly built wall and the drivers were non-English speaking.

Joseph Sculley, New Hampshire Motor Transport Association

- He referenced 49 CFR § 391.11- B:2, which is a federal requirement that mandates commercial drivers be proficient in the English language.
- He explained that the English language proficiency requirement is important for road safety.
- He provided examples of the types of safety concerns that come from lack of English proficiency.
- He emphasized that understanding road signs as well as law enforcement questions and commands are important parts of road safety.
- He argued that it would be a waste of time and resources to license non-English drivers that are not in compliance with federal law.

Senator Fenton said that this legislation would be going further than federal law by removing interpreters and asked if Mr. Sculley saw that being an issue.

Joseph Sculley answered that he did not believe this would be an issue. He said that interpreters are not allowed at the roadside.

Senator Prentiss noted that this bill goes further than federal regulations and asked if federal law is not enough.

Mr. Sculley replied that he did not believe that the federal law or regulation is going further. This legislation seeks to align New Hampshire with federal regulation.

Senator Prentiss asked if there is a federal regulation, why state regulation is also required.

Mr. Sculley explained that other states like California and New York are giving commercial driver's licenses to drivers who are not qualified despite federal

regulations. He said that the New Hampshire Division of Motor Vehicles is doing everything correctly at present however, they want to ensure that does not change in the future.

Neutral Information Presented:

John Marasco and Ashley Gray, New Hampshire Division of Motor Vehicles

- Director Marasco and Ms. Gray were asked to answer questions by Senator Fenton.

Senator Fenton asked what the process would be for getting people to come back and take the test.

Director Marasco explained that the DMV process for CDLs complies with federal law. Everything that they do on the skills test has to be done completely in English. The federal government allows the knowledge test to be offered in a language other than English. This is what the DMV chose to do 15 years ago. He said that this would be a policy decision on behalf of the DMV. He deferred to Ms. Gray to explain the process of getting people to retake the test.

Ms. Gray said that preliminary estimates show 120 individuals passed the non-English test over the past five years, with 11 passing so far this year. She stated that affected individuals would be notified by letter and required to retake the test within 90 days. Under the legislation, individuals may request a hearing; however, the Hearings Bureau has indicated that procedures for such hearings have not yet been defined.

Senator Fenton asked how often non-English CDL licenses are revoked.

Ms. Gray replied that there was only one case that she knows of in the two and half years she has worked at the Division of Motor Vehicles.

Director Marasco stated that translators are not allowed during either the knowledge or road test for a CDL.

Senator McConkey said that non-English CDL holders are a very small part of the total CDL population. He asked if the legislature would need to figure out the logistics.

Ms. Gray replied that would need to be decided by the legislator.

Senator McConkey noted that his constituents have expressed concern about non-English drivers.

V.H

Date Hearing Report completed: April 16, 2026