

Amendment to HB 1252

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT requiring the department of safety to only administer tests for commercial driver's  
4 licenses in English and prohibiting the assistance of an interpreter during such tests.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Commercial Driver License Qualification Standards; Testing Requirements; English  
9 Proficiency. Amend RSA 263:87 to read as follows:

10 263:87 Commercial Driver License Qualification Standards. No person shall be issued a  
11 commercial driver license unless that person is a resident of the state of New Hampshire and has  
12 passed a knowledge and skills test for driving a commercial motor vehicle. The knowledge and skills  
13 test shall comply with minimum federal standards established by federal regulation, as enumerated  
14 in 49 C.F.R. part 383, ~~[sub-parts]~~ **subparts** G and A, in addition to other requirements imposed by  
15 state law or federal regulation. The tests shall be prescribed and conducted by the department.  
16 ***Interpreters are prohibited during the administration of both the knowledge and skills***  
17 ***tests, with the exception of federally mandated exemptions under 49 C.F.R. part 391.***  
18 ***Applicants for a commercial driver's license must be able to understand and respond to***  
19 ***verbal commands and instructions in English by a skills test examiner. The knowledge test***  
20 ***shall be written and administered in English only. Neither the applicant nor the examiner***  
21 ***may communicate in a language other than English during both the knowledge and skills***  
22 ***tests.*** The department may authorize a person, including an agency of this or another state, an  
23 employer, a private driver training facility, or other private institution, or a department, agency, or  
24 instrumentality of local government, to administer the skills test in accordance with 49 C.F.R. part  
25 383.

26 2 New Paragraph; Commercial Licensing; Rulemaking Authority. Amend RSA 263:98 by  
27 inserting after paragraph X the following new paragraph:

28 XI. The procedure and administration of the commercial driver's license examination  
29 requirement of obtaining a passing score on both the knowledge and skills tests in English and  
30 without the assistance of an interpreter.

31 3 Applicability of RSA 263:87 as Amended by Section 1.

**Amendment to HB 1252**

**- Page 2 -**

1 I. Upon the effective date of this act, the division of motor vehicles shall issue written notice  
2 to all commercial driver's licensees who qualified for such license within the past 5 years by:

3 (a) Passing the knowledge test or the skills test in a language other than English; or

4 (b) Passing the knowledge test or the skills test with the assistance of an interpreter,  
5 unless an interpreter was permitted under a federally mandated exemption pursuant to 49 C.F.R.  
6 part 391.

7 II. The division of motor vehicles will identify individuals who have taken the knowledge  
8 test in a non-English language and mail them a letter of written notice to notify them that they have  
9 90 days from the postmarked date on the letter to retake the knowledge test in English. The letter  
10 of written notice shall also specify any skills test that the individual shall be required to pass within  
11 90 days of the postmarked date in order to renew their commercial driver's license. The notice shall  
12 also state that any individual aggrieved by the department's actions shall be entitled to a due  
13 process hearing in accordance with RSA 260:6.

14 III. Individuals that obtain a passing score on required tests pursuant to paragraph II shall  
15 have their commercial driver's license renewed and application fees stated in RSA 263:42 waived.  
16 Such commercial driver licenses shall expire on the individual's birth date in the fifth year following  
17 the renewal of such license.

18 IV. Failure to pass a required test within 90 days of receipt of the written notice shall result  
19 in the revocation of the individual's commercial driver's license.

20 4 Effective Date. This act shall take effect 60 days after its passage.

2026-1010h

AMENDED 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.