

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

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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. Directs the department of safety to adopt rules regarding the examination requirement of obtaining a passing score on both the knowledge and skills tests in English and without the assistance of an interpreter.

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