

Regular Session, 2008
HOUSE BILL NO. 784
BY REPRESENTATIVE HUTTER

ACT No. 160

1 AN ACT

2 To amend and reenact R.S. 32:408(A)(8)(introductory paragraph) and (b)(introductory
3 paragraph), (B)(2)(introductory paragraph) and (e), and (3)(introductory paragraph)
4 and (d) and to repeal R.S. 32:408(B)(4)(c), relative to the requirements of applicants
5 for certain classes of commercial driver's licenses; to provide for exemptions from
6 the requirements; to provide for the issuance of endorsements; to provide for
7 restrictions to the classes of commercial driver's licenses; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 32:408(A)(8)(introductory paragraph) and (b)(introductory
11 paragraph), (B)(2)(introductory paragraph) and (e), and (3)(introductory paragraph) and (d)
12 are hereby amended and reenacted to read as follows:

13 §408. Examination of applicants required; classes of licenses

14 A.

15 * * *

16 (8) The department may ~~exempt the permit drivers of the following vehicles~~
17 ~~from the test specifications contained in Paragraph (A)(3) of this Section and devise~~
18 ~~substitute test specifications for such drivers: possessing a valid Class "D" or "E"~~
19 license issued pursuant to this Chapter to operate the following vehicles without a
20 commercial driver's license, subject to the following limitations:

21 * * *

22 (b) ~~A farm-related service vehicle used to transport agricultural products,~~
23 ~~farm machinery, or farm supplies to and from the farm and which is not used as a~~
24 ~~contract or common carrier. A farm vehicle which is controlled and operated by a~~
25 farmer, including operation by employees or family members, is used to transport

1 of vehicles does not include the operation of motorcycles and motor scooters except
2 as an endorsement to the basic license.

3 (3) The department shall issue endorsements for commercial drivers' licenses
4 if applicants for such endorsements pass the appropriate knowledge and skills tests
5 necessary for issuance of the endorsement and if the applicant passes any requisite
6 security assessment for issuance of a particular endorsement. However, if an
7 applicant for an endorsement is eligible for a waiver of the test requirements
8 pursuant to any applicable federal waiver program implemented by the department
9 at the time the applicant applies for the endorsement, the department shall issue the
10 endorsement to the applicant. A federal waiver program may be implemented at the
11 department's discretion. The following endorsements shall be available to the classes
12 of commercial drivers' licenses:

13 * * *

14 (d) "H" - hazardous materials. This endorsement may be issued only if the
15 department receives a "Determination of No Security Threat" from the
16 Transportation Security Administration. This endorsement shall be denied or
17 revoked if the Transportation Security Administration issues a "Determination of a
18 Threat" assessment.

19 * * *

20 Section 2. R.S. 32:408(B)(4)(c) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____