

CHAPTER 48

AN ACT concerning commercial driver licenses and supplementing chapter 3 of Title 39 of the Revised Statutes.

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

C.39:3-10.17b Definitions relative to certain commercial driver licenses; issuance.

1. a. As used in this act:

“Commercial motor vehicle” means a motor vehicle or combination of motor vehicles used or designed to transport passengers or property that has a gross vehicle weight rating of 26,001 or more pounds or displays a gross vehicle weight rating of 26,001 or more pounds or a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds. The term shall not include any of the other types of vehicles listed under the definition of commercial motor vehicle pursuant to section 3 of P.L.1990, c.103 (C.39:3-10.11).

“Military commercial driver license” means an authorization for a person to operate a commercial motor vehicle which is issued by any branch of the active duty or the reserve component of the Armed Forces of the United States or the National Guard of any state.

b. Notwithstanding the provisions of section 4 of P.L.1990, c.103 (C.39:3-10.12) or any other law to the contrary, the Chief Administrator of the New Jersey Motor Vehicle Commission shall waive the skills test required pursuant to section 4 of P.L.1990, c.103 (C.39:3-10.12) for a commercial driver license applicant who has experience operating a commercial motor vehicle while serving in the military and who submits satisfactory proof that the applicant meets the requirements for such a waiver under the federal “Commercial Motor Vehicle Safety Act of 1986,” as those requirements are set forth in 49 C.F.R. s.383.77.

c. In order to qualify for the waiver permitted under subsection b. of this section, an applicant for a commercial driver license shall submit to the chief administrator, in addition to the application:

(1) satisfactory proof that the applicant is a member of a branch of the active or the reserve component of the Armed Forces of the United States or the National Guard of any state, or that the applicant is a veteran who received an honorable discharge from a branch of the active or reserve component of the Armed Forces of the United States or the National Guard of any state;

(2) the applicant’s military commercial driver license or other documentation certifying the applicant’s experience in the operation of a commercial motor vehicle while serving in the military; and

(3) any additional documentation that the chief administrator deems necessary to determine the equivalent class of commercial motor vehicle that the applicant is authorized to operate.

d. A waiver shall not be granted under the provisions of this act if the granting of the waiver would place the State out of substantial compliance with the requirements of the federal “Commercial Motor Vehicle Safety Act of 1986.”

e. Nothing in this section shall be construed to exempt an applicant for a commercial driver license from any other State or federal requirements for obtaining a commercial driver license or any endorsement thereon, including, but not limited to, the submission of fingerprints and a criminal history records check.

2. This act shall take effect on the first day of the sixth month following enactment, but the chief administrator may take such anticipatory acts in advance thereof as may be necessary for the timely implementation of this act.

Approved May 6, 2013.