

Date of Hearing: April 24, 2017

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 301 (Rodriguez) – As Amended April 19, 2017

SUBJECT: Commercial motor vehicles: examination requirements: driving skills test

SUMMARY: Requires the Department of Motor Vehicles (DMV) to reduce the wait times for applicants seeking to complete the driving test requirements for a commercial driver's license (CDL) application. Specifically, **this bill:**

- 1) States legislative findings and declarations regarding the importance of California's trucking industry and barriers to quickly obtaining a CDL.
- 2) Requires DMV by June 1, 2019, to ensure that the maximum wait time to obtain an appointment to take the commercial driver's license driving skills test in any particular field office does not exceed seven days.
- 3) Requires DMV by June 1, 2018, to report to the budget and transportation committees of the Assembly and the Senate on how DMV intends to achieve the seven-day maximum wait time, and requires that the report include the following:
 - a) The number of skills test examiners available to test applicants and the number of additional skills test examiners needed to achieve the stated goal, and the estimated costs;
 - b) The number and locations of current sites that offer driving skills tests and the number and proposed locations of additional DMV and commercial testing center locations needed to achieve the stated goal, and the estimated costs;
 - c) Internal efficiency improvements that can be made within DMV to improve wait times;
 - d) Any and all innovative strategies to reduce wait times and ensure compliance with the seven-day timeframe;
 - e) The methodology DMV intends to use to collect and monitor wait times; and,
 - f) A timeline for implementation of DMV's recommendations.

EXISTING LAW:

- 1) Defines "commercial driver's license" as a driver's license which authorizes the licensee to operate a class of commercial motor vehicle, and defines "commercial motor vehicle" as any vehicle or combination of vehicles that requires a class A or class B license.
- 2) Requires an applicant for a driver's license to complete an examination including the following:
 - a) A test of the applicant's knowledge and understanding of the Vehicle Code;

- b) A test of the applicant's ability to read and understand simple English used in highway traffic and directional signs;
 - c) A test of the applicant's understanding of traffic signs and signals;
 - d) An actual demonstration of the applicant's ability to exercise ordinary and reasonable control in operating a motor vehicle, as specified, commonly known as a driving test; and,
 - e) A test of the applicant's hearing and eyesight.
- 3) Requires the examination to be appropriate for the type of motor vehicle or combination of vehicles that the applicant desires a license to drive, based on classifications including class A and class B.
- 4) Provides that class A includes the following:
- a) A combination of vehicles, if the vehicle being towed has a gross vehicle weight rating (GVWR) of more than 10,000 pounds;
 - b) A vehicle towing more than one vehicle;
 - c) A trailer bus; and,
 - d) All vehicles under class B and class C.
- 5) Provides that class B includes the following:
- a) A single vehicle with a GVWR of more than 26,000 pounds;
 - b) A single vehicle with three or more axles, except any three-axle vehicle weighing less than 6,000 pounds;
 - c) A bus with a GVWR of more than 26,000 pounds, except a trailer bus;
 - d) A farm labor vehicle;
 - e) A single vehicle with three or more axles or a GVWR of more than 26,000 pounds towing another vehicle with a GVWR of 10,000 pounds or less;
 - f) A house car over 40 feet in length; and,
 - g) All vehicles covered under class C.
- 6) At the federal level, generally sets standards for CDLs.

FISCAL EFFECT: Unknown

COMMENTS: A CDL is required to operate commercial vehicles such as buses or heavy duty trucks. In order to obtain a CDL, an applicant must complete an examination that includes a behind-the-wheel driving test demonstrating their ability to drive a commercial vehicle. For

class A and class B licenses, the driving test must be performed on a vehicle of the class license being sought and, under federal law, must be administered either by DMV or by an approved third party. Under California law, DMV may authorize third parties to administer CDL skills tests, however, DMV limits the approved third parties to employers of applicants seeking CDLs. Employers participating in this program are typically large trucking companies. For tests conducted by DMV, the test must be scheduled by appointment and performed at one of 23 DMV locations.

According to the authors, CDL applicants across the state have been experiencing significant wait times to obtain a DMV driving test appointment. A survey of DMV testing locations in June 2016 found that wait times ranged from a minimum of 19 business days to 61 business days before the next available appointment. In December 2016, 17 of the 23 driving test locations had wait times longer than three weeks, with the Montebello location having a wait time of 65 business days.

DMV attributes long wait times for appointments to the limited number of physical locations capable of performing the driving test, which can take up to three hours, as well as appointment cancellations and no-shows. Some applicants must also make multiple appointments to take a driving test due to a low test pass rate after being inadequately prepared by CDL training programs.

As the authors note, long wait times can cause hardship to applicants who are otherwise willing and able to work as commercial vehicle drivers, but are unable to complete the final step in obtaining their CDL. According to the authors, the trucking industry also faces a shortage of approximately 38,000 drivers in the United States, with economic growth and an aging driver population requiring a net average increase of 89,000 positions per year to meet demand through 2025.

The authors intend to address the driving test backlog by requiring DMV to shorten its wait times for CDL driving skills test applicants to seven days by June 2019, consistent with federal law, the Fixing America's Surface Transportation Act, which identifies seven days as an acceptable length of time for CDL driving skills test wait times. DMV would be required to report to the Legislature by June 1, 2018, with statistics on CDL driving skills tests, and identifiable strategies for how to reduce the wait times further.

DMV has taken steps to address the long wait times for appointments, including offering driving tests on Saturdays and establishing a new online appointment system to reduce the number of cancellations and no-shows. Although these steps may address the existing backlog, it is unclear if they will address the structural limitations on the number of driving tests DMV can administer, or address the projected growth in need for commercial drivers. This bill would likely identify additional ways for the Legislature to provide relief to DMV and address the needs of potential drivers and the companies that rely on them.

Related legislation: SB 158 (Monning) would require DMV to adopt regulations related to entry-level driver training requirements for drivers of commercial vehicles including minimum hours of behind-the-wheel training in compliance with federal regulations, as specified. SB 158 passed out of the Senate Transportation and Housing Committee on April 5, 2017, with a vote of 13-0 and is scheduled to be heard by the Senate Appropriations Committee on April 24, 2017.

REGISTERED SUPPORT / OPPOSITION:

Support (earlier version of the bill)

California Trucking Association (Sponsor)
Commercial Vehicle Training Association (Sponsor)
Advance Bus & Truck Driving School
Advance Career Institute
America Truck Driving School, Inc.
Britton Trucking Co., Inc.
California Association for Coordinated Transportation
California Bus Association
California Transit Association
City of Fresno Department of Transportation/Fresno Area Express
City of Fresno Professional Employees Association
Covenant Transport
East Valley College
Fresno Chamber of Commerce
Fresno County Economic Development Corporation
Fresno County Rural Transit Agency
Green Valley Truck School
Hi-Desert Truck Driving School
Honorable Lee Brand, Mayor, City of Fresno
Kings County Economic Development Corporation
Modesto Truck Academy
P. Steve Ramirez Vocational Training Center
Truck Driving Academy
Truck Nation School
Universal Truck Driving School, Inc.
Vacaville Chamber of Commerce
Werner Enterprises, Inc.
West Hills Community College District
Western Truck School
William M. Maguy School of Education – A Division of Proteus Inc.

Opposition

Service Employees International Union Local 1000 (earlier version of the bill)

Analysis Prepared by: Justin Behrens / TRANS. /