

**ALASKA STATE LEGISLATURE  
HOUSE STATE AFFAIRS STANDING COMMITTEE**

February 12, 2013

8:04 a.m.

**MEMBERS PRESENT**

Representative Bob Lynn, Chair  
Representative Wes Keller, Vice Chair  
Representative Lynn Gattis  
Representative Shelley Hughes  
Representative Doug Isaacson  
Representative Jonathan Kreiss-Tomkins

**MEMBERS ABSENT**

Representative Charisse Millett

**COMMITTEE CALENDAR**

HOUSE BILL NO. 46

"An Act relating to regulations adopted by the Department of Administration waiving the commercial motor vehicle driving skills test for certain drivers with military commercial motor vehicle experience."

- MOVED HB 46 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 46

SHORT TITLE: WAIVE CDL SKILL TEST FOR CERTAIN VETERANS

SPONSOR(S): REPRESENTATIVE(S) SADDLER

01/16/13	(H)	PREFILE RELEASED 1/7/13
01/16/13	(H)	READ THE FIRST TIME - REFERRALS
01/16/13	(H)	STA, TRA
02/12/13	(H)	STA AT 8:00 AM CAPITOL 106

**WITNESS REGISTER**

REPRESENTATIVE DAN SADDLER  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** As sponsor, presented HB 46.

MARK SAN SOUCI, Regional Liaison Northwest

Defense State Liaison Office  
Office of the Deputy Assistant Secretary of Defense  
Deputy Under Secretary of Defense (Military Community and Family Policy)  
U.S. Department of Defense (DoD)  
Tacoma, Washington  
**POSITION STATEMENT:** Testified in support of HB 46.

AVES THOMPSON, Executive Director  
Alaska Trucking Association (ATA)  
Tacoma, Washington  
**POSITION STATEMENT:** Testified in support of HB 46.

JAMES HASTINGS, Member  
Veterans Advisory Council;  
Contractor  
Hero To Hired (H2H)  
U.S. Department of Defense (DoD)  
Wasilla, Alaska  
**POSITION STATEMENT:** Testified in support of HB 46.

AMY ERICKSON, Director  
Division of Motor Vehicles  
Department of Administration (DOA)  
Anchorage, Alaska  
**POSITION STATEMENT:** Provided information during the hearing on HB 46.

#### **ACTION NARRATIVE**

[8:04:38 AM](#)

**CHAIR BOB LYNN** called the House State Affairs Standing Committee meeting to order at 8:04 a.m. Representatives Isaacson, Keller, Gattis, Hughes, Kreiss-Tomkins, and Lynn were present at the call to order.

#### **HB 46-WAIVE CDL SKILL TEST FOR CERTAIN VETERANS**

[8:05:18 AM](#)

CHAIR LYNN announced that the only order of business was HOUSE BILL NO. 46, "An Act relating to regulations adopted by the Department of Administration waiving the commercial motor vehicle driving skills test for certain drivers with military commercial motor vehicle experience."

[8:06:06 AM](#)

REPRESENTATIVE DAN SADDLER, Alaska State Legislature, as sponsor, presented HB 46. He opined that that Alaskans who have honed their driving skills while in the military deserve to have that experience validated in the civilian world. He said the proposed legislation would help Alaska veterans get jobs and Alaska businesses get qualified drivers by acknowledging that military drivers already have experience as safe [commercial vehicle] drivers in some of the most challenging conditions in the world. He said many of Alaska's industries, including tourism, oil field services, construction, and retail service, require their employees to hold commercial driver's licenses (CDLs).

REPRESENTATIVE SADDLER stated that in 2011, the federal government made changes in law to allow states to waive the skills tests for a CDL for recent veterans with recent driving experience and clean driving records. He said the Federal Motor Carrier Safety Administration (FMCSA) is encouraging states to allow such waivers. He reported that as of January 9, 2013, 34 states had waived the skills test, 10 states are working on similar waiver bills, and 7 states, including Alaska, do not currently accept the waiver. He said HB 46 directs the Department of Administration to adopt regulations in accordance with federal law to allow such waivers, which would provide jobs for veterans and qualified drivers for Alaska businesses. He named the following individuals as being in support of the proposed legislation: Mark San Souci, the regional liaison for the U.S. Department of Defense; Aves Thomson, the executive director of the Alaska Trucking Association; and Bruce Bustamante, who is associated with the cruise line industry.

[8:08:25 AM](#)

REPRESENTATIVE ISAACSON commended the sponsor for HB 46, and he opined that the bill is timely. He asked why other states have preceded Alaska in offering the waiver.

REPRESENTATIVE SADDLER said that Alaska would have been one of the first states to offer the waiver if a "good faith effort" had made it through the legislative process in 2012.

[8:09:26 AM](#)

REPRESENTATIVE HUGHES offered her understanding that the federal language requires the military veteran to have driven a

commercial vehicle within 90 days of applying for the waiver. She asked if there is any leeway regarding the 90 days; she ventured that some military veterans may have two years of experience and be very skilled but be past the 90-day mark.

REPRESENTATIVE SADDLER offered his understanding that there is no leeway regarding the 90 days; however, he offered his understanding there is a standardized form on which the military veteran's driving record and other information is written.

REPRESENTATIVE HUGHES asked if military veterans would be informed about the 90-day time limit.

REPRESENTATIVE SADDLER answered he believes so. He indicated that the military members' blogs he has seen on line show that this [federal] waiver is available, and there are lists in circulation showing which states have adopted the waiver and which have not. He remarked that with the drawdowns of authorized positions in the military, the Pentagon is increasing its efforts to inform its outgoing personnel of the available opportunities.

REPRESENTATIVE HUGHES encouraged sending word out through Alaska's military bases.

[8:12:08 AM](#)

REPRESENTATIVE HUGHES asked if military commercial driver training prepares drivers for the snowy and icy conditions prevalent in Alaska.

REPRESENTATIVE SADDLER responded that motor transport operators are trained at Fort Wood, in Missouri, and he said he does not think there is much snow and ice there. He indicated that [military] motor transport operators face hazardous conditions around the world. He said he does not know if the specific training regimen includes learning to steer out of a skid, for example, but he surmised that "that's probably part of the standard educational package for drivers."

REPRESENTATIVE HUGHES ventured that a simulator, if used, could simulate ice and snow conditions.

REPRESENTATIVE SADDLER said he suspects that any veteran who gets hired to operate a commercial vehicle in Alaska would "go through whatever training to make sure things were polished up."

8:13:32 AM

REPRESENTATIVE KELLER said at the time he got his CDL, there was no training required for a state CDL. He said, "There is the simulator, and there is the potential, but there's no requirement specifically for that, so ... I don't think it would be realistic to add that as a condition on the military."

8:13:57 AM

REPRESENTATIVE GATTIS said her training for a CDL did not include training in the ice and snow.

8:14:25 AM

CHAIR LYNN relayed that he drove a truck in Vietnam.

8:15:14 AM

MARK SAN SOUCI, Regional Liaison Northwest, Defense State Liaison Office, Office of the Deputy Assistant Secretary of Defense, Deputy Under Secretary of Defense (Military Community and Family Policy), U.S. Department of Defense (DoD), testified in support of HB 46. He reported that as of September 2012, 736,000 veterans were unemployed, and the jobless rate for veterans following [the terrorist attacks of September 11, 2001] was 9.9 percent, with an unemployment rate for male veterans ages 18-24 of 18.1 percent. He said that in the past two years, 25 states have enacted new laws to grant veterans licensing, academic, and occupational credit. He mentioned 24 bills resembling [HB 46] in 18 states, and he indicated that the DoD would like the legislature to support similar bills, such as HB 84, which pertain to other occupations.

MR. SAN SOUCI reported that tractor/trailer driving ranks in the top ten of all military occupational specialties; it is the second highest occupation in the U.S. Army, with almost 8 percent skilled in it, and the second highest occupation in the U.S. Marines, with over 5 percent skilled in it. He mentioned an on line occupational network, which reported that the truck driving field is one of the brightest outlook fields, with a faster than average job growth projected to be between 20 and 28 percent, with over 100,000 new jobs opening between 2010 and 2020.

MR. SAN SOUCI continued:

You all have already paid for this veterans' training within the DoD schools and with the years of experience while serving our nation with our federal tax dollars, and you may well know that a lot could (indisc.) of veterans, and the 2012 defense manpower data center study reported that Alaska had 1,231 military separate or retire back to Alaska in fiscal year 2012, so at around 1,231 annually, you can expect that many highly qualified ex-military people will continue to enjoy Alaska's quality of life, and many will continue to choose Alaska when choosing to transition into civilian careers.

MR. SAN SOUCI, regarding a previous question from Representative Hughes, said with the passage of the federal (indisc.) Act last year, military people now begin to transition 18 months out from their separation date; therefore, they are attuned to which states support certain occupations, including truck driving. Regarding driver's education, he said, "I know about how they dodge bullets and bombs ..., but not necessarily about ice and snow, but I can look further into that."

[8:19:26 AM](#)

AVES THOMPSON, Executive Director, Alaska Trucking Association (ATA), testified in support of HB 46. He said the ATA is an organization representing the interests of a nearly 200-member company. He said one of the pressing problems in the industry is finding qualified drivers for commercial vehicles that deliver freight. He said a lot of time is spent recruiting and retaining good drivers. He noted that the regulatory bar has been raised in the last few years to further increase the professionalism of drivers in the industry. He emphasized that truck driving is an occupation that requires a great deal of knowledge of regulations, as well as driving skills to navigate large rigs through the highway system. Mr. Thompson stated that through training and experience, Alaska's commercial vehicle drivers have become some of the best drivers in the nation, and their skill has preserved not only their lives, but the lives of others on the road.

MR. THOMPSON said the industry welcomes returning veterans and the opportunity to do something that will both support them and help the industry. He stated that retired military veterans have had some of the best truck driving training available and will have recent hands on experience driving big rigs; therefore the ATA supports waiving the skills test for the issuance of a

commercial driver's licenses to those veterans. Mr. Thompson noted that he is a military veteran, and he urged the committee to support HB 46.

[8:21:38 AM](#)

REPRESENTATIVE KELLER thanked Mr. Thompson for watching the legislative process and for his hard work.

CHAIR LYNN said he thinks the committee shares those sentiments.

[8:22:10 AM](#)

JAMES HASTINGS, Member, Veterans Advisory Council,; Contractor, Hero To Hired (H2H), U.S. Department of Defense (DoD), stated that the primary mission of H2H is the transition of Guard, Reserve, and U.S. Military people into the civilian workforce. He said he has been charged by the Department of Military and Veterans Affairs (DMVA) to recruit and retain "great Americans" to remain in the Alaska workforce. Part of that effort is communicating directly with each one of the U.S. Army National Guard ("Guard") and U.S. Army Reserve ("Reserve") members and to work with the U.S. Army Career and Alumni Program (ACAP). He told Representative Hughes that while there is no formal "ice and slick road training," hazard training is "the most important thing that we do." He said he has seen soldiers with much more experience than most in much worse situations, but with no CDL. Regarding hazard training, he stated, "Yes, they are trained in Alaska." He said, "I would recommend that ... along with the blessing ..., we do ensure that there is some additional acknowledgment and recognition - at least of the unique conditions that we face."

[8:24:58 AM](#)

MR. HASTINGS said ACAP is the transitional program through which each soldier must participate once he/she has made the decision to depart. At that point, the military person is briefed on everything that is available to him/her. He reported that in that last two quarters of [2012], there were 50 CDL imports into Alaska, which means "they exported our funds at the completion of their job, because they could not locate CDL drivers." Mr. Hastings opined that there are soldiers going through training to get their CDLs who should not have to do so, because they already have that skill set, and tuition assistance funds - paid for through the GI bill - could be better spent. He said he spoke with companies that related they have CDL drivers who lack

experience, which he opined demonstrates how important it is to get those military veterans with CDLs to work.

[8:26:51 AM](#)

MR. HASTINGS, in response to Chair Lynn, said Northern Industrial Training has a [CDL training facility] in Wasilla and one in Anchorage, and offered his understanding that the course is six weeks and costs about \$5,000. He said the state reimburses up to \$2,500 to military veterans, but the veterans must cover the remaining \$2,500, which is a lot of money.

[8:27:45 AM](#)

REPRESENTATIVE KELLER said he received training in the military. He asked if there are other areas in which the state regulates licenses that the legislature could consider [with regard to allowing waivers for military veterans].

MR. HASTINGS stated his belief that there are other areas, including welding and equipment operations. He said he is a fan of the union operators course, which is a 12-week, in-house course. He said he supports allowing a waiver to "certain" veterans, because "not everyone's got the same level of capability," and he recommended operating on a case-by-case basis. He said he likes the opportunity to "condense some of this stuff." He stated that someone in the armed forces for three years - no matter how much experience he/she has during that time - cannot have the same experience as a senior non-commissioned officer or field-grade officer, for example. He said, "I think there should be a little bit of an opportunity for a pre-test or a pre-examination and say, 'Okay, you can test out to this portion, but we've got to get you to the final breaking piece.'"

REPRESENTATIVE KELLER surmised that additional waivers may need to be proposed in separate legislation.

MR. HASTINGS said he would rather see [HB 46 pass] now and address other issues later, because a lot of issues were missed last year that would have been nice not to have to address this year.

[8:30:36 AM](#)

MR. HASTINGS, in response to Representative Hughes, clarified that the aforementioned \$2,500 training reimbursement applies to

those in the U.S. Army National Guard or U.S. Air National Guard.

REPRESENTATIVE HUGHES expressed appreciation of a plan that could save state funds.

[8:31:58 AM](#)

MR. HASTINGS noted that H2H has 54 representatives across the U.S., and he said he will work with any [veteran] who wants to come to Alaska.

[8:32:35 AM](#)

AMY ERICKSON, Director, Division of Motor Vehicles, Department of Administration (DOA), confirmed that sponsor's statement that the FMCSA is urging states to adopt programs to allow for the aforementioned waiver. She said, if asked, the DMV will fashion its regulation according to the federal rules and HB 46.

[8:33:24 AM](#)

CHAIR LYNN, after ascertaining that there was no one else who wished to testify, closed public testimony.

[8:33:32 AM](#)

REPRESENTATIVE KELLER moved to report HB 46 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 46 was reported out of the House State Affairs Standing Committee.

[8:34:22 AM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 8:34 a.m.