

ALASKA STATE LEGISLATURE
SENATE TRANSPORTATION STANDING COMMITTEE

April 11, 2023

1:30 p.m.

MEMBERS PRESENT

Senator James Kaufman, Chair
Senator David Wilson, Vice Chair
Senator Jesse Kiehl
Senator Robert Myers
Senator Löki Tobin

COMMITTEE CALENDAR

SENATE BILL NO. 123

"An Act relating to commercial motor vehicle drivers' license requirements; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 123

SHORT TITLE: LICENSE REQUIREMENTS: COMM. DRIVERS

SPONSOR(S): TRANSPORTATION

04/05/23	(S)	READ THE FIRST TIME - REFERRALS
04/05/23	(S)	TRA, L&C
04/11/23	(S)	TRA AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

EMMA TORKELSON, Staff
Senator James Kaufman
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced SB 123 and provided the sectional analysis on behalf of the committee.

JOE MICHEL, Executive Director
Alaska Trucking Association
Anchorage, Alaska

POSITION STATEMENT: Responded to questions about SB 123.

JOEY CRUM, President

Northern Industrial Training
Fairbanks, Alaska

POSITION STATEMENT: Responded to questions about SB 123.

JEFFREY SCHMITZ, Director
Division of Motor Vehicles
Department of Administration
Anchorage, Alaska

POSITION STATEMENT: Responded to questions about SB 123.

ACTION NARRATIVE

[1:30:28 PM](#)

CHAIR JAMES KAUFMAN called the Senate Transportation Standing Committee meeting to order at 1:30 p.m. Present at the call to order were Senators Wilson, Tobin, Kiehl, Myers and Chair Kaufman.

SB 123-LICENSE REQUIREMENTS: COMM. DRIVERS

[1:31:25 PM](#)

CHAIR KAUFMAN announced the consideration of SENATE BILL NO. 103 "An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections."

[1:31:55 PM](#)

Emma Torkelson, Staff, Senator James Kaufman, Alaska State Legislature, Juneau, Alaska introduced SB 123 on behalf of the committee by paraphrasing the sponsor statement.

Senate Bill 123 repeals the requirement in AS 28.33.100(a)(2) that requires applicants for a Commercial Driver's License (CDL) to hold a regular Alaska driver's license for at least one year before they can begin the process of obtaining a CDL. This requirement was enacted in 1985 before state and federal regulators modernized the training and licensing standards for CDLs. Today, an individual seeking a CDL has an extensive training and testing process to go through to ensure they are ready to safely drive commercial vehicles. On the state level, a prospective commercial driver must pass a written test at the DMV to obtain a CDL Learners Permit and then a driving test to obtain their full license. Beginning in February 2022, federally mandated Entry Level Driver Training (ELDT) requirements must also be

met during the CDL Learner's Permit stage. ELDT requires comprehensive theory testing and a driving evaluation process to ensure that CDL applicants possess the necessary skills and knowledge to operate commercial vehicles safely and efficiently. With these new safety and training standards, the one-year regular driver's license requirement now only serves as a barrier to workforce development. The Alaska Trucking Association estimates that Alaska is about 500 truck drivers short, presenting a risk both to food security and major new development projects in industries like construction, mining, oil and gas, etc. For young people in urban areas, getting a driver's license at 16 is common. However, for people coming from rural communities, a growing number of urban youth waiting to get their license, and newcomers to the county, the year-long wait to start the licensing process often prevents the trucking industry from being a viable career option. Repealing the one-year regular driver's license requirement aligns Alaska's CDL requirements with modern federal standards and removes a barrier to workforce that, although relatively small, is ready and willing. With the passage of SB 123, Alaska will better be able to meet our commercial vehicle driver needs and empower Alaskans to pursue meaningful employment critical to our state.

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MS. TORKELSON provided the sectional analysis.

Sec 1. - Amends AS 28.33.100(a) to remove subsection (2) which requires an applicant for a Commercial Driver's License to have held a regular driver's license for at least one year before beginning the CDL certification process.

Sec 2. - Sets January 20, 2024, effective date.

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SENATOR TOBIN wondered why the effective date was January 20 versus January 1, 2024.

MS. TORKELSON replied that the language mirrors the language in HB 124, including the effective date of January 20, 2024. She opined that the effective date was suggested by the industry.

CHAIR KAUFMAN indicated that invited testimony might yield more information about the rationale behind the effective date.

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CHAIR KAUFMAN moved to invited testimony.

[1:36:53 PM](#)

JOE MICHEL, Executive Director, Alaska Trucking Association, Anchorage, Alaska, stated that SB 123 intends to remove impairments for young people wishing to work in the trucking industry. He was available to answer questions.

[1:37:55 PM](#)

SENATOR WILSON wondered about a person moving to Alaska from a warmer and drier climate. He asked how CDL training addressed Alaskan weather.

MR. MICHEL agreed that driving in Alaska is different than driving in a desert environment. He stated that challenges exist for all new Alaskan drivers.

[1:39:39 PM](#)

JOEY CRUM, President, Northern Industrial Training, Fairbanks, Alaska, explained that he trains the workforce to drive in a commercial capacity. He stated that SB 123 removes the barriers that inhibit an efficient training flow. He informed the committee that SB 123 removes the one-year requirement of holding a regular driver's license before testing for a CDL.

MR. CRUM continued that new federal rules and safety standards address the current statute's outdated requirements. He noted that the one-year requirement was added to the statute over 30 years ago. He argued that having a driver's license does not ensure that a person will practice driving. A person might hold a driver's license without driving at all. He offered to answer questions about the new federal requirements.

[1:42:33 PM](#)

SENATOR MYERS commented that he did not own a car when he first received a CDL.

[1:42:56 PM](#)

SENATOR WILSON asked for an estimate of the time required to obtain a CDL.

MR. CRUM replied that no federal time requirement existed. He shared that the new requirements' first step involves obtaining

a permit. A person may not take the practical road exam for a minimum of 14 days after the permit is issued. Additional factors were added involving a written examination, covering multiple Class A CDL topics, followed by a performance evaluation displaying proficiency before testing. He recommended allowing a minimum of four weeks for the process.

[1:44:20 PM](#)

SENATOR WILSON wondered about CDL training options. He asked how long an in-state training might last.

MR. CRUM replied that Class A tractor-trailer training takes an average of 12 weeks. He stated that a bus is a Class B vehicle; the operating principles are less complex, and the training can be completed in two weeks.

SENATOR WILSON stressed the need to ensure ample time for learning and safety. He did not wish to take shortcuts.

[1:45:43 PM](#)

SENATOR KIEHL appreciated the element of familiarity a person obtains when learning to drive. He requested more information about the evaluation required before CDL testing.

MR. CRUM agreed that safety is of the highest concern. He stated that the practical performance review included an evaluation by the Federal Motor Safety Carrier Administration. The evaluation of skill and maneuver proficiency must be submitted in writing. He stated that the evaluation involves passing an initial road test before taking the CDL road exam.

[1:47:34 PM](#)

SENATOR KIEHL asked if the new federal requirements meet the safety needs and wondered whether a bill is necessary. He asked if a regulation change would suffice.

[1:48:17 PM](#)

MS. TORKELSON replied that the new federal requirement must be fulfilled before the permitting process, so a regulation change cannot meet that section of the statute. Federal entry-level driver training cannot be implemented without obtaining a permit first.

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CHAIR KAUFMAN invited Jeffrey Schmitz to respond further to Senator Kiehl's question.

[1:49:27 PM](#)

JEFFREY SCHMITZ, Director, Division of Motor Vehicles, Department of Administration, Anchorage, Alaska, asked Senator Kiehl to repeat his inquiry.

[1:49:53 PM](#)

SENATOR KIEHL asked if a regulation change involving the completion of the federal entry-level driver training program might supplant the need for a bill.

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MR. SCHMITZ replied that the federal requirements were initiated in February of 2022 and the proposed legislation attempts to incorporate those requirements. He acknowledged the advantage of obtaining driving experience before operating a large commercial vehicle. The new federal training requirements provide an abbreviated pathway to CDL licensure. He stated that the division did not take a position on the legislation. He opined that committee members should decide whether to prioritize an expedited avenue toward CDL licensure or enforce one year of driving experience before applying.

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SENATOR KIEHL stated that he would follow up with Mr. Schmitz later offline.

[1:52:25 PM](#)

SENATOR TOBIN remarked that safety is important and she would like to see CDL drivers who are comfortable with the rules of the road and driving protocols. She asked Mr. Crum if his program offers remedial or preparatory training options to ensure that new drivers are skilled in operating heavy equipment.

[1:53:19 PM](#)

MR. CRUM replied to Senator Tobin's question. [audio was difficult to understand, transcription provided by staff on 4/13/23].

Removal of a one-year requirement does not remove the federal requirement that someone possess a regular driver's license before getting the necessary CDL training—49 CFR 383.25(a) defines what a commercial learners permit (CLP) is and 49 CFR 383.25(a)(2) requires that a CLP holder holds a valid driver's license issued by the same jurisdiction that issued the CLP.

Once they have the regular license, they can start the process of getting their CDL learner's permit and we can get them into a registered training provider and go through the process of Entry Level Driver Training. So, what I truly anticipate the benefit of SB 123 being, is that it really opens up opportunities.

Additionally, we often think of a CDL and immediately go to the biggest, longest heaviest vehicle on the road. What we have to remember is that if a vehicle has 125 gallons of diesel in the back of it in a tank, it is required to be placarded as hazardous material and the driver is required to have a CDL, even if it is a F-250 pickup. Or if it's a 16-passenger van, it requires a CDL. So... when we start talking about CDLs, we need to make sure there we recognize that there is a huge range of them.

I do not believe safety will be impacted because you have to pass written and practical exams for a regular driver's license. You then have to complete the entire process of getting a CDL permit by passing written exams, passing another written exam, and then passing two truck practical exams, and then demonstrating your proficiency to an employer to get hired.

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CHAIR KAUFMAN informed Mr. Crum that the audio was suboptimal. He asked Mr. Crum to provide written testimony responding to Senator Tobin's query.

MR. CRUM replied that he would submit his answer in writing.

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At ease

[1:56:48 PM](#)

CHAIR KAUFMAN reconvened the meeting and held SB 123 in committee.

[1:57:47 PM](#)

There being no further business to come before the committee, Chair Kaufman adjourned the Senate Transportation Standing Committee meeting at 1:57 p.m.