

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS35008-MA-73 (12/9)

Short Title: DMV to Notify Employer of CDL Convictions.

(Public)

Sponsors: Senator Berger of Rockingham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO NOTIFY AN EMPLOYER OF ANY CONVICTIONS AFFECTING THE STATUS OF A COMMERCIAL DRIVERS LICENSE BY AN EMPLOYEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-37.18 reads as rewritten:

"§ 20-37.18. Notification of conviction required by driver-driver; Division to notify employer.

(a) Any driver holding a commercial driver license issued by this State who is convicted of violating any State law or local ordinance relating to motor vehicle traffic control in any other state, other than parking violations, shall notify the Division in the manner specified by the Division within 30 days of the date of the conviction. The notification shall include the name, address, and telephone number of the license holder's current employer.

(b) The Division, upon receipt of a report of conviction or notification by a driver Any driver holding a commercial driver license issued by this ~~State~~ State, who is convicted of violating any State law or local ordinance relating to motor vehicle traffic control in this or any other state, other than parking violations, shall notify ~~his~~ the license holder's current employer, employer in writing ~~writing~~, of the conviction within 30 days of the date of conviction.

(c) Any driver whose commercial driver license is suspended, revoked, or cancelled by any state, or who loses the privilege to drive a commercial motor vehicle in any state for any period, including being disqualified from driving a commercial motor vehicle, or who is subject to an out-of-service order, shall notify his employer of that fact before the end of the business day following the day the driver received notice of that fact.

(c1) The Division, upon receipt of a report of conviction or notification by a driver holding a commercial driver license issued by this State, whose commercial driver license is suspended, revoked, or cancelled by any state, or who loses the privilege to drive a commercial motor vehicle in any state for any period, including being disqualified from driving a commercial motor vehicle, or who is subject to an out-of-service order, shall notify the license holder's current employer, in writing, of the license holder's status within 10 days of the date of notification of receipt of a report of conviction.

(d) Any person who applies to be a commercial motor vehicle driver shall provide the employer, at the time of the application, with the following information for the 10 years preceding the date of application:



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- 1 (1) A list of the names and addresses of the applicant's previous employers for
2 which the applicant was a driver of a commercial motor vehicle;
3 (2) The dates between which the applicant drove for each employer; and
4 (3) The reason for leaving that employer.

5 The applicant shall certify that all information furnished is true and complete. Any employer
6 may require an applicant to provide additional information."

7 **SECTION 2.** This act becomes effective October 1, 2009, and applies to
8 convictions occurring on or after that date.