

**Title 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 24 – Driver License Bureau Rules**

PROPOSED AMENDMENT

12 CSR 10-24.305 Commercial Driver License Requirements/Exemptions. The director proposes to amend section (1), add a new section (2), and renumber the remaining sections.

PURPOSE: This proposed amendment modifies language to include a requirement for new and upgrading commercial license applicants to complete the required written testing and obtain a commercial learner's permit and hold such permit for a minimum of fourteen (14) days prior to completing driving skills testing as defined by changes to section 302.720, RSMo, and sections 49 CFR 383, 384, and 385 in the Commercial Driver's License Testing and Commercial Learner's Permit Standards rule (Docket No. FMCSA-2007-27659).

(1) To obtain a commercial driver license, an applicant must take and successfully pass written tests and driving tests for the operation of a commercial motor vehicle. **The issuance of a commercial learner's permit is a precondition to the initial issuance of a commercial driver license or an upgrade of a commercial driver license if the upgrade requires a skills test. The commercial learner's permit holder is not eligible to take the commercial driver license skills test in the first fourteen (14) days after initial issuance of the permit.**

(2) The only drivers operating a commercial motor vehicle as defined in section 302.700, RSMo, who are not required to possess a Class A, Class B, or Class C license are—

(A) Any person driving a farm vehicle, exclusively for the transportation of agricultural products, farm machinery, farm supplies or fertilizers, which may include, but are not limited to, ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel, or special fuel, provided the Gross Vehicle Weight Rating (GVWR) of the farm vehicle does not exceed twenty-six thousand one pounds (26,001 lbs.) when transporting these hazardous materials or a combination of them, within one hundred fifty (150) air miles of the farm, if the person is a farmer, a family member of a farmer or an employee of a farmer and who is not a common or contract carrier;

(B) Any person driving vehicles for military purposes, which includes active duty military personnel, a member of the reserves or national guard on full-time training duty or inactive duty for training, and national guard military technicians;

(C) Any person in the employ of a fire organization or a member of a volunteer fire organization driving emergency or fire equipment;

(D) Any person in the employ of a federal, state, or local government forest service, police department, rescue and emergency squads, or departments of safety who drive emergency or firefighting equipment which shall include, but not be limited to, riot buses or volunteers who perform wilderness search and rescue functions and disaster relief activities in government-owned vehicles only when such vehicles are used in the execution of emergency governmental functions performed under emergency conditions;

(E) Any person driving or pulling, strictly for family or personal use, a recreational vehicle as defined in sections 301.010 and 700.010, RSMo;

(F) Any person driving, for personal use, a vehicle which is a commercial motor vehicle under section 302.700, RSMo, while transporting personal property of his/her own or of another, but not for hire nor as a common or contract carrier;

(G) Any person driving, in connection with construction activities, for a limited distance on the highways of this state, construction equipment which by design, appearance and function is not intended for use on the highways. This equipment would include motorscrapers, backhoes, motor graders, compactors, excavators, tractors, trenchers, and bulldozers, but not dump trucks, tank trucks, or any equipment designed to transport materials or construction equipment overland; and

(H) Any person driving a vehicle, such as amusement park trams, used exclusively on private property and not operated on any highway, state, county, or public road.

[(2)] **(3)** A driver exempted under this rule from possessing a Class A, Class B, or Class C license must possess a valid Class E or F license, as appropriate, with the necessary restrictions and endorsements for the vehicle being driven.

*AUTHORITY: section 302.765, RSMo 2000 and sections **302.700, 302.720, and 302.775, RSMo Supp. [2010] 2014.** Original rule filed March 5, 1990, effective June 11, 1990. Amended: Filed Sept. 24, 1990, effective Feb. 14, 1991. Emergency amendment filed Dec. 13, 1990, effective Dec. 23, 1990, expired April 21, 1991. Emergency amendment filed April 8, 1991, effective April 18, 1991, expired Aug. 15, 1991. Amended: Filed April 8, 1991, effective Aug. 30, 1991. Emergency amendment filed July 26, 1991, effective Aug. 5, 1991, expired Dec. 2, 1991. Amended: Filed July 26, 1991, effective Dec. 9, 1991. Amended: Filed Dec. 13, 1994, effective May 28, 1995. Emergency amendment filed March 29, 1995, effective April 22, 1995, expired Aug. 19, 1995. Amended: Filed Nov. 15, 2002, effective May 30, 2003. Amended: Filed Aug. 16, 2010, effective Feb. 28, 2011. Amended: Filed Feb. 17, 2015.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Legal Services Division, PO Box 475, Jefferson City, MO 65105-0475. To be considered comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*