

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

CS/HB 405 — Regulation of Commercial Motor Vehicles

by Transportation & Modals Subcommittee and Rep. Melo (CS/SB 754 by Transportation Committee and Senator DiCeglie)

The bill provides that all owners and drivers of commercial motor vehicles engaged in *intrastate* commerce are subject to commercial motor vehicle rules and regulations, unless otherwise specified, as they existed on December 31, 2023.

The bill requires the Department of Highway Safety and Motor Vehicles (DHSMV) to check the Federal Alcohol and Drug Clearinghouse to ensure a driver is not prohibited from operating a motor vehicle any time a person applies for or seeks to renew, transfer, or make any other change to a Commercial Driver License (CDL) or Commercial Instruction Permit (CIP). Additionally, the DHSMV may not issue, renew, transfer, or revise the types of authorized vehicles that may be operated or the endorsements applicable to a CDL or CIP for any person for whom DHSMV receives notification that the person is removed from the function of operating a commercial motor vehicle because of conduct related to federal drug and alcohol prohibitions.

The bill exempts the DHSMV from liability resulting from the discharge of its duties related to the clearinghouse.

The bill also clarifies that the downgrade of a driver's CDL or CIP does not preclude the suspension of the driver license or disqualification from operating a commercial motor vehicle for driving under the influence and drug and alcohol testing refusal offenses under Florida law.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 32-0; House 110-0