

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 153

Short Title: DMV to Notify Employer of CDL Convictions. (Public)

Sponsors: Senators Berger of Rockingham; Allran, Blake, Brock, Brown, East, Forrester,
Goodall, Goss, Hunt, Jacumin, Snow, and Tillman.

Referred to: Judiciary I.

February 12, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO NOTIFY AN
3 EMPLOYER OF ANY CONVICTIONS AFFECTING THE STATUS OF A
4 COMMERCIAL DRIVERS LICENSE BY AN EMPLOYEE.

5 The General Assembly of North Carolina enacts:

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

7 "§ 20-37.18. Notification of conviction required by ~~driver~~ driver; Division to notify
8 employer.

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

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

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

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

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

34 (1) A list of the names and addresses of the applicant's previous employers for
35 which the applicant was a driver of a commercial motor vehicle;

36 (2) The dates between which the applicant drove for each employer; and



1 (3) The reason for leaving that employer.
2 The applicant shall certify that all information furnished is true and complete. Any employer
3 may require an applicant to provide additional information."
4 **SECTION 2.** This act becomes effective October 1, 2009, and applies to
5 convictions occurring on or after that date.