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FISCAL IMPACT REPORT

ORIGINAL DATE 02/02/09

SPONSOR Garcia, T. LAST UPDATED _____ HB 97

SHORT TITLE Commercial Driver's License Test Attempts SB _____

ANALYST Lucero

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$0.01			Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of Bill

House Bill 97 proposes to amend Section 66-5-60 NMSA 1978 of the New Mexico Commercial Driver's License Act to allow more frequent attempts to pass the commercial driver's license (CDL) test after an initial failure of the test. The bill imposes a limit of three times within a 6-month period. If the applicant is not successful on the third attempt, he or she will not be permitted to take the test again for at least six months from the date of the third attempt. Under current law, the test may be taken up to three times during a 12-month period, and may not be taken again until 12 months have passed from the date of the first attempt.

FISCAL IMPLICATIONS

The bill would require changes to the Motor Vehicle Division (MVD) Commercial Drivers' Manual and procedural changes within the division.

Computer applications implementation would involve changes to the MVD drivers testing program to allow a driver to retest six months after the third failed attempt.

- MVD drivers testing program – Change business rules in drivers test application (40 hrs.)
- User acceptance testing. (40 hrs.)

Total: 80 hours of computer programming resources

SIGNIFICANT ISSUES

Since a CDL is generally necessary for a commercial driver to earn their income, it may be appropriate to allow more frequent test attempts, as proposed in the bill.

Allowing more frequent test attempts may compromise highway safety to some extent, if repeated testing allows marginally qualified commercial drivers to more easily obtain a CDL.

Currently, an applicant for a CDL who fails a knowledge or skills test three times in any one-year period may not take the test again until 12 months have passed from the date of the first attempt. This bill would make the CDL requirement similar (though not identical) to the non-CDL test retake provision.

DL/mt