Log H-484

National Transportation Safety Board

Washington, D.C. 20594

Safety Recommendation

Date: February 17, 1987

In reply refer to: H-87-10

To the Governors
of Hawaii, Indiana, Kansas,
Montana, New Jersey, Utah, and Virginia

In 1980, the National Transportation Safety Board conducted an evaluation 1/ of Federal and State efforts to detect and control problem commercial drivers — drivers whose records of driver license suspensions, traffic convictions, and accidents indicate a flagrant and repeated disregard for the safety of other highway users. As a result of this evaluation, the Safety Board found that many problem commercial drivers, in spite of their records of unsafe driving, continue to be licensed by States and employed by motor carriers to operate the largest and heaviest vehicles on the highway.

The Safety Board continues to be concerned about the ability of commercial drivers to hold driver licenses from two or more States at the same time. Multiple licenses enable a driver to escape the driver improvement and control programs of the States by "spreading" traffic convictions among two or more records, thereby avoiding discovery of the driver's complete history by any single State.

The "one-license" concept is designed to counter the multiple license problem. The primary principle of the one-license concept is that each driver should be able to hold only one license at a time, and the license should be issued by the driver's State of residence. The concept is endorsed in Section 6-101 of the Uniform Vehicle Code, in the Driver License Compact, and in Federal Highway Safety Program Standard No. 5, "Driver Licensing." Yet some drivers are virtually forced to maintain two licenses by the requirement of some States that nonresident drivers employed in the State must hold a license issued by that State. These drivers have to maintain one license for their professional driving and another for their personal driving.

As a result of the continuing problem of multiple licenses, the Safety Board in a more recent study 2/ expressed its support for a national driver license program for commercial drivers. An essential element of that program is the requirement that those obtaining a national license hold no other license for driving either their personal or

1/ For more information read "Safety Effectiveness Evaluation of Detection and Control of Unsafe Interstate Commercial Drivers Through the National Driver Register, State Driver Licensing Policies, and the Federal Motor Carrier Safety Regulations," February 15, 1980 (NTSB/SEE-80/1).
2/ "Safety Study—Training, Licensing, and Qualification Standards for Drivers of Heavy Trucks," April 17, 1986 (NTSB/SS-86/02).

commercial vehicle. The requirement that nonresident drivers employed in a State hold a license issued by that State is directly contradictory to the national license principle. Further, Section 12002 of the recently enacted "Commercial Motor Vehicle Safety Act of 1986" will prohibit commercial motor vehicle operators from having more than one driver's license after September 31, 1989.

According to a survey of State and provincial licensing practices by the National Highway Traffic Safety Administration, 3/ your State and nine others have laws which require nonresident commercial drivers employed by a resident of the State to obtain a driver license issued by the State. This requirement must be eliminated if there is to be a single national license for commercial drivers.

On February 29, 1980, the Safety Board recommended to nine States that they abolish this licensing requirement for non-resident commercial drivers. Six 4/ of those nine States have eliminated this requirement.

When the Safety Board recommended in 1980 that this requirement be abolished, it did not make this recommendation to your State. Therefore, the National Transportation Safety Board now recommends that the States of Hawaii, Indiana, Kansas, Montana, New Jersey, Utah, and Virginia:

> Take the actions necessary to abolish the requirement in your State that a non-resident driver who is employed by a resident of the State obtain a driver license issued by the State. (Class II, Priority Action) (H-87-10)

The National Transportation Safety Board is an independent Federal agency with the statutory responsibility "...to promote transportation safety by conducting independent accident investigations and by formulating safety improvement recommendations" (Public Law 93-633). The Safety Board is vitally interested in any action taken as a result of its safety recommendations. Therefore, it would appreciate a response from you regarding action taken or contemplated with respect to the recommendation in this letter. Please refer to Safety Recommendation H-87-10 in your reply.

BURNETT, Chairman, GOLDMAN, Vice Chairman, and LAUBER and NALL, Members, concurred in this recommendation.

By: Jim Burnett
Chairman

Enclosure

3/ "State and Provincial Licensing Systems -- Comparative Data, "National Highway Traffic Safety Administration, 1986.
4/ Arkansas, Idaho, Oklahoma, Rhode Island, Tennessee, and West Virginia.

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