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July 19, 2019

To the Honorable Senate and House of Representatives:

I am filing for your consideration the enclosed bill, "An Act to Promote Commercial Driver Safety." The recent tragic deaths of seven individuals in Randolph, New Hampshire have called attention to the Commonwealth's regulation of commercial driver's licenses. While there is no question that the Registry of Motor Vehicles failed to act as it was required to prior to that incident, my Administration's review has revealed a broader need to strengthen the Commonwealth's laws regulating commercial driver's licenses to ensure that only safe and qualified drivers are authorized to operate the largest vehicles on our roads.

This legislation proposes several safety-focused provisions that will raise Massachusetts's standards for commercial driver's licenses above the minimum requirements of federal law. To begin with, under the proposed legislation, applicants for commercial driver's licenses will have to demonstrate a history of good driving and will be ineligible for licensure if they have been suspended or disqualified from driving at any time in the past three years. The bill also proposes to raise suspension periods for operators with commercial driver's licenses who commit multiple, serious traffic violations: it raises the minimum suspension period from 60 to 120 days for drivers who commit two serious traffic violations during a three-year period, and raises the minimum suspension period from 120 to 240 days for drivers who commit three serious violations in that window.

In addition, to ensure that both employers and the Registry of Motor Vehicles are informed in a timely manner of convictions that impact a driver's eligibility to hold a commercial driver's license, the bill would require drivers to provide next day notification to employers and the Registry if they are convicted of violating any state or local motor vehicle traffic law or if they have their right to operate a motor vehicle revoked or suspended by any state. For the first time, a commercial driver would be penalized for failing to notify an employer or the Registry of such suspensions or revocations.

This legislation would also require any employer hiring commercial drivers to sign up for the state's Driver Verification System, a free service that provides automatic notification to employers when an employee's commercial driver's license status changes. This service has

been in operation in Massachusetts for over ten years and gives employers next-day notification if an employee's license has been suspended or revoked and when an employee's commercial driver's license expires.

The bill also aligns various provisions of our state statute governing commercial driver licensing with the relevant minimum federal requirements to eliminate any technical gaps between state law and the federal regulations that our state statutes implement. While Chapter 90F of the General Laws already empowers the Registrar to write regulations that conform to and keep pace with changes in federal requirements, for purposes of clarity and consistency, it is important that our requirements be captured in both statute and regulation. Among these updates is a provision that makes texting while driving a commercial motor vehicle a serious traffic violation that can result in a mandatory license suspension. This legislation also requires that a driver use only hands-free operation of electronic devices while driving a commercial motor vehicle, a provision that is consistent with the road safety legislation I filed in January. In response to a recent change in federal law, we have also incorporated a new provision that mandates a lifetime suspension for any driver who uses a commercial motor vehicle in the commission of a crime involving human trafficking.

This bill will enhance roadway safety by improving the tools the Commonwealth has to ensure that only qualified, responsible, and safe drivers are operating commercial motor vehicles on the roads. I urge your prompt enactment of this legislation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles D. Baker". The signature is fluid and cursive, with the first name "Charles" being the most prominent part.

Charles D. Baker
Governor