

ASSEMBLY POLICY AND REGULATORY OVERSIGHT  
COMMITTEE

STATEMENT TO

ASSEMBLY CONCURRENT RESOLUTION No. 69

**STATE OF NEW JERSEY**

DATED: MAY 20, 1996

The Assembly Policy and Regulatory Oversight Committee reports favorably Assembly Concurrent Resolution No. 69.

This concurrent resolution embodies the finding of the Legislature that the regulations of the Division of State Police that provide the age requirement for a commercial driver license to engage in intrastate commerce be 21 years, codified at N.J.A.C.13:60-1.1 et seq., is not consistent with legislative intent pursuant to Article V, Section IV, paragraph 6 of State Constitution.

The concurrent resolution finds that the language of the enabling State statutes demonstrates that the legislative intent was for the age requirement to be 18 years.

The regulations implementing the federal "Commercial Motor Vehicle Safety Act of 1986" allow states to issue commercial driver licenses for intrastate commerce to persons at least 18 years of age. Commercial drivers licenses for interstate commerce may only be issued to persons of at least 21 years of age. The Superintendent of State Police, acting pursuant to P.L.1991, c.491 to revise regulations relating to motor carrier operators and vehicles to be consistent with the federal law, adopted regulations that provide an age requirement of 21 years of age to obtain a commercial drivers license for intrastate commerce.

Because of the latitude given under the federal law and regulations, and because State law appears to allow commercial drivers licenses for those under 21 years of age (see N.J.S.A.39:3-13), the legislative intent is for the State to allow 18 year olds to obtain commercial drivers licenses for intrastate commerce consistent with federal law.

The State Constitution provides that after the Legislature's adoption of this concurrent resolution, the Superintendent of State Police would have 30 days following transmittal of this resolution to amend or withdraw the inconsistent regulations, or the Legislature may, by passage of another concurrent resolution, exercise its authority under the Constitution to invalidate the regulations in whole or in part.

This concurrent resolution is identical to Senate Concurrent Resolution No.13 also reported by the committee on this date.