

SENATE LEGISLATIVE OVERSIGHT COMMITTEE

STATEMENT TO

SENATE CONCURRENT RESOLUTION No. 13

STATE OF NEW JERSEY

DATED: JANUARY 18, 1996

The Senate Legislative Oversight Committee favorably reports Senate Concurrent Resolution No. 13.

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" allows 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 Superintendent of State Police shall 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 was prefiled for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.