## Sixty-eighth Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 3, 2023

SENATE BILL NO. 2112 (Transportation Committee) (At the request of the Department of Transportation)

AN ACT to create and enact section 39-06.2-08.2 of the North Dakota Century Code, relating to the drug and alcohol clearinghouse requirements for commercial drivers.

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1.** Section 39-06.2-08.2 of the North Dakota Century Code is created and enacted as follows:

## 39-06.2-08.2. Commercial driver's license drug and alcohol clearinghouse requirements.

- 1. The director shall query a federal drug and alcohol clearinghouse before issuing, renewing, upgrading, or transferring a commercial driver's license or commercial learner's permit and review the driver's information when notified by the clearinghouse of a status change.
- 2. The director shall downgrade or remove the commercial driving privilege from the license if the licensee is found to be in violation or noncompliance with the clearinghouse requirements and until the driver complies with the return-to-duty requirements.
- 3. If the driver complies with the return-to-duty requirements pursuant to the limitations of 49 CFR Part 392, subpart B, the director shall upgrade the license of a driver which was downgraded under this section.

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	Preside	ent of the Senate	<u> </u>	Speaker of the House  Chief Clerk of the House	
	Secret	ary of the Senate			
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Senate Vote:	Yeas 47	Nays 0	Absent 0		
House Vote:	Yeas 85	Nays 0	Absent 9		
			<u> </u>	Secretary of the Senat	e
Received by the Governor atM. on					, 2023.
Approved at _	M. on _				, 2023.
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Filed in this off	ice this	day of			, 2023,
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			<del>.</del>	Secretary of State	