

November 22, 2005

Dear Panelist,

IF ANY OF YOUR CLIENTS IN DISTRICT COURT, COUNTY COURT OR FAMILY COURT HOLDS A COMMERCIAL DRIVER'S LICENSE, YOU NEED TO BE AWARE OF RECENT SEVERE AMENDMENTS TO THE VEHICLE AND TRAFFIC LAW.

I am enclosing a press release about the recent changes, effective as of September 30, 2005, as well as a copy of the new law. My thanks go out to Panelist **Kim Lerner** for bringing this matter to my attention.

Among other things, it appears that this new law means

- There is now no such thing as a Conditional Commercial Drivers License (CDL) with respect to DWIs, even with a relief from civil disabilities. (Section 15 (5); section 19g.)
- A conviction for section 600.1, 600.2 or any section of 1192 mandates a one-year revocation of a CDL. (Section 13 (1) c; section 16 (5).)
- The definition of "serious traffic violation" now includes the operation of a commercial vehicle without a CDL. (Section 14 (4) vi)
- A refusal to submit to a chemical test will result in a one-year revocation of the CDL and, after one year, reinstatement is in the discretion of the commissioner. (Section 18c.)
- If there is a prior conviction for any section of 1192, any section of 600 (including 600.1) or any felony involving the use of a motor vehicle and a present conviction for any section of 1192, or 600.1 or 600.2 there is a permanent revocation of the CDL. (Section 13 (1) and Section 17b.)
- A CDL holder who is suspended for failure to pay child support will not be issued a restricted use License with commercial privileges.

Please make note of these changes.

Very truly yours,

Patrick L. McCloskey