

ARTICLE 37-14

LIFETIME CDL DISQUALIFICATION REINSTATEMENT

Chapter

37-14-01 Authority for Reinstatement

37-14-02 Qualifications for Reinstatement

CHAPTER 37-14-01
AUTHORITY FOR REINSTATEMENT

Section

37-14-01-01 State and Federal Authority

37-14-01-01. State and Federal Authority.

1. The director is authorized to establish guidelines, including conditions, under which a disqualification of CDL driving privileges for life under subsections 3, 9, 11, and 13 of North Dakota Century Code section 39-06.2-10 may be reduced to a period of not less than ten years. A violation under section 39-06.2-10(14) is not eligible for reinstatement of a lifetime disqualification.
2. This authority is adopted from 49 CFR 383.51(6)-Reinstatement after lifetime disqualification.

History: Effective January 1, 2016

General Authority: NDCC 28-32-02

Law Implemented: NDCC 39-06.2-10 (4)

CHAPTER 37-14-02
QUALIFICATIONS FOR REINSTATEMENT

Section

37-14-02-01 Application for Reinstatement

37-14-02-02 Decision for Reinstatement

37-14-02-01. Application for reinstatement.

1. The driver may apply to the North Dakota Department of Transportation for reinstatement of lifetime commercial driving privileges. The approval is subject to the discretion of the director and subject to the following requirements:
 - a. The request cannot be made prior to ten years from the effective date of the lifetime disqualification.
 - b. The driver must submit the request on a form prescribed by the director.
 - c. The driver must submit a medical report to the director with the request for reinstatement.
 - d. If the driving record contains alcohol or drug-related convictions, the driver must complete or have completed an alcohol/drug evaluation and complete or have completed any recommended treatment. Evidence of a completed evaluation and treatment must be provided with the application for reinstatement.
 - e. Within the ten years preceding the request, the driver cannot have any of the following traffic violations:
 - i. Drug or alcohol violations,
 - ii. Leaving the scene violations,
 - iii. Felonies involving the use of any motor vehicle, or,
 - iv. Any convictions while operating a commercial motor vehicle.

37-14-02-02. Decision for reinstatement.

1. If the decision is made to reinstate the driving privilege, prior to reinstatement the driver must complete the following:
 - a. The driver must pay all outstanding reinstatement fees.
 - b. Meet all outstanding reinstatement requirements, and,
 - c. Pass the required knowledge, vision, and skills tests to obtain the North Dakota CDL license.
 - d. Successfully complete the National Safety Council DDC Attitudinal Dynamics of Driving.
 - e. Successfully complete the DDC Professional Truck Drivers course, and,
 - f. Complete any other courses or requirements required by the director.
2. When the initial lifetime disqualification is based on alcohol or drugs, the driver must participate in the 24/7 program for three months.
 - a. The three months period starts on the effective date of the reinstatement.
 - b. Failure to successfully complete the program will result in the loss of the reinstatement.
 - c. The driver will not be eligible again for reinstatement of the original CDL lifetime disqualification.
3. Once reinstated, a driver will be subject to loss of reinstatement of the lifetime ban if involved in one of the following traffic violations, regardless of whether the violation occurs in a commercial or noncommercial vehicle.
 - a. Violations involving drugs or alcohol.
 - b. Violations involving leaving the scene, or,
 - c. Violations or felonies involving the use of any motor vehicle.
 - d. Failure to satisfy this requirement will result in the loss of the reinstatement.

- e. The driver will not be eligible again for reinstatement of the original CDL lifetime disqualification.

History: Effective January 1, 2016

General Authority: NDCC 38-32-02

Law Implemented: NDCC 39-06.2-10 (4)