

FINAL STATEMENT OF REASONS

1) The Update to the Initial Statement of Reasons

The Initial Statement of Reasons included the adoption of the California Commercial Driver Behind the Wheel Training Certification, form DL 1236. While the department provided necessity for the components of the form, the statement of reasons did not include the necessity behind having an applicant sign the form under penalty of perjury. The department has determined it necessary to have the form signed under penalty of perjury as the signature provides proof to the department that the applicant is aware of the requirements related to behind-the-wheel driver training and has complied with those requirements. Because this form will be completed by commercial drivers responsible for operating large commercial vehicles on the state's roadways, it is important to ensure that the drivers are doing so in a safe manner.

2) Imposition of Mandate on Local Agencies or School Districts

The department's regulatory action adopting Section 26.03 in Article 2.1, Chapter 1, Division 1, of Title 13, does not impose any mandate on local agencies or school districts and imposes (1) no cost or savings to any state agency, (2) no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, (3) no other discretionary cost or savings to local agencies, and (4) no cost or savings in federal funding to the state. No studies or data were relied upon to make this determination.

3) Summary of Comments Received and Department Response

The proposed action was noticed on February 14, 2020, and made available to the public from February 14, 2020 through March 30, 2020. The department received no written comments during the 45-day comment period.

4) Determination of Alternatives

The department has determined that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. This regulatory adoption is in response to federal and state legislation designed to ensure that all commercial drivers are trained in the safe operation of commercial vehicles. The text of the regulation ensures drivers are aware of the behind the wheel training required by federal law and adopts a form to ensure those required hours are cataloged. It is the determination of the department that this method is the most effective method by which a commercial driver applicant can meet the federal requirements and meet the state hours-of-training requirements. This method has been determined to be the least burdensome to applicants as it simply requires them to log their hours of behind-the-wheel driver training.