

53-3-415 Limitations on employment of commercial motor vehicle drivers.

- (1) An employer shall require each applicant for employment as a commercial motor vehicle driver to provide the information required in Section 53-3-416 regarding the applicant's employment history.
- (2) An employer may not knowingly allow, permit, or authorize a driver to drive a commercial motor vehicle during any period when the driver:
 - (a) has a CDL that is suspended, revoked, or canceled by any state;
 - (b) has lost the privilege to drive a commercial motor vehicle in a state;
 - (c) has been disqualified from driving a commercial motor vehicle;
 - (d) has more than one license;
 - (e) is subject to an out-of-service order; or
 - (f) is operating a commercial motor vehicle or employed by a motor carrier operation that is subject to an out-of-service order.
- (3) An employer may not knowingly allow, permit, require, or authorize a person to violate a federal, state, or local law pertaining to railroad-highway grade crossings.
- (4)
 - (a) An employer who violates Subsection (2)(a), (b), or (c) during the period the driver has been disqualified under Subsection 53-3-414(9) is subject to a civil penalty of not more than \$10,000.
 - (b) An employer who is convicted of violating Subsection (2)(e) or (f) is subject to a civil penalty of not less than \$2,750 nor more than \$25,000.
 - (c) An employer who is convicted of violating Subsection (3) is subject to a civil penalty of \$10,000.

Amended by Chapter 196, 2010 General Session