Louisiana Department of Public Safety

Office of Motor Vehicles

2-5.00 Commercial Motor Vehicle (CMV)

Revised Date: 09/10/2025

Purpose

This policy describes commercial motor vehicle (CMV) enforcement and operating a school bus without insurance.

Definitions

- **Disqualification** – A notation on a driver's license record that prohibits an individual from operating a commercial motor vehicle (CMV) during a specified period.
- **Suspension** – A notation on the driving record that blocks all driving privileges, regardless of the type of vehicle being operated.

Commercial Motor Vehicle (CMV) Enforcement

Authority:
R.S. 32:414.2
R.S. 32:668

R.S. 32:409.1
49 CFR 383.51
To view Louisiana Statutes: http://www.legis.state.la.us/

General:

- Driving privileges may be disqualified if a driver has any violation listed below while operating commercial motor vehicle (CMV) and/or holding a commercial driver's license (CDL) or commercial license's permit (CLP).
- All violations shall be submitted timely by the court to the Office of Motor Vehicles (OMV), so that the violations may be posted to the record within ten (10) days of conviction.
- The following **does not** apply to the disqualification for CMV Violations/Convictions and/or CDL or CLP holders:
    - Article 894
    - Article 691
    - Article 892.1
    - Article 893
    - Act 605
    - Pre-Trial Diversion/Intervention

- **Imminent Hazard (FMCSA 383.52, R.S. 32:414.2) -** Federal Motor Carrier Safety Administration (FMCSA) will notify OMV when an imminent hazard violation is to be placed on the driver's record. The violation is immediately added to the driver's record which disqualifies the driver for an indefinite period and will not be reinstated until FMCSA notifies OMV.[1] The individual must contact FMCSA at (404) 327-7348 to clear the violation prior to being able to reinstate with OMV.
    - There is no reinstatement fee.
- **Drug and Alcohol Clearinghouse Violation –** The Drug and Alcohol Clearinghouse portal is checked daily and the violation is added to a record if a driver is prohibited.
    - The driver is disqualified until no longer prohibited at the Clearinghouse.
    - There is no reinstatement fee.
- **Hardship -** A hardship **cannot** be issued for a commercial driver's license.

Violations			
Violations Leading to Disqualification of CMV Privileges	**Serious CMV Violations**	Speeding fifteen (15) miles per hour or above	
		Following too closely	
		Reckless operations	
		Improper and/or erratic lane change	
		Fatal accident violation	
		Driving a CMV without proper class and/or endorsements	
		Driving a vehicle without first obtaining a CDL	
		Driving a CMV without a CDL or CLP in the driver's possession	
		Texting while driving a CMV	
		Using a handheld mobile phone while driving a CMV	
	Railroad - Highway Grade Crossing Violations	Railroad crossing restriction	
		Failure to adhere to railroad traffic control device or enforcement official	
		Failure to slow down when not required to always stop	
		Failure to stop when tracks are not clear	
		Stopping before clearing railroad grade crossing	
		Insufficient undercarriage clearance	
		Failure to stop	
	Out-of-Service Violations	Violating a driver or vehicle out-of-service order, while transporting non-hazardous materials or hazardous materials required to be placarded or while operating a vehicle designed to transport sixteen (16) or more passengers, including the driver	
	Major Disqualifying Violations	A 1-year disqualification period is imposed if the operator holding a Class A, B, or C driver's license or CLP is convicted of one of these violations while driving a CMV or a private vehicle.	DWI
			Submit BAC .04 to .07 (In a CMV only)
			Submit BAC .08 or above (In a CMV or non-CMV)
			Refusal (In a CMV or non-CMV)
			Felony (In a CMV or non-CMV)
			Leaving the scene (hit and run) (In a CMV or non-CMV)
			Negligent homicide
			Vehicular homicide
			Manslaughter
			Violation of revocation - driving a CMV while disqualified for previous violations in a CMV. Convictions and

			withdrawals will be assessed by the State of Record.
		Hazardous Materials - A **3-year** disqualification period is imposed if the violation/conviction involves hauling hazardous materials.	
		Two Major Disqualifying Violations - A **lifetime** disqualification is imposed if an operator is convicted of two major disqualifying violations.	
Felony Disqualifying Violations		Any felony conviction involving the manufacture, distribution, or dispensing of a controlled substance or possession with intent to manufacture, distribute, or dispense a controlled substance while operating any vehicle or while hauling hazardous materials **requires a lifetime disqualification period.**	
		Use of a commercial motor vehicle in the commission of a felony conviction involving human trafficking as defined in 22 U.S.C 7102 **requires a lifetime disqualification period.**[1]	

Endorsement	Penalties Due to Violation(s)
HAZMAT (H)	If you received a second conviction of any combination of reckless and/or negligent violations, the HAZMAT (H) endorsement will be permanently revoked. Once the HAZMAT endorsement is removed, it cannot be added back in Louisiana.
Combined Tank and HAZMAT (X)	If you received a second conviction of any combination of reckless and/or negligent violations, the combined tank ad HAZMAT (X) endorsement will be permanently revoked. The driver may, however, keep the tank (N) endorsement. Once the HAZMAT endorsement is removed, it cannot be added back in Louisiana.
School Bus (S)	If you received a DWI or Refusal while operating any vehicle, the (S) endorsement will be revoked for ten (10) years.

Fees:

Type	Reinstatement Fee	SR22 Requirements
DWI 1st	$100.00	SR22 Required
DWI 2nd	$200.00	SR22 Required
DWI 3rd	$300.00	SR22 Required
Refusal	$50.00	SR22 Required
Submit	$50.00	
Other Disqualifications	$60.00	

- If both a suspension and a disqualification (for the same violation) are imposed, only one reinstatement fee shall be collected.
- The reinstatement fee is to be collected, as follows:
    - If **disqualified only**, at the end of the disqualification period.
    - If **suspended and disqualified**, at the end of the suspension period even if the disqualification is still in effect.
    - If **downgraded to a (Class D or E) and eligible for a hardship license**, at the time the hardship license is issued.
    - If **disqualified only and down-grading**, at the end of the disqualification period.

Operating a School Bus without Insurance

Authority:
R.S. 32:861
R.S. 32:865.1
To view Louisiana Statues: http://www.legis.state.la.us/

General:

- Any school bus driver knowingly operating a school bus and any owner of a school bus allowing it to be operated when such school bus is not covered by the required security shall, upon conviction, have his commercial driver's license privileges disqualified for one year (365 days) and the registration of the vehicle shall revoked for sixty (60) days.

Requirements:

- The uninsured school bus must have been involved in an accident and the owner must have been convicted.

Fees:

- There is no reinstatement fee required for this violation.

Notes:

- This is a state disqualification and will not count as a major, serious or any other FMCSA violation. There are no provisions in the law to allow for a hardship license.