



Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 3.00 Commercial Motor Vehicle (CMV) Enforcement

Section: 2. Driver's License Laws

Effective Date: 03/12/1993

Revised Date: 11/18/2024

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/>

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.

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		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 and 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.

Related Policies:

Section 2, Policy [6.00, Article 894 Code Of Criminal Procedure](#)

Section 2, Policy [6.01, Act 605](#)

Section 2, Policy [30.00, Hardship License Requirements](#)

References:

- ¹ – Louisiana State Legislature. *Commercial Motor Vehicle Drivers and Drivers with a Commercial Learner's Permit; Disqualification; Issuance of Class "D" or "E" License, Alcohol Content in Breath and Blood, Implied Consent* (R.S. 32:414.2), retrieved from <https://legis.la.gov/Legis/Law.aspx?d=88399>.