

Summary of Regulations for Commercial Driver's Licenses from the Federal Motor Carrier Safety Administration (Excerpts 2010)

Classes of License:

The Federal standard requires States to issue a CDL to drivers according to the following license classifications:

Class A -- Any combination of vehicles with a GCWR of 26,001 or more pounds provided the GVWR of the vehicle(s) being towed is in excess of 10,000 pounds.

Class B -- Any single vehicle with a GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR.

Class C -- Any single vehicle, or combination of vehicles, that does not meet the definition of Class A or Class B, but is either designed to transport 16 or more passengers, including the driver, or is transporting material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 CFR Part 172 or is transporting any quantity of a material listed as a select agent or toxin in 42 CFR Part 73.

Endorsements and Restrictions:

Drivers who operate special types of CMVs also need to pass additional tests to obtain any of the following endorsements on their CDL:

- T - Double/Triple Trailers (Knowledge test only)
- P - Passenger (Knowledge and Skills Tests)
- N - Tank Vehicle (Knowledge Test only)
- H - Hazardous Materials (Knowledge Test and TSA Threat Assessment)
- X - Combination of Tank Vehicle and Hazardous Materials
- S - School Bus (Knowledge and Skills Tests)

If a driver either fails the air brake component of the general knowledge test or performs the skills test in a vehicle not equipped with air brakes, the driver is issued an air brake restriction, restricting the driver from operating a CMV equipped with air brakes.

A driver must take the skills test in a motor vehicle which represents the type of motor vehicle that a driver applicant operates or expects to operate as defined by the vehicle classifications described above. While these classifications are general for the class of vehicle, additional requirements exist for the passenger and school bus endorsements. To obtain a passenger endorsement, the driver must test in a passenger vehicle. To obtain a school bus endorsement, the driver must test in a passenger vehicle equipped with school bus features (lights, signs, etc). If a driver possesses a Class A CDL, but obtains his or her passenger or school bus endorsement in a Class B vehicle the State must place a M restriction indicating that the driver can only operate Class B and C passenger vehicle or school buses. If a driver possesses a Class B CDL, but obtains his or her passenger or school bus endorsement in a Class C vehicle, the State must place

a N restriction indicating that the driver can only operate Class C passenger vehicle or school buses.

THE STATES

Certifications and Record checks:

When an individual applies for a CDL, or attempts to renew or update his or her CDL, the State must perform a check of its own database, the Commercial Driver's License Information System (CDLIS), and the National Driver Register (NDR), to ensure the driver is not disqualified and does not possess a license from more than one jurisdiction. If the driver possesses a license from another jurisdiction, the State must require the driver applicant to surrender his/her driver's license issued by that State before issuing a new license.

The State must request the complete driving record of the applicant from all jurisdictions where the driver was previously licensed in the past 10 years.

Beginning January 30, 2012, for each operator of a commercial motor vehicle required to have a commercial driver's license, the current licensing States must:

- Require drivers to certify the type of operation the driver expects to conduct and post the driver's self-certification to the driver history record;
- Retain the original or a copy of the medical certificate of any driver required to provide documentation of physical qualification for three years beyond the date the certificate was issued; and
- Post the information from the medical examiner's certificate within 10 business days to the CDLIS driver record.
- Within 10 calendar days of receiving information from FMCSA regarding issuance or renewal of a medical variance for a driver, the State must
 - update the CDLIS driver record to include the medical variance information provided by FMCSA.
- Within 10 calendar days of the driver's medical certification status expiring or a medical variance expiring or being rescinded, the State must:
 - Update the medical certification status of that driver as "not-certified."
 - Notify the CDL holder of his or her CDL "not-certified" medical certification status and that the CDL privilege will be removed from the driver license unless the driver submits a current medical certificate and/or medical variance, or changes his or her self-certification to driving only in excepted or intrastate commerce (if permitted by the State).
 - Initiate established State procedures for downgrading the license. The CDL downgrade must be completed and recorded within 60 days of the driver's medical certification status becoming "not-certified" to operate a CMV.

For persons applying for a hazardous materials endorsement, require compliance with the standards for such endorsement specified in Transportation Security Administration requirements, and provide proof of citizenship or immigration status. A lawful permanent

resident of the United States requesting a hazardous materials endorsement must additionally provide his or her Bureau of Citizenship and Immigration Services (BCIS) Alien registration number.

If a State determines, in its check of an applicant's license status and record prior to issuing a CDL, or at any time after the CDL is issued, that the applicant has falsified information or any of the required certifications, the State shall at a minimum suspend, cancel, or revoke the person's CDL or his/her pending application, or disqualify the person from operating a commercial motor vehicle for a period of at least 60 consecutive days.

Knowledge & Skills Tests:

States develop their own tests which must meet the minimum Federal standards provided for in Subpart G and H of 49 CFR Part 383. Model driver and examiner manuals and tests have been prepared and distributed to the States to use, if they wish.

- Each basic knowledge test, i.e., the test covering the areas referred to in 49 CFR 383.111 for the applicable vehicle group, shall contain at least 30 items, exclusive of the number of items testing air brake knowledge.
- To pass the knowledge tests (general and endorsement), applicants must correctly answer at least 80 percent of the questions.
- To pass the skills test, applicants must successfully perform all the required skills (listed in 49 CFR 383.113 through 49 CFR 383.123). The skills test must be taken in a vehicle representative of the type of vehicle that the applicant operates or expects to operate. Depending on the type of passenger vehicle used in the skills test, the following restrictions must be added to the license: except Class A bus or except Class A and Class B bus.
- Require the driver applicant to surrender his/her driver's license issued by another State, if he/she has moved from another State.

Third Party Skills Testing:

A State may authorize a person (including another State, an employer, a private driver training facility or other private institution, or a department, agency or instrumentality of a local government) to administer the skills tests, if the following conditions are met:

- Tests must be the same as those given by the State.
- The third party has an agreement with the State containing, at a minimum, provisions that:
 - Allow the FMCSA, or its representative, and the State to conduct random examinations, inspections, and audits without prior notice.
 - Require the State to conduct on-site inspection at least yearly.
 - Require that all third party examiners meet the same qualification and training standards as State examiners.

- At least annually, State employees must evaluate the programs by taking third party tests as if they were test applicants, or by testing a sample of drivers tested by the third party and then comparing pass/fail rates.
- Reserve unto the State the right to take prompt and appropriate remedial action against the third-party testers in the event that the third-party fails to comply with State or Federal standards for the CDL testing program, or with any other terms of the third-party contract.

Exemption of Skills Testing Requirements:

States have the option to exempt certain individuals with good driving records from the skills testing requirement (commonly referred to as "grandfathering"). The State shall impose conditions and limitations to restrict the applicants from whom a State may accept alternative requirements for the skills test described in 49 CFR 383.113. Such conditions must require at least the following:

Driver has a current license at time of application; and Driver has a good driving record and previously passed an acceptable skills test; or driver has a good driving record in combination with certain driving experience.

"Good driving record" means:

A driver can certify that, during the 2-year period immediately prior to applying for a CDL he/she:

- Has not had more than one license;
- Has not had any license suspended, revoked, or canceled;
- Has not had any convictions in any type of motor vehicle for a major disqualifying offense defined in 49 CFR 383.51(b);
- Has not had more than one conviction for any type of motor vehicle for a serious traffic violation defined in 49 CFR 383.51(c);
- Has not had any violation of State or local law relating to motor vehicle traffic control arising in connection with any traffic accident, and has no record of an accident in which he/she was at fault.

"Driving experience" means:

A driver can certify and provide evidence that:

- He/she is regularly employed in a job requiring operation of CMV, and that either:
- He/she has previously taken and passed a skills test given by a State with a classified licensing and testing system, and that the test was behind-the-wheel in a representative vehicle for that applicant's driver's license classification; or
- He/she has operated a representative vehicle for at least 2 years immediately preceding application for a CDL.

Commercial Driver's License Document:

While FMCSA sets the minimum standards that States must meet regarding CDLs administration of the CDL program and issuance of the license itself remains the exclusive function of the States. States may determine the application process, license fee, license renewal cycle, renewal procedures, and reinstatement requirements after a disqualification provided that the Federal standards and criteria are met. States may exceed the Federal requirements for certain criteria, such as medical, fitness, and other driver qualifications.

Per Federal regulations, all CDLs must contain the following information:

- The words "Commercial Driver's License" or "CDL;"
- The driver's full name, signature, and mailing address;
- The driver's date of birth, sex, and height;
- Color photograph;
- The driver's State license number;
- The name of the issuing State;
- The date of issuance and the date of the expiration of the license;
- The class(es) of vehicle that the driver is authorized to drive;
- Notation of the "air brake" restriction, if issued;
- The endorsement(s) for which the driver has qualified;

Note: The Social Security Number must be provided on the application, but does not need to be printed on the CDL.

States may issue learner's permits for purposes of behind-the-wheel training on public highways as long as the learner's permit holder is required to be accompanied by someone with a valid CDL appropriate for the class and type of vehicle being operated. Further, the learner's permits can only be issued for limited time periods. The permit holder cannot operate a commercial motor vehicle transporting hazardous materials as defined in §383.5. The permit holder must have a valid operator's (non-CDL) driver's license, or have passed such vision, sign/symbol, and knowledge tests as the State issuing the learner's permit ordinarily administers to applicants for operator (non-CDL) drivers' licenses.