

CDL STATE COMPLIANCE INDICATOR

I. Testing Program [49 CFR § 384.201]

A. General Rule:		Does the State		Yes	No	Reference/Comment
383.21	Conform with single license provision for all CMV operators.					
383.23(a)	Require <u>all</u> CMV operators to hold valid CDLs at all times					
383.23(a)	Regard CDLs as valid only for vehicle group and endorsements shown thereon as described in § 383.91 & § 383.93 and subject to any restrictions included, but not limited to those in § 383.95.					
B. Waivers and restrictions for specified classes of drivers						
383.3	Meets all requirements for granting waivers to Military drivers, Firefighters / emergency equipment operators, and Farmers.					
383.3	Meets all requirements for granting restricted CDLs to the State of Alaska, Farm related service industries, and the Pyrotechnics Industry.					
C. Applicant Certifications						
383.71(a) (6)	Ensure by applicant certification or alternate methods, applicant is not subject to any disqualification, or CDL suspension, revocation, or cancellation and that driver does not possess licenses from more than one state.					
D. Information Provision: Does the State						
383.71(a) (5)	Require applicant to provide mandatory information specified in 49 CFR § 383 subpart J for inclusion on license. Includes initial issue, transfer, renewal, and upgrade of licenses.					
383.153 (d)(1)	Require applicant to provide social security number (SSN) unless granted special religious exception by the Social Security Administration and Internal Revenue service.					
	Are procedure in place to ensure applicant meets the medical fitness requirements of 49 CFR § 391. If yes, please describe on last page.					
E. "Grand fathering of Skills Test": Does the State						
383.77(a)	Require the applicant for "Grand fathering" to certify that during the two year period preceding the application, he/she has had none of the following:					
383.77(a) (1)	More than one license;					
383.77(a) (2)	Any suspension, revocation, or cancellation of any kind of driver's license (the adverse licensing action must not have occurred or been in effect during any part of the two year period):					
383.77 (a) (3)	Any convictions for <u>any</u> of the offenses listed in 49CFR § 383.51 (b)(2), regardless of whether or not they occurred in a CMV;					
383.77 (a) (4)	More than one conviction for a serious traffic violation as defined in 49 CFR § 383.5, regardless of whether or not it occurred in a CMV;					

Grand fathering" of Skills Test (Cont'd)				
383.77(a) (5)	Any conviction for a violation of State or local law relating to motor vehicle traffic control device (other than a parking violation) arising in connection with any traffic accident;			
383.77 (a) (5)	Any record of an accident in which he/she was recorded as being at fault (this does not apply in states which do not record fault in accidents);			
383.77(b)	Require the applicant for "Grand fathering" to certify and provide evidence that the following two items are true:			
383.77(b) (1)	He/she is regularly employed in a job requiring operation of a CMV; and			
383.77(b) (2)	Either: He/she has previously taken and passed a skills test given by a State with a classified licensing system, and the test was behind the wheel in a vehicle representative of the CDL group for which he/she is applying (Passenger vehicle if passenger endorsement applied for).			
383.77(b) (3)	Or: He/she has operated a vehicle representative of the class and type applied for at least two years preceding the application for a CDL (Passenger vehicle if passenger endorsement applied for).			

F. Vehicle Groups: Does the State

383.91(a)	Classify CMVs into the three primary groups.			
383.91(a)	Designate the three primary groups as "Group A", "Group B", and "Group C".			
383.91(a)	Are the groups defined strictly as follows?			
383.91(a) (1)	Group A : Any combination vehicle with a Gross Combination Weight Rating (GCWR) of 26,001lbs. or more, towing a vehicle with a GVWR of 10,000 lbs. or more.			
383.91 (a) (2)	Group B : Any single unit vehicle with a Gross Vehicle Weight Rating (GVWR) of 26,001 lbs. or more, or any such vehicle towing a vehicle not exceeding 10,000 lbs. GVWR.			
383.91 (a) (3)	Group C : Any single unit vehicle or combination vehicle that does not meet the definition of Group A or Group B as contained in this section, but is designed to transport more than 16 passengers including the driver, or is used in the transportation of hazardous materials in a quantity requiring the display of placards under the Hazardous Materials Regulations (49CFR, Part 172, subpart F).			
383.91 (b)	Does the State require each applicant to pass a driving skills test (or evidence of prior acceptable testing or experience under 49 CFR § 383.77) in a vehicle meeting the definition of a vehicle group for which the license is to be issued - I.e., a representative vehicle?			
383.91 (b)	If the State has modified the definition of Group A and/or Group B to include vehicles not meeting the definition in 49 CFR § 383.91, and if a person passes the test in a vehicle not meeting such definition, does the State restrict the license holder from operating vehicles that meet the definition.			

Vehicle Groups (Cont'd)				
383.91 (b)	If the State has modified the definition of Group A to include vehicles with a GCWR of less than 26,001 lbs., and if a person passes the test in a vehicle with a GCWR of less than 26,001 lbs., does the State restrict the license holder from operating all group A and B vehicles as defined in 49 CFR § 383.91?			
G. Endorsements: Does the State				
383.93 (b)	Require drivers of vehicle types described in 49 CFR § 383.93 to obtain such endorsements on their CDLs.			
383.93 (c)	Require drivers to take and pass specialized knowledge tests to obtain each such endorsement?			
383.93 (c)	Pass the driving skills test (or evidence of prior acceptable testing or experience under § 383.77) in a passenger CMV meeting the definition of the vehicle group for which the license is to be issued - I.e., a representative passenger CMV ?			
383.91 (b)	If the person already holds a CDL in group A or B and subsequently passes the passenger endorsement skills test in a passenger CMV of a lesser vehicle group than shown on his/her CDL, does the State restrict CMV passenger use of the license to the vehicle group of which the passenger test vehicle is representative (and group C under 49 CFR § 383.91(b)).			
383.91 (b)	If the person holds a CDL with a passenger endorsement and subsequently passes, in a truck, the skills test for a greater vehicle group, does the State restrict the CMV passenger use of the license to the group originally shown on the license (and group c under 49 CFR § 383.91 (b)).?			
II Test Standards 49 CFR ss 384.202				
A. Tests: Does the State		Yes	No	Reference/Comment
	Require each applicant for initial issuance testing, License transfer, renewal, or upgrade, in accordance to 49 CFR § 383 Subpart F, G, H, and J to:			
383.71 (a) (2)	Pass a knowledge test or tests for the type of motor vehicle the person operates or expects to operate ? What version of the knowledge test is the State using? Answer _____ .			
383.71 (a) (3)	Pass a driving skills test taken in a motor vehicle representative of the group (and passenger endorsement, if applicable) in which the person operates or expects to operate: or Provides evidence that he/she has successfully passed a requisite driving test administered by an authorized third party tester.			
383.73 (b) (4) (ii)	Ensure that a CDL transfer applicant wishing to retain the hazardous materials endorsements has, within the two years preceding the transfer, either passed the test for such endorsement under 49 CFR § 383.121, or successfully completed testing or training by a third party that is deemed by the State to substantially cover the same knowledge base as that described in § 383.121.			
383.71 (c) (3)	Require that a CDL renewal applicant wishing to retain the hazardous materials endorsement passes a test for such endorsement specified in 49 CFR § 383.121.			

Tests (Cont'd)				
383.73 (a) (2)	Check that the vehicle used in any required driving test is representative of the vehicle group applied for.			
383.71 (a) (4)	Ensure, by applicant certification and or alternate methods, that the motor vehicle in which the applicant takes any required driving test is representative of the vehicle group in which the person operates or intends to operate.			
B. Air Brake Restrictions				
383.95	Add and air brake restriction to any CDL issued to a person who either fails (scores less than 80% in the air brake component of the test) the air brake component of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes.			
C. Third Party Skills Testing: Does the State (Suggestion: Obtain the information required for this section in advance)				
383.75 (a) (1)	Ensure that the tests given by third party testers are the same as those which would otherwise be given by the State.			
383.75 (a) (2)	Have an agreement with each third party tester that contains at least all the following five provisions.			
383.75 (a) (2) (I)	Allows the FMCSA, it's representative, and the State to conduct random inspections and audits without prior notice.			
383.75 (a) (2) (ii)	Requires the State to conduct on-site inspections at least annually.			
383.75 (a) (2) (iii)	requires all third party examiners to meet the same qualifications and training standards as the State examiners, to the extent necessary to conduct skills tests in compliance with 49 CFR § 383 Subpart F, G, and H.			
383.75 (a) (2) iv)	Requires annually, either State employees to take the tests actually administered by the third party testers as if the state employee were the test applicant, or the State to test a sample of drivers who were examined by the third party tester to compare pass/fail results.			
383.75 (a) (2) (v)	Reserves to the State to take prompt and remedial action against any third party tester when such third party tester fails to comply with State or Federal Standards for the CDL testing program, or with any other terms of the third party contract.			
383.75 (a) (2) (ii);(iv)	Perform the annual inspections and audits of third party testers under 49 CFR § 383.75 (a) (2) (ii) & (iv).			
383.75 (a) (2) (iii)	Enforce the third party examiner requirements of 49 CFR § 383.75 (a) (2) (iii).			
383.75 (a)(2)(v)	Take remedial actions as required for the causes enunciated in 49 CFR § 383.75 (a) (2) (v)			
383.75 (b)	Require each applicant who takes and passes third party tests, to provide evidence to the State that he/she has successfully passed such tests.			

D. Knowledge Requirements (Test Contents)

Check the State's CDL knowledge testing program to ensure at least one question in each of the following categories is in the knowledge test.

(1) Basic Knowledge - For all applicants

	Categories	Find on Page	Test Quest Nnbr.	Reference/Comment Includes total number of questions
383.111 (a)	Safe Operation Regulations			
383.111 (b)	Safety Control Systems			
383.111 (C) (1)	Control Systems			
383.111 (c) (2)	Basic Control			
383.111 (c) (3)	Shifting			
383.111 (c) (4)	Backing			
383.111 (c) (5)	Visual Search			
383.111 (c) (6)	Communication			
383.111 (c) (7)	Speed Management			
383.111 (c) (8)	Space Management			
383.111 (c) (9)	Night Operation			
383.111 (c) (10)	Extreme Driving Conditions			
383.111 (c) (11)	Hazard Perception			
383.111 (c) (12)	Emergency Maneuvering			
383.111 (c) (13)	Skid Control and Recovery			
383.111 (d)	Cargo and Vehicle Control			
383.111 (e)	Vehicle Inspections			
383.111 (f)	Hazardous Materials			

(2) Air Brake Component - All applicants except recipients of air brake restriction Must be scored separately for air brake restriction

383.111 (g) (1)	Air Brake System Nomenclature			
383.111 (g) (2)	Dangers of Contaminated Air Supply			
383.111 (g) (3)	Implications of severed or disconnected air lines between the power unit and trailer			
383.111 (g) (4)	Implications of low air pressure readings			
383.111 (g) (5)	Procedure to conduct safe and accurate pre-trip inspections			
383.111 (g) (6)	Procedures for conducting en route and post-trip inspections of air actuated brake systems, including ability to detect defects which may cause the system to fail.			

(3) Combination Knowledge Test - All Group A applicants		Taken simultaneously with Group A general knowledge test		
383.111 (h) (1)	Coupling - uncoupling			
383.111 (h) (2)	Combination Vehicle Inspection			
(4) Double/Triple Endorsement				
383.115 (a)	Assembly / Hook-up of Units			
383.115 (b)	Placement of heaviest trailer			
383.115 (c)	Handling / stability Characteristics			
383.115 (d)	Problems in Traffic Operations			
(5) Passenger Endorsement				
383.117 (a) (1)	Loading / unloading Passengers			
383.117 (a) (2)	Use of Emergency Exits			
383.117 (a) (3)	Response to emergency situations			
383.117 (a) (4)	Railroad crossings and drawbridges			
383.117 (a) (5)	Braking Procedure			
(6) Tank Vehicle Endorsement				
383.119 (a)	Cargo Surge			
383.119 (b)	Braking Procedures			
383.119 (c)	Baffled / non-baffled Handling			
383.119 (d)	Tank Type and Construction			
383.119 (e)	Product Densities vs, Cargo Surge			
383.119 (f)	Effects of Road Grade and Curvature on Handling			
383.119 (g)	Emergency Systems			
383.119 (h)	Retest / Marking Requirements			There are no test questions on this subject at the present time.
(7) Hazardous Material Endorsement				
383.121 (a)	Hazardous Materials Regulations Including -			
383.121 (a) (1)	Hazardous Materials Table			
383.121 (a) (2)	Hazardous Materials Shipping Paper requirements			
383.121 (a) (3)	Marking			

Hazardous Materials Endorsement (Cont'd)				
383.121 (a) (4)	Labeling			
383.121 (a) (5)	Placarding Requirements			
383.121 (a) (6)	Hazardous Materials Packagings			
383.121 (a) (7)	Hazardous Materials Definition and Preparation			
383.121 (a) (8)	Other Regulated Materials (ORM-D)			
383.121 (a) (9)	Tunnels and Railroad Crossings			
383.121 (b)	Hazardous Materials Handling including -			
383.121 (b) (1)	Forbidden Materials and Packages			
383.121 (b) (2)	Loading and unloading Materials			
383.121 (b) (3)	Cargo Segregation			
383.121 (b) (4)	Hazardous Materials On Passenger Carrying Buses			
383.121 (b) (5)	Attendance of Motor Vehicles			
383.121 (b) (6)	Parking			
383.121 (b) (7)	Routes			
383.121 (b) (8)	Cargo Tanks			
383.121 (b) (9)	Safe Havens"			
383.121 (c)	Operation of Emergency Equipment Including:			
383.121 (c) (1)	Use of emergency equipment to protect the public			
383.121 (c) (2)	Special precautions for equipment to be used in fires.			
383.121 (c) (3)	Special precautions for use of emergency equipment when loading or unloading a hazardous materials laden motor vehicle			
383.121 (c) (4)	Use of emergency equipment for tank vehicles			
383.121 (d)	Emergency response procedures including:			
383.121 (d) (1)	Special Care and precautions for different types of accidents			
383.121 (d) (2)	Special precautions for driving haz mat vehicle near open fire, Smoking on haz mat vehicle.			
383.121 (d) (3)	Emergency Procedure			

Hazardous Materials Endorsement (Cont'd)				
383.121 (d) (4)	Existence of special requirements for transporting class A & B explosives			
E. Knowledge Requirements Does the State		Yes	No	
383.133 (g)	Include at least thirty (30) questions in each basic knowledge test, exclusive of the air brake component, but inclusive (as in the case of a group A) of the combination vehicle component			
383.135 (a)	Set a minimum passing score of 80% on each knowledge test			
383.135. (d) (1)	Score the air brake component separately from the basic knowledge test			
383.135 (d) (1)	Set a minimum passing score of 80% on the air brake component of the basic knowledge test			
383.135 (d) (2)	Restrict to non-air brake equipped vehicles any CDL issued to an applicant who fails the air brake component of the general knowledge test			
F. Skills Requirements				
(1) Basic Vehicle Control Skills				
	Skill including test section testing skill	On Street	Off Street	Reference / Comment Including manual page listing skill
383.113 (a)	Start			
383.113 (a)	Stop			
383.113 (a)	Move vehicle forward			
383.113 (a)	Move vehicle backward in straight line			
383.113 (a)	Move vehicle backward along a curved path			
(2) Safe Driving Skills				
383.113 (b)	Proper visual search methods			
383.113 (b)	Appropriate use of signals			
383.113 (b)	Speed control for weather conditions			
383.113 (b)	Speed control for traffic conditions			
383.113 (b)	Ability to position the CMV correctly when changing lanes.			
383.113 (b)	Ability to position the motor vehicle correctly when turning			
(3) Air Brake Skills				
383.113 (c) (1)	Pre-trip Inspection			
383.113 (c)(1)(l)	Locate and verbally identify air brake operating controls and monitoring devices			

Air Brake Skills (Cont'd)				
383.113 (c)(1)(ii)	Determine the CMV's Brake system condition for proper adjustment and air system connections have been properly made and secured.			
383.113 (C)(1)(iii)	Check the low pressure warning devices to ensure activation in emergency situations.			
383.113 (c)(1)(iv)	Ascertain, with the engine running, the system maintains an adequate supply of compressed air			
383.113 (c)(1)(v)	Determine required minimum air pressure build up time is within acceptable limits and required alarm and emergency devices automatically deactivate at the proper pressure level			
383.113 (c)(1)(vi)	Operationally check the brake system for proper performance			
383.113 (c) (2)	Air brake skills, driving skills, applicants complete the skills test in a representative vehicle equipped with air brakes			
G. Skills Test Test methods Does the State-		Yes	No	Reference / Comment
383.113 (d)	Conduct the skills test in on street conditions, or under a combination of on-street and off-street conditions			
383.135 (c)	Automatically fail any applicant who does not obey traffic laws or causes an accident during the skills test			
383.135 (d)(2)	Restrict to on-air-brake-equipped vehicles any CDL issued to an applicant who performs the skills test in a vehicle lacking air brakes			
383.71 (a)(3)	Ensures the applicant uses a vehicle representative of the class of vehicle in which they are attempting to be licensed			
H. Driver Manuals Does the State -				
383.131 (a)	Provide a driver's manual containing information on how to obtain a CDL with endorsements to all CDL applicants.			
	Does the manual contain :			
383.131 (a)(1)	The driver, State, and other relevant requirements contained in 49 CFR § 383 Subpart E, Testing and Licensing Procedures			
383.131 (a)(2)	Vehicle groups and endorsements as specified in § 383 Subpart F			
383.131 (a)(3)	The substance of knowledge and skills which drivers shall have. (The answer to this item must be fully substantiated by responses to the "pages in manual" columns above, for the knowledge and skills			
383.131 (a)(4)	Details on testing procedures, including the purpose of the test, how to respond, any time limits for taking the test, and special procedures determined by the State.			
383.131 (a)(5)	Directions for taking the test			
383.72 & 383.131 (a)(1)	Include in the driver manual information on the implied consent to alcohol testing (described in 49 CFR § 383.72) and the penalties (contained in 49 CFR § 383.51 (b)) to which a CDL holder is exposed for failure to comply with such testing			

I. Examiner Procedures		Does the State -	Yes	No	Reference / Comment
383.131 (b)	Ensure that examiners are qualified to administer tests on the basis of training and / or other experience				
383.131 (b)	Provide examiners with, and ensure the use of, standardized scoring sheets for the skills tests, as well as standardized driving instructions for the applicants				
383.131 (b)	Provide examiners with an examiners manual containing details on testing and any other state imposed requirements				
	Does the manual contain:				
383.131 (b)(1)	Information on the driver, State, and other relevant requirements contained in 49 CFR § 383, Subpart E, "Testing and Licensing Procedures.				
383.131 (b)(2)	Details on information that must be given to the applicant				
383.131 (b)(3)	Details on how to conduct the tests				
383.131 (b)(4)	Scoring procedures and minimum passing scores				
383.131 (b)(5)	Information for selecting driving test routes				
383.131 (b)(6)	Lists of the skills to be tested				
383.131 (b)(7)	Instructions on where and how the skills will be tested				
383.131 (b)(8)	How performance skills will be scored				
383.131 (b)(9)	Causes for automatic failure of skills test				
III. Driving While Under The Influence [§ 384.203]					
Driving While Under The Influence Of Alcohol		Does the State	Yes	No	Reference / Comment **Should include legislation
383.5 & 383.51 (b)(2)(I)	Have in effect and enforce a law which provides that driving a CMV under the influence of alcohol includes commission of the following acts:				
383.51 (b)(2)(I)	Driving a CMV while a persons alcohol concentration is 0.04 percent or more;				
383.51(b)(2)(I)(B)	Driving under the influence of alcohol, as prescribed by state law; or				
383.51(b)(2)(I)(C)	Refusal to undergo such testing as required by any State or jurisdiction in the enforcement of 49 CFR § 383.51 or § 382.5				
	Conduct a review of the legislation for the State to ascertain the following:				
	Who has the authority to enforce the 0.04 blood alcohol concentration; and				
	Is the refusal to undergo testing processed as a "positive"				
383.72 & 383.131 (a)(1)	Have in effect and enforce a law on implied consent to alcohol testing, per 49 CFR § 383.72				
	Determine the number of suspensions for 0.04.		---	---	

IV CDL Issuance and Information [§ 384.204]

A. General Rule Does the State -		Yes	No	Reference / Comment
383.153	What are the different types of CDL used (I.e., two part, card added to license, sticker, seasonal, etc.)			
383.153	Ensure that all CDLs contain the following information:			
383.153 (a)(1) (a)(2) (a)(3) (a)(4) (a)(5) (a)(6) (a)(7)	Prominent statement "Commercial Driver's License" or "CDL", licensee's full name, signature, mailing or residential address, Date of birth(Month, Day, Year), sex, height, color photograph (except for religious exemption) State license number (this need not be the social security number) State name, issuance date, and expiration date.			
383.153 (a)(8)	The highest primary group of CMVs the driver is authorized to operate (A, B, or C)			
383.153 (a)(9)	Endorsements, if any, indicated as: "T" for double/triple trailers, "P" for passenger, "N" for tank vehicle, "H" for hazardous materials, "X" for a combination of the tank vehicle and hazardous materials endorsements.			
	The air brake restriction, clearly indicated if applicable.			
383.153 (a)(9)(vi)	If the State places additional endorsement or restriction codes on the document, it must fully explain them somewhere on the CDL.			
383.155	Make each CDL as tamper proof as possible by the same method employed on non commercial licenses			
	What information is put on the receipt that is provided to the driver, in accordance with § 383.204, when the CDL is pulled for a pending violation (out-of-service)			
B. Learners Permit If learners permits <i>are not</i> issued, go to Section C, Temporary Commercial Drivers licenses				
383.23 (c)(1)	Must the learners permit holder be accompanied at all times by the holder of a valid CDL, while in behind the wheel training in a CMV on a public highway. And:			
383.23 (c)(2)	Either hold a valid automobile drivers license, or have passed vision, sign/symbol, and knowledge tests ordinarily administered to applicants for a State automobile drivers license.			
383.23 (c)	Is the learners permit issued for a limited period of time? Specify the term of initial issuance: and			
	The term for each renewal, if applicable			
	Whether there is a maximum term for holding such permit (initial plus renewals)			
	Whether at the conclusion of such maximum term there is a waiting period before reissuance.			
C. Temporary CDLs				
	If the State issues temporary CDLs without a color photo for administrative convenience, does it do so only under procedures that are no more liberal than those pertaining to non CDL licenses?			
	State the maximum periods of time for which temporary non-photo CDLs may be used the specific circumstances for which the state uses them.			
383.153	Do all temporary CDLs contain all information items, except for a photograph, required by 49 CFR § 383.153.			

V. CDLIS Information [§ 383.205]						
CDLIS Check		Does the State		Yes	No	Reference / Comment
383.73 (a)(3)(ii)	Check CDLIS prior to issuing a CDL to detect if applicant has a CDL or currently under suspension, revocation, cancellation, or disqualified from operation a CMV.					
	Perform CDLIS check no earlier than 24 hours prior to initial issuance or transfer from another state and no earlier than 10 days prior to renewal or upgrades of CDL					
Auditor Tasks	Observe CDLs currently being issued and verify CDLIS check performed (this verification must be performed on initial issue, renewal, upgrade, transfer, non-resident etc.) AND					
	Select previously issued CDLs and determine if the 24 hr./10 day CDLIS check was met.					
VI. State Records Check [§ 384. 206]						
State Records Check		Does the State -				
383.73 (a)(3)(i)	Perform records check no earlier than 24 hours prior to initial issuance or transfer and no earlier than 10 days prior to renewals or upgrades				§ 384.232 requires CDLIS records check within 24 hours of issuance for applicants from another jurisdiction and within 10 days for all other applicants.	
	Check the applicant's current driving record as maintained by licensing state.					
	Check the applicant's driving record, if any, maintained by prior state of CDL issuance.					
	Reviewer"s Instructions: Please perform the following verifications: 1. Observe CDLs being issued and verify State records checks were made. 2. State checks of it's own driving records for such person must be made for all CDL issuances. 3. Prior state checks must be made before issuance of initial or transfer CDL. 4. Select previously issued CDLs and determine if state checks were made no earlier than 24 hrs./10 days.					
	Can the State identify licenses that were not issued due to CDLIS or State Record checks.					
VII. Notification of Licensing [§ 384.207]						
CDLIS Notifications		Does the State				
383.153 (d)(2)	Provide the social security number of each CDL applicant to the CDLIS					
383.73(f)	Notify the operator of the CDLIS of each CDL licensing action within the 10 day period beginning on the date of the license issuance or modification					
383.73(b)	What is the states procedure on handling license transfers (make sure they use transfer of license procedures § 383.73 (b).)					
383.73(f)	Notify the operator of the CDLIS of each change in CDLIS required driver identification information within 10 days of the changes					
	Notify the operator of the CDLIS of driver disqualifications as defined in § 383.5 (suspensions, revocations, cancellations, or any withdrawal by a state of a persons driving privileges)					
IX. Notifications of Traffic Violations [§ 383.209]						
Notification of traffic Violations		Does the State				
383.31(a)	When a person from another State is convicted of a violation, in any type of vehicle, of any State or local traffic law (other than parking) does the State notify the state of licensure of the conviction - and					

Notification of traffic violations (Cont'd)		Yes	No	Reference / Comment
	What does the State do upon receipt of notice of violations from another State (applicable to all vehicles)			
	When a person not holding a CDL is convicted of violations in a CMV, of any State or local traffic law (except for parking) does the State notify the State of licensure of the convictions.			
X. Limitation on Licensing [§ 384.210]				
Limitation On Licensing		Does the State		
383.71 (a)(6)	Issue a CDL only to a person who - is not disqualified from operation a CMV; and whose license is neither suspended, revoked, or canceled: and against whose commercial (or general including commercial) driving privileges no withdrawal is currently in effect in any State or jurisdiction			
383.73(g)	Suspend, revoke, or cancel a persons CDL or pending application, for a period of not less than 60 days, after discovering falsification of any of the information or certifications required by § 383.71 or § 383 Subpart J.			
XI. Return of Old Licenses { § 384.211				
Return of old licenses		Does the State		
383.71 (a)(7) & .71(b) & .73(b)	Require applicant to surrender any license issued by other jurisdictions. What happens if a driver does not have a license (Claims loss, damage, theft, etc.)			
XII. Domicile Requirement [§ 384.212]				
Domicile requirement		Does the State		
383.71(e)	Issues CDLs only to persons for whom such State is State of Domicile (excluding non-resident CDLs)			
383.71(e)	Issue non-resident CDLs only to persons domicile in a foreign jurisdiction with which reciprocity with the United States does not exist			
383.71(b)	Require CDL holder from another State to apply for transfer CDL no more than 30 days after establishing domicile in the State.			
XIII. Penalties For Driving Without A Proper CDL. [§ 384.213]				
Driving without a proper CDL		Does a State		
	Impose penalties, which are at least as stringent as those imposed on noncommercial drivers for similar or analogous offenses, on persons who operate CMVs -			
	While not having a CDL valid for the class and type of vehicle being driven; or			
	While having a driver's license suspended, revoked, or canceled; or			
	While being disqualified from operating a Commercial Motor Vehicle.			
XIV. Reciprocity [§ 384.214]				
Reciprocity		Does a State		
383.73(h)	Have the legislation necessary to honor CDL from other states or jurisdictions			
XV. First Offenses [§ 384.215]				
First Offenses		Does the State		
383.51 (b)(3)(i)	Disqualify from operating a CMV for no less than one year, each person who is convicted of any of the following violations while operating a CMV -			

First Offenses (Cont'd.)				
	Driving while under the influence of alcohol;			
	Driving while under the influence of a Controlled Substance;			
	Leaving the scene of an accident; or			
	use a CMV in the commission of a felony (other than a felony involving manufacture, distribution, or dispensing of a controlled substance).			
383.51 (b)(3)(ii)	Disqualify from operating a CMV for no less than three years each person who is convicted of the following violations while operating a CMV transporting hazardous materials required to be placarded under the Hazardous Materials Transportation Act, 49 U.S.C. App. 1801 - 1813 -			
	Driving while under the influence of alcohol;			
	Driving while under the influence of a controlled substance;			
	Leaving the scene of an accident; or			
	use a CMV in the commission of a felony (other than a felony involving manufacture, distribution, or dispensing of a controlled substance).			
	Review legislation to endure that the State has the necessary authority to disqualify drivers as specified.			
	Does the State use uniform traffic citation methods (making note of the vehicle type etc.)			
XVI. Second Offenses		[§ 384.216]		
Second Offenses	Does the State -			
383.51 (b)(3)(iv)	Disqualify for life any driver who is convicted of any of the following offenses while operating a CMV, if the driver had been convicted once before in a separate incident of any of the following offenses while operating a CMV:			
	Driving while under the influence of alcohol;			
	Driving while under the influence of a controlled substance;			
	Leaving the scene of an accident; or			
	use a CMV in the commission of a felony (other than a felony involving manufacture, distribution, or dispensing of a controlled substance).			
383.51 (b)(3)(v)	If the State exercises it's option to re-instate drivers disqualified for life drivers for offenses not involving the manufacture, distribution, or dispensing of controlled substances, does so only after such drivers have served a minimum disqualification period of ten years.			
383.51 (b)(3)(v)	Does the State subsequently permanently disqualify for life any reinstated driver subsequently convicted of any of the CMV offenses in 49 CFR § 383.51 (b)(2)			
XVII. Drug Offenses		[§ 384.217]		
Drug Offenses	Does the State			

383.51 (b)(3)(iii)	Disqualify from operating a CMV, with no possibility of reduction of the term of such disqualification, any person who is convicted of the use of a CMV in the commission of a felony involving the manufacture, distribution, or dispensing of a controlled substance.			
XVIII. Second Serious Traffic Violations		[§ 384.218]		
Second Serious Traffic Violations		Does the State		
383.5	Define as "Serious Traffic Violation" for CMV disqualification purposes, at least the following offenses when committed in a CMV:			
	A violation, arising in a connection with a fatal traffic accident, of State or local law relating to motor vehicle traffic control (other than a parking violation and excluding vehicle weight and defect violations).			
	Excessive speeding, involving any single offense for any speed 15 miles per hour or more over the posted speed limit.			
	Reckless Driving, as defined by State or local law or regulation, including but not limited to wanton willful disregard for the safety of persons or property.			
	Improper or erratic lane changes and Following to closely			
383.51 (c)(2)(i)	Disqualify from operating a CMV for not less than 30 days any person who, in a three year period, is convicted of two serious traffic violations in separate incidents while operating a CMV.			
XIX. Third Serious Traffic Violation		[§ 384.219]		
Third Serious Traffic Violation		Does the State		
383.51 (c)(2)(ii)	Disqualify from operating a CMV for a period of not less than 120 days any person who, in a three year period, is convicted of three serious traffic violations in separate incidents while operating a CMV.			
XX. NATIONAL DRIVER REGISTER 384.220				
NDR Information		Does the State		
383.73 (a)(3)(ii)& 383.73(f)	Check with NDR no earlier than 24 hours prior to initial issuance or transfer from another state and no earlier than 10 days prior to the renewal or upgrade of a CDL			
	Has been disqualified from operating a motor vehicle other than a CMV;			
	Has had a license, other than a CDL, suspended, revoked, or canceled for cause in the three year period ending on the date of application;			
XXI. Out Of Service Regulations		[§ 384.221]		
Out of Service Regulations		Does the State		
	Have in effect and enforce a law imposing an immediate 24-hour out-of-service period on any operator of a CMV, as defined in 49 CFR § 383.5 and § 390.5 who has any measurable alcohol concentration or any detected presence of alcohol			
	Do all State and local law enforcement personnel have the authority to enforce this requirement.			
Satisfaction of State Disqualification Requirement		[§ 384.231]		
Disqualification Procedures		Does the State		
383.51	Enforce the disqualification of 49 CFR § 383.51 and § 384.210 by suspending, revoking, or canceling the convicted persons CDL.			
	Disqualify drivers as expeditiously as possible			

	Measure the term of disqualification under 49 CFR § 383.51 from the date that the suspension, revocation, or cancellation of the CDL is effective, and continue the term for the full period specified in 49 CFR § 383.51, irrespective of the date of conviction			
	Distinguish between offense that occur in a CMV and those that do not, for all offenses that may be disqualifying for CMV purposes			
	Distinguish between CMV offenses that arise from hazardous materials offenses and those that do not, for the offenses listed in 49 CFR 383.51 (b)(2)(i) thru (iv)			
	Maintain records of all CMV disqualifying offenses, and assure maintenance of driver and State identifying information on the CDLIS, of all CMV drivers with the CDLIS specifications			
	How does the State receive records of convictions from other states			
	Take necessary action to suspend the license when they receive a notification of disqualifying offense from another jurisdiction			
	Maintain records in accordance to the CDLIS policy			
	Follow requirements of § 384.231 (b)(2) on non-CDL drivers			
	49 CFR 383, 390, 391 violations of the out of Service orders by commercial motor vehicle operators effective October 1, 1996			
383.5 390.5	Definition of the out of service			
383.37	Employer responsibilities for violations of the out of service orders			
383.51(d) 391.15	Disqualification of drivers for violations of out of service orders			<p>In §383.51 and § 391.15 the General Rule differs but the duration of the disqualifications are the same. In § 383.52 you are also subject to special penalties in § 383.53 (b). § 383.53 Penalties</p> <p>(a) General Rule. Any person who violates the rules set forth in subparts B and C of this part may be subject to civil or criminal penalties as provided in 49 U.S.C. 521 (b) (b)(1) Driver Violations A driver who is convicted of violating an out of service order shall be subject to a civil penalty of not less than \$1,000 nor more than \$2500 in addition to being disqualified under § 383.51 (d)</p>
	First offense not less than 90 days,			
	second offense not less than 1 year(within a ten year period) and third or subsequent offense, not less than 3 years (within a ten year period).			
	Hazardous materials and passenger offenses; First offense not less than 180 days, second or subsequent offenses not less than 3 years (if within a 10 year period)			
CMVSA	States minimum CDLIS hours of operation 0700-2400 EST			
384.305	States current certification meets minimum requirements (attach copy)			

