

*AAMVA Legislative/Regulatory Alert*

To: Chief Motor Vehicle Officials  
Chief Law Enforcement Officials

FR: Ian Grossman, Vice President of Member Services and Public Affairs

Date: October 2, 2012

RE: Congress Passes Military Commercial Driver's License Act of 2012

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Congress has passed S.3642 - The Military Commercial Driver's License Act of 2012. This Act would change the domicile requirements for military members. Very simply, the Act would modify the domicile requirements in U.S. Code to allow for a state to issue a CDL to an individual who operates or will operate a CMV who is a member of the active duty military, military reserves, National Guard, active duty United States Coast Guard, or Coast Guard Auxiliary and is not domiciled in the State, but whose temporary or permanent duty station is located in the State.

AAMVA has previously noted that in May 2011, FMCSA published its final rule on Commercial Driver's License Testing and Commercial Learner's Permit Standards (FMCSA-2007-27659; RIN 2126-AB02). Among other provisions of the rule, Section 383.77 of the rule addresses the state capacity for substitution of a driving skills test for drivers with military commercial motor vehicle experience. However, even with the legislative change to domicile requirements, military personnel will still need to present a waiver form in order to waive the skills test. A copy of this [waiver form](#) is available on the AAMVA Web site.

Specifically the bill:

- Amends 49 USC 31311(a)(12) to allow a state to issue a commercial driver's license only to an individual who operates or will operate a commercial motor vehicle and is domiciled in the State.
- Directs regulations prescribed by the Secretary to allow a state to issue a CDL to an individual who operates or will operate a commercial motor vehicle and is not domiciled in a State that issues CDLs.
- Allows a state to issue a CDL to an individual who operates or will operate a CMV who is a member of the active duty military, military reserves, National Guard, active duty United States Coast Guard, or Coast Guard Auxiliary and is not domiciled in the State, but whose temporary or permanent duty station is located in the State.

Find attached the bill text of S. 3642. Should you have any questions, please do not hesitate to contact AAMVA's Senior Manager of Government Affairs, Cian Cashin, at [ccashin@aamva.org](mailto:ccashin@aamva.org) or (703) 908-8276.