



May 26, 2026

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United States Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

RE: Fees for Commercial Driver's License Information System (CDLIS); Docket No. FMCSA-2025-0099; RIN 2126-AC78

The American Association of Motor Vehicle Administrators (AAMVA) submits these comments in response to the Notice of Proposed Rulemaking (NPRM) published by the Federal Motor Carrier Safety Administration (FMCSA) on May 18, 2026 (91 FR 28514), proposing to establish user fees for State driver licensing agencies (SDLAs) accessing the Commercial Driver's License Information System (CDLIS) under 49 CFR § 384.237.

AAMVA is the nonprofit organization that operates and maintains CDLIS on behalf of FMCSA. AAMVA represents the motor vehicle administration agencies of the United States. AAMVA has operated CDLIS since its establishment pursuant to the Commercial Motor Vehicle Safety Act of 1986 and has provided FMCSA with the detailed cost and operational data upon which this NPRM is based.

AAMVA supports the proposed fee structure and the statutory framework established by the Strengthening the Commercial Driver's License Information System Act (Pub. L. 118-156, December 17, 2024). The resumption of user fees is essential to sustaining CDLIS operations, which underpin the safety and integrity of the commercial driver's licensing system. AAMVA submits these comments to ensure that the final rule accurately reflects the underlying cost and master pointer record (MPR) data, to correct several factual misstatements appearing in the NPRM, to address implementation considerations, and to respond to FMCSA's specific requests for comment.

Master Pointer Record Count in Table 1

As of April 2026, CDLIS contained 17,336,297 MPRs. This figure is a more current and verifiable data point and is consistent with the growth trajectory underlying AAMVA's projections. Using current or actual data rather than forward-looking estimates would strengthen the evidentiary basis for the final rule and reduce the risk of states drawing incorrect conclusions about fee calculations when performing their own budget analyses.

AAMVA recommends that FMCSA: (1) acknowledge that the figures referenced in Table 1 reflect the number of MPRs as of January 2025 but emphasize that the number of MPRs is subject to constant change; and (2) clearly label the 18,340,985 figure as an estimated projection and explain the growth rate methodology in the regulatory preamble. Clarification on these points will better serve transparency and public understanding of the fee calculation.

Reserve Fund Calculation

The NPRM states at page 28517 that the proposed Phase 1 collection period at \$0.33 per MPR for six months, together with third-party fees, will allow AAMVA to "accumulate a portion of their annual costs to operate, maintain, develop, modernize, and enhance CDLIS up to \$5.45 million." This figure is also inaccurate and requires correction.

The \$5.45 million figure appears to represent approximately half of the stated \$10.9 million annual cost estimate and was apparently calculated as if the full annual state fee of \$0.52 per MPR and full third-party fee would both be collected at the same time for six months. However, AAMVA's estimated annual CDLIS cost is \$10,914,506, of which approximately 88% (\$9,604,767) is covered by state user fees and approximately 12% (\$1,309,739) is covered by third-party user fees. If AAMVA collects \$0.33 per MPR from states for six months—based on projected MPR levels—the resulting state fee revenue would be approximately \$3.0 million. If third-party fees at a new reinstated rate are also collected during this period, that would yield approximately an additional \$655,000, for a total reserve accumulation of approximately \$3.66 million, not \$5.45 million.

This discrepancy matters for two reasons. First, states attempting to verify the math will find that the numbers do not reconcile, which will generate confusion and may lead to unnecessary objections based on a misunderstanding of the fee methodology. Second, the reserve fund amount affects AAMVA's financial planning and its ability to sustain CDLIS operations without interruption. AAMVA requests that FMCSA correct this figure in the final rule and explain the reserve fund calculation with specificity, including the assumptions regarding third-party fee collection timing.

Support for the Two-Phase Fee Structure

AAMVA supports FMCSA's proposed two-phase fee structure as a reasonable and appropriate mechanism for resuming CDLIS cost recovery while managing the transition for SDLAs that have not paid CDLIS fees since October 2023.

Phase 1: August 1, 2027 — January 31, 2028 (\$0.33 per MPR)

The Phase 1 rate of \$0.33 per MPR annually represents continuity with the rate last charged in October 2023, which states have previous experience budgeting for. Reinstating this familiar rate for an initial six-month period—while FMCSA continues to supplement operations through its existing contract—is a pragmatic approach that reduces the financial adjustment burden on SDLAs. AAMVA supports this approach as consistent with its own cost recovery estimates and operational needs during the transition period as long as there is continued support for operations through the contract.

AAMVA notes that the effective date of August 1, 2027 aligns with the three-month option period in FMCSA's current contract with AAMVA, which runs from August 1, 2025 with renewal options extending through May 1, 2028. This alignment is intentional and appropriate, ensuring that the fee structure transition coincides with the contractual framework governing federal support for CDLIS operations.

Phase 2: February 1, 2028 and Beyond (\$0.52 per MPR).

The Phase 2 rate of \$0.52 per MPR reflects an estimated cost of full CDLIS operations, including the new statutory authority to collect fees covering development and modernization costs under 49 U.S.C. 31309(e)(3)(B). The prior fee structure was limited to operations and maintenance; the inclusion of a modernization component at approximately 29% of total costs is both statutorily authorized and operationally necessary to sustain CDLIS as a modern, secure, and reliable system.

Responses to FMCSA's Specific Questions

Question 1: Timing of Fee Resumption

FMCSA asks how quickly states could resume paying CDLIS fees, either at the \$0.33 or \$0.52 per MPR rate. AAMVA's interactions with SDLAs in connection with this rulemaking suggest that states generally need a minimum of twelve months' advance notice to budget for new or resumed fee obligations, particularly where

legislative appropriations cycles are involved. The proposed effective date of August 1, 2027 for Phase 1—assuming a final rule is issued in a timely manner following the June 17, 2026 comment deadline—would provide SDLAs with approximately one year of lead time, which AAMVA considers to be the absolute minimum time needed to propose appropriate levels for state budget and appropriations purposes. However, for those states that have biennial legislatures, that timing may be insufficient, as those legislatures may not convene again in time to authorize the necessary appropriations before fees begin. Roughly a dozen legislatures meet biennially, and so FMCSA must ensure that the fee structure meets the needs of state budgeting and appropriation cycles and that the system is provided appropriate support as the fees require legislative approval.

AAMVA urges FMCSA to issue the final rule as expeditiously as possible following the close of the comment period to maximize the notice period available to states. Any delay in finalizing the rule beyond late 2026 would compress the implementation window and risk budget cycle misalignment for states on non-federal fiscal years.

Question 2: Fiscal Year Alignment

FMCSA asks whether the implementation dates should align with the federal fiscal year and whether a mid-year fee change would impose hardship on states. AAMVA notes that state fiscal years vary considerably: a significant number of states operate on a July 1–June 30 fiscal year, while others follow the October 1–September 30 federal fiscal year, and a smaller number use calendar year or other schedules.

The proposed Phase 1 effective date of August 1, 2027 falls at the start of the federal fiscal year fourth quarter and near the beginning of many states' fiscal year second quarter—neither an ideal nor a particularly disruptive timing for most.

For Phase 2, the February 1, 2028 date will fall mid-year for virtually all state fiscal calendars. AAMVA recommends that FMCSA acknowledge this in the final rule and provides states with supplementary guidance on how to pro-rate Phase 2 fee costs for budget planning purposes.

Question 3: Additional Cost and Administration Detail

FMCSA asks whether additional details on CDLIS administration and costs would assist commenters. AAMVA supports maximum transparency in the fee-setting process and notes that FMCSA has referenced AAMVA's June 18, 2025, memorandum, which is available in the docket.

AAMVA encourages the NPRM support a mechanism that would allow for updated cost and fee flexibility on an annual basis that is non-regulatory dependent but still publicly displayed. Such a mechanism would serve two purposes: it would enable FMCSA to exercise its oversight responsibility under the statute, and it would provide a publicly available evidentiary record to support any future fee adjustment. AAMVA notes that the statute requires total fees collected to equal "as nearly as possible" the total costs, and an annual reporting cycle and associated fee adjustment would facilitate timely identification of any significant deviation requiring correction.

FMCSA Oversight and Fee Adjustment Mechanism

The NPRM notes that "FMCSA would exercise oversight of AAMVA's implementation of the user fee and would review the fee and associated inputs on a regular basis to determine if the fee should be adjusted by another rulemaking." AAMVA supports FMCSA's oversight role but respectfully recommends that routine, cost-driven fee adjustments be made without notice-and-comment rulemaking and instead be determined by the AAMVA Board of Directors through AAMVA's established governance process, with the adjusted rate reported to FMCSA and made publicly available.

This recommendation reflects a foundational feature of AAMVA's governance structure that the NPRM does not fully account for: the AAMVA Board of Directors is composed of representatives of the very SDLAs that are required to pay the CDLIS fee. When the Board approves a fee rate, the states are not being subjected to a fee set by an outside party—they are, through their own representatives, consenting to the cost recovery necessary to

sustain a system they are required to use and whose integrity directly serves their own licensing programs. Board approval of a fee adjustment is therefore the functional equivalent of state consent and represents a more direct and responsive accountability mechanism than federal rulemaking.

The statute's directive that fees "shall equal, as nearly as possible, the total amount necessary" for CDLIS purposes contemplates ongoing calibration of the fee to actual costs—not a static rate fixed by rule until a future rulemaking cycle reopens the question. CDLIS costs will fluctuate over time as the system undergoes modernization, as staffing and contract costs change, and as MPR counts shift. A rulemaking-only adjustment mechanism virtually guarantees that the fee will be subject to constant adjustment at any point in time, and that FMCSA and AAMVA will face recurring, resource-intensive rulemaking proceedings simply to maintain cost alignment. This outcome serves neither states nor the federal government.

AAMVA recommends that the final rule establish a framework under which the per-MPR fee rate is set by reporting action and subject to the following transparency conditions:

AAMVA publishes an annual cost and MPR report detailing actual CDLIS operating costs by category (operations and maintenance, administration, and development and modernization), actual MPR counts, actual fee revenue collected, and the Board-approved fee rate for the coming year, with this report provided to FMCSA and made publicly available;

- AAMVA notifies all SDLAs and FMCSA of any Board-approved rate adjustment with an appropriate notification period in advance of the adjusted rate taking effect, providing sufficient lead time for state budget and appropriations planning; and
- Any change to the fee methodology itself—as distinct from a cost-driven rate adjustment within the existing methodology—remains subject to notice-and-comment rulemaking.

This framework preserves meaningful federal oversight while recognizing that the states—acting through the AAMVA Board—are best positioned to make the routine, cost-driven rate determinations that keep the fee aligned with actual CDLIS expenses. It also directly serves the statutory requirement that fees track costs "as nearly as possible," by enabling timely and incremental corrections rather than large, infrequent step changes driven by the pace of rulemaking rather than the pace of actual cost changes. FMCSA's retained rulemaking authority provides a backstop against any rate that departs from the statutory standard, without requiring federal action as the default mechanism for every routine adjustment.

Conclusion and Recommendations

AAMVA supports the proposed fee structure and the resumption of CDLIS user fees as essential to sustaining a critical national safety system. AAMVA respectfully requests that FMCSA incorporate the following in the final rule:

- Clarify that the figures utilized in Table 1 are based on January 2025 data and emphasize throughout the rule that MPRs are subject to change.
- Correct the reserve fund accumulation figure to reflect approximately \$3.66 million (state fees of ~\$3.0 million plus third-party fees of ~\$655,000 during Phase 1) and explain the reserve calculation methodology.
- Retain the Phase 1 effective date of August 1, 2027, and the Phase 2 effective date of February 1, 2028, and commit to timely finalization of the rule to maximize SDLA budget planning lead time.
- Provide supplementary guidance to states on pro-rating Phase 2 fee costs for state fiscal year budget purposes.
- Establish a framework under which the per-MPR fee rate is set by action of the states, through notification to FMCSA, without notice-and-comment rulemaking, subject to: annual public cost and MPR reporting by AAMVA to FMCSA and all SDLAs; advance SDLA notice of any rate adjustment; and a limitation that changes to the fee methodology itself remain subject to rulemaking.

AAMVA remains committed to working collaboratively with FMCSA on the implementation of this rule and the ongoing oversight of CDLIS fee collection. As safety partners in administering the federal CDL program, uninterrupted provision of CDLIS service is essential for ensuring safety on the nation's roads.

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