CDL Compliance

August 23, 2017

Tom Keane, Director
Office of Safety Programs
Federal Motor Carrier Safety Administration
Commercial Driver’s License Program Implementation (CDLPI) grant announcement for fiscal year 2017 closed June 23, 2017

FMCSA received a total of 51 eligible applications requesting $47.4M for available funding of $31.2M;

In FY2017, awards will be 100% Federal funding (no State match required);

FY2017 Awards will be issued in September….please be on the lookout;

FMCSA always encourages SDLA’s to consider forward-thinking solutions to our current driver safety challenges.

Two examples of such grant applications focus on multi-State facial recognition technology sharing. Both programs plan to use new technology and partnerships among the AAMVA State members to resolve critical concerns of CDL fraud.
ELDT – Entry Level Driver Training
(not to be confused with “ELD”)

• Final rule issued December 8, 2016

• Establishes new minimum training standards for certain individuals applying for:
  - A Class A or B CDL for the first time;
  - An upgrade of their CDL; or
  - A hazardous materials (H), passenger (P), or school bus (S) endorsement for the first time.

• Compliance date is February 7, 2020;

• Individuals subject to the ELDT requirements must complete prescribed program of instruction provided by an entity that is listed on FMCSA’s Training Provider Registry (TPR).
Military Licensing Initiatives

- United States Marine Corps
- U.S. Air Force
- United States Navy
- U.S. Army
- United States Army Reserve
- National Guard
- Air Force Reserve

Safe Drivers · Safe Vehicles · Secure Identities · Saving Lives
Military CDL Rules I & II

• Military CDL I – Final rule issued December 2016
  ○ Extends the time for applying for a skills test waiver from the current 90 days to 1 year after leaving a military position requiring the operation of a commercial motor vehicle (CMV); and
  ○ Allows States to accept applications from and administer both the knowledge and skills tests for a CLP and / or a CDL to active duty military personnel stationed in that State, even if not domiciled in that State.

• Military CDL II Rule – Proposed Rule issued June 2017
  ○ Application requests an ‘even trade’ for specific MOS’s to go directly to a CDL (while still complying with other requirements - residency and medical exam).
  ○ Would allow for the transfer of the equivalent endorsements;
  ○ FMCSA granted exemption to Missouri (and all states) in October 2016;

• Both rules are voluntary for SDLA’s;
Military CDL Working Group

- Developing *Implementation Plan* for both Military CDL Rules (Even Exchange / Domicile Accommodation);

- Working Group made up of representatives from CO FL IA ID IL NC NY VA AAMVA FMCSA (NH / HQ)

- *Implementation Plan will be* available through AAMVA and FMCSA;

- In the case of the Domicile Accommodation, both the testing State (State-of-Station) and the home State-of-Record must agree to participate; and

- Comments, suggestions and questions regarding this process welcomed.
Under 21 Military CDL Pilot

- Directed by Congress via the FAST Act § 5404;
- Allows limited number of 18-20 year old military drivers to operate interstate;
- Goal of 200 applicants / 200 control group / 200 intrastate drivers;
- Coordination with Office of the Chief, Army Reserves (OCAR) / Office of the Chief, Air Force Reserves (USAF-R) / National Guard Bureau (NGB);
- FMCSA Working Group meets monthly to develop this program;
- Timeline to accept applications from carriers for screening early Spring 2018;
- Applications from potential study drivers in late Spring 2018;
- Carriers will apply to sponsor applicants;
- Eligibility for applicants now limited to:

- 88M / 92F
- 2T1 / 2F0 / 3E2
- 3531
- EO
US Air Force Efforts

- US Air Force has established a unique relationship with AAMVA and FMCSA to train and test all drivers;
- Includes all military service branch members tested at USAF Joint Bases;
  - Thus a service member from the Army, Marines or Navy assigned to the joint base may have been tested and issued a CDL in accordance with the AAMVA model regardless of their military occupation;
- USAF has adopted the AAMVA knowledge and skills test model for all
  - 2T1 / 2F0 / 3E2 (heavy trucks and buses);
  - Move will save USAF curriculum development and updating resources.
  - Move now equates USAF licenses to civilian CDL;
- USAF is moving to equate all training and licensing to all AAMVA models, not just CDL; and
- Note some SDLAs might have standards that exceed the Federal requirements.
Drug & Alcohol Clearinghouse

- Final Rule published December 2016;
- Compliance date is January 6, 2020;
- Requires posting of positive test results & test refusals;
- Two components: Reporting and Querying;
  - **Reporting**: employers, MROs, and rehabilitation program professionals;
  - **Querying**: Employers check before hiring and annually thereafter, and SDLAs required to check before issuing, renewing, upgrading or transferring CLP/CDL;
- FMCSA will maintain the system; and
- SDLAs will be required to query the Clearinghouse whenever a CDL is issued, renewed, transferred, or upgraded;
Compliance due date is June 2018;

Requires electronic posting of medical certificate on driver’s record;

Solution for NR2 consists of 3 new CDLIS transactions;

AAMVA published the mini specs for 2 of 3 new CDLIS transactions so far, and made available to the SDLAs; and

Third mini specs approved and AAMVA will provide soon.

FMCSA encourages all SDLAs to work with AAMVA to begin planning, analysis, and development based on AAMVA’s specs;

States interested in beginning the CDLIS programming based on the AAMVA specs should coordinate efforts with CDLIS team at AAMVA;
FMCSA continues to seek ways to ensure that timely, complete, and accurate convictions and disqualifications are recorded on the driver’s history record;

CDLPI provides grants to National Judicial College (NJC), National Center for State Courts (NCSC) and National District Attorney’s Association (NDAA);

NJC and NDAA provide training to each of the various stakeholder groups;

Grants also provide technical assistance to States to connect with court systems electronically (NCSC); and

Training focused on educating court personnel on CDL regulations and court reporting requirements.
CDL MOU Update with Mexico

- Original was signed in 1991; updating was mutual goal of HLED;
- DOT recently executed an update with Mexico on its CDL MOU;
- Update includes date changes & terms (CDL, “non-resident” to “non-domiciled”);
- References to defunct 1990’s working group were updated to establish a new working group that will meet consistently to address remaining variances;
- Remaining differences to be focused on:
  - Commercial Learner’s Permit;
  - Entry Level Driver Training;
  - Air brake portion of skills test;
  - HM and double/triples endorsement;

- FMCSA would like to work with CCMTA and the Provinces to update CDL MOU with Canada
Section 5506 of the *Fast Act* required the FMCSA to report to Congress on the reasons States have delays in conducting CDL Skills Testing.

- FMCSA is developing a survey for State use;
- The Information Collection Request approval process has completed the 60- and 30-day comment periods;
- The survey is currently at the Office of Management and Budget for final approval;
- Expect to see the survey soon;
- FMCSA is interested in all State input surrounding this issue and will provide data in Report to Congress.
Recent query to the states found

- **Total active CDL/CLP holders 7,672,518**
  - 6,755,187 male (91%)
  - 671,689 female (9%)

- **Vehicle Class**
  - Class A – 4,839,044 (65%)
  - Class B – 2,214,055 (30%)
  - Class C – 213,468 (3%)

- **Endorsements**
  - Tanker – 2,220,585 (30%)
  - Passenger – 1,843,416 (25%)
  - Doubles/Triples – 1,487,631 (20%)
  - School Bus – 890,479 (12%)
  - HM – 654,133 (9%)