

The licensing provisions in Part 383 are intended to help reduce accidents by setting standards that:

- Require commercial drivers to be properly qualified and to hold a single valid driver's license (CDL); and
- Disqualify drivers who do not operate Commercial Motor Vehicles (CMVs) safely.

### **Commercial Driver's License Information System (CDLIS)**

The CDLIS enables the States to exchange information about the driving records and driver's licenses of CMV drivers. This helps assure that only one license is issued to a driver and that drivers currently disqualified are prevented from obtaining a CDL. Employers have access to the CDLIS clearinghouse through their State's vehicle licensing agency.

### **Vehicles requiring commercial driver's licenses**

Drivers must hold CDLs if they operate in interstate, intrastate, or foreign commerce and drive a vehicle:

**With a Gross Vehicle Weight Rating (GVWR) or Gross Vehicle Weight (GVW) of at least 26,001 pounds, whichever is greater, or a lesser GVWR or GVW the Secretary of Transportation prescribes by regulation, but not less than a GVWR of 10,001 pounds; or**

- Designed to transport at least 16 passengers including the driver; or
- Transporting a quantity of hazardous materials requiring placarding.
- Because the CDL is a State-issued license, you should check with appropriate State officials regarding particular license classes and specific exemptions.

### **Notification to employer and licensing State**

Upon conviction for any State or local traffic violation, a driver must notify his/her employer(s) within 30 days. This notification must be in writing and must include the following information:

#### **Driver's full name**

- Driver's license number
- Date of conviction
- Details about the offense, including any resulting suspension, revocation, or cancellation of driving privileges
- Indication of whether the violation happened in a CMV
- Location of offense, and
- Driver's signature.

### **Disqualifying offenses**

No employer shall knowingly allow, require, permit, or authorize a disqualified driver to drive a CMV. Disqualifying offenses include:

#### **Driving a CMV while under the influence of alcohol.**

- Driving a CMV while under the influence of a disqualifying drug or other controlled substance.
- Leaving the scene of an accident that involves a CMV.
- Using a CMV to commit a felony.
- Using a CMV to commit serious traffic violations.

- Using a CMV to violate an Out-of-Service Order.
- Using a CMV to violate the Railroad-Highway Grade Crossing rule.

### **Penalties**

A driver convicted of a felony offense for using a CMV for manufacturing, distributing or dispensing a controlled substance is disqualified for life, but may be eligible for reinstatement after ten years.

### **Suspensions for traffic violations 60-day suspension**

A 60-day suspension will be imposed following conviction for two serious traffic violations within three years while driving a CMV.

These violations include:

#### **Excessive speeding (15 miles per hour or more above the posted speed limit in a single offense)**

- Reckless driving, improper or erratic lane changes, or following the vehicle ahead too closely; and
- Traffic offenses involving a fatal accident.

### **120-day suspension**

A 120-day suspension will be imposed following three convictions of any serious violations within three years.

### **Implied consent**

Any CDL holder is automatically considered to have consented to alcohol testing by any State or jurisdiction.

### **Endorsements**

In addition to general knowledge and skills tests, drivers who operate specialized commercial motor vehicles must pass additional tests and obtain endorsements on their CDLs, as follows:

T -- Double/triple trailers (knowledge test only)

P -- Passenger (knowledge and skills tests)

N -- Tank vehicle (knowledge test only)

H -- Hazardous materials (knowledge test only)

X -- Combination of tank vehicle and hazardous materials (knowledge tests)

### **Air brake restrictions**

If an applicant fails the air brake section of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, his/her CDL, if issued, will indicate that the license holder may not operate any CMV equipped with air brakes.

*Note: For the purposes of the skills test and the license restriction, air brakes include any braking system that operates fully or partially on the air brake principle.*