

New CDL and CLP standards

Overview

The Federal Motor Carrier Safety Administration ([FMCSA](#)) has amended Commercial Driver License standards. This regulation is referred to as the “CDL Permit Rule”. The Massachusetts RMV will implement the rule starting in July 2016.

The Commercial Driver’s License is referred to as the “CDL” and the Commercial Learner’s Permit is referred to as the “CLP”. A Commercial Motor Vehicle is referred to as a “CMV”.

To obtain and keep a Massachusetts CLP, an applicant must possess a Massachusetts Class D license.

Suspensions and Disqualifications

Massachusetts will apply federally mandated commercial suspensions and revocations to CLP holders the same as to CDL holders.

Federally mandated commercial suspensions and revocations that affect a driver's commercial privilege will now run consecutive (one to follow the other) with any other open commercial suspension or revocation on record.

New Revocations and Procedures

Holders of CLPs are subject to the same disqualifying offenses in a CMV or a non-CMV.

If a state receives credible information that a CDL or CLP holder is suspected, but has not been convicted, of fraud related to the issuance of his/her CLP or CDL, the state must require the driver to re-take the skills and/or the knowledge tests.

Only supervisory level personnel may continue the CDL or CLP process when a driver record check returns suspect results.

New federally mandated one year commercial revocations will be issued for drivers who are found guilty, or convicted of, falsifying, misrepresenting, or fraud in connection with:

- An application for, or testing for, a CLP/CDL
- Self-certification driving type
- Medical Examiner's Certificate

Massachusetts General Law Chapter 90F Section 9 / 540 CMR 2.06

Any person who holds a license to operate a motor vehicle, a license to operate a CMV, or is unlicensed, is prohibited from operating a CMV for a period of not less than one year if convicted of a first violation of:

1. Operating a CMV or a motor vehicle under the influence of alcohol or drugs
2. Operating a CMV while the alcohol concentration in the person's blood or breath is 0.04 or more
3. Leaving the scene of an accident involving a CMV or a motor vehicle driven by the person
4. Refusing to submit to a chemical test or analysis of the person's breath or blood after operating a CMV or a motor vehicle
5. Using a CMV or a motor vehicle in the commission of a felony as defined in this chapter

If any of the above violations occurred while transporting a hazardous material required to be placarded, the person shall be disqualified for a period of three years.

Any person shall be disqualified for life if convicted of two or more violations of any of the offenses specified or for two or more refusals to submit to a chemical test or analysis of the person's breath or blood after operating a CMV or a motor vehicle, or any combination of those offenses, arising from two or more separate incidents.

Commercial Document Changes

The following federally mandated changes will be made to commercial documents:

- **CLPs will be valid for only 180 days** and can be renewed once for an additional 180 days. After this, the holder will have to apply for a new CLP, including retaking any required knowledge tests.
- **Proof of citizenship or legal presence is required** for the following:
 - Initial issuance of a CLP or CDL
 - Transfer of a CDL from another state
 - Drivers renewing for the first time since July 8, 2011
- **Proof of domicile in state is required.** State of domicile means the state where a person has his/her true, fixed, and permanent home and principal residence and has the intention of returning when they are absent.
- **Surrender of documents.** Surrender is required any time a CLP is upgraded or a CDL is being initially issued, upgraded, or transferred.

Driver Training

The following changes will apply to driver training:

- Driver training may be taken in another state.
- Road skills testing may be taken in the state where the training occurred.
- The state that conducts training must electronically transmit the test results to the state of domicile.
- The state of domicile must accept the skills test results and issue the CDL.

CLP Holder

The CLP holder must be accompanied at all times by the holder of a valid CDL who has the proper CDL group and endorsements necessary to operate the CMV. The CDL holder must be physically present at all times in the front seat next to the CLP holder, or in the case of a passenger vehicle, directly behind or in the front row behind the driver.

Endorsement and Restriction Changes

Standardized letter codes for commercial endorsements:

- T – Doubles / triples
- P – Passenger
- N – Tanker
- H – Hazardous materials
- X – Combination of tanker and hazmat
- S – School bus

Commercial CLP / CDL Restrictions

- E - No Manual Transmission Equipped CMV
- L - No Airbrake Equipped CMV
- Z - No Full Airbrake Equipped CMV restrictions
- O – No tractor trailer CMV
- M – No Class A passenger
- N – No Class A and B passenger vehicle
- P – No passenger in CMV bus
- K – Under 21 years of age / Intrastate operation only
- T – Used with certified driving instructor only
- V – Medical variance for drivers operating in intrastate commerce
- Q – Drivers operating in intrastate commerce only
- X – No cargo in CMV tank vehicle

If the vehicle used for your skills test has:

- An automatic transmission, and this is your first road test in a CMV, you will be given an E restriction.
- No form of airbrakes, and this is your first road test in a CMV, you will be given an L restriction.
- Air over hydraulic brakes, and this is your first road test in a CMV, you will be given a Z restriction.
 - If you have a CDL with an L restriction and you test in a vehicle with air over hydraulic brakes, you will be upgraded from an L to a Z restriction.

Also, please note that:

- CLPs will no longer be issued with the Double / Triple Trailer (T) endorsement. The T endorsement can be issued only to a driver holding a CDL.
- CLPs issued with a Passenger (P) or School Bus (S) endorsement will automatically get a new federally mandated "No Passengers in CMV Bus" (P) restriction.

- CLPs issued with a Tank Vehicles (N) endorsement will automatically get a federally mandated "No Cargo in CMV Tank Vehicle" (X) restriction.
- The P and X restrictions are issued for the CLP only. The CDL that is issued after all required tests have been passed will not have the P or X restrictions.

A CLP holder with an N endorsement is prohibited from operating a tanker unless it is empty and purged if it contained hazardous material. The X restriction must be imposed on all CLPs issued with an N endorsement.

A CLP holder with a P or S endorsement is prohibited from operating a CMV with passengers.

All other endorsements are prohibited on a CLP.

CDL Skills Testing Changes

The AAMVA 2005 CDL Testing Model is the required test. It consists of the following:

- Pre-trip inspection – the pre-trip inspection is the inspection of the entire vehicle for every test and is mandatory
- Basic skills course (yard maneuvers)
 - Pre-trip inspection
 - Straight backing
 - Off set backing to the left or right
 - Parallel parking
- Road test – the on road portion of the skills test will remain the same

The use of interpreters for knowledge and skills tests is prohibited.

Banking of skills tests scores is permitted for passed skills tests. They are valid during the initial issuance of the CLP only. They cannot be transferred to another permit.

You cannot schedule an appointment for CDL skills tests within the first 14 days from the issuance of the CLP.

Application Requirement Changes

All CLP and CDL transactions, with the exception of replacements (duplicates) will require proof of legal presence in the United States.

- Drivers who can prove **U.S. citizenship** or **lawful permanent residency** will only need to provide this proof on the *first application* on or after **June 18, 2015**. A record of this verification will be retained on the driver's record.
- Drivers with **temporary visitor** status will need to provide proof of legal presence in the U.S. with *every application*.

National Suspension and Revocation Screening

The CDL Permit Rule broadens the criteria used during CLP and CDL applications to check for open suspensions and revocations in other states. Massachusetts will reject any application when a driver has any open suspension or revocation in any state.

Transferring a CDL from another State

When converting an out-of-state CDL, the knowledge and road tests may be waived if the CMV operator is currently licensed at the time of application and certifies that, prior to applying for a CDL, he/she:

1. Has not had more than one license
2. Has not had any license suspended, revoked, or canceled
3. Has not had any convictions for any type of motor vehicle for the disqualifying offenses contained in 49 CFR § 383.51(b)
4. Has not had more than one conviction for any type of motor vehicle for serious traffic violations
5. Has not had any conviction for a violation of state or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with any traffic accident, and has no record of an accident in which he/she was at fault

The following documentation must be provided for waiver consideration:

- Current out-of-state CDL
- A copy of a driving record from a previous state of licensure, indicating that the customer has the minimum requirement of two years of experience from the date of issuance of the CDL
- Proof of residency in Massachusetts

If the above requirements are met, a customer can obtain a Massachusetts CDL without taking the general knowledge exam or road test.

If the customer cannot meet the above requirements, the out-of-state CDL can be converted to a Massachusetts Class D driver's license. The out-of-state CDL must be surrendered at this time. The customer may then apply for a Massachusetts CLP and must pass the written and road tests.

The conversion process is the same for all CMV classes (Class A, Class B, and Class C). However, note that some states issue non-commercial Class A, B, and/or C driver's licenses that do not qualify as CDLs under the FMCSA's definition. These can only be converted to a Massachusetts Class D driver's license.

Expired CDLs cannot be converted. However, an out-of-state CDL that has been expired for less than four years can be converted to a Massachusetts Class D driver's license.

Transferring Endorsements

When a customer applies for a CDL out-of-state conversion, he/she may also choose to transfer the endorsements on the previous CDL. However, due to federal requirements, an H

endorsement is not transferable. To receive an H endorsement on a Massachusetts CDL, the customer must reapply for the endorsement.