New CDL Testing and CLP Standards

Issue Date: November 17, 2015

New Information

Effective July 8, 2015, several changes were made to the commercial driver license (CDL) testing and commercial learner's permit (CLP), previously known as commercial instruction permit, to comply with federal regulations (*Code of Federal Regulations*, Title 49, Part 383).

English Only on Skills Test

The Employer Testing Program (ETP) examiner **must** conduct all portions of the CDL skills test (vehicle inspection, basic control, and road) in English **only**. Neither the applicant nor the ETP examiner may communicate in a language other than English during any portion of the skills test. The use of an interpreter is prohibited in the administration of the skills test. Applicants must be able to understand and respond in English to verbal commands and instructions given by the ETP examiner (*Code of Federal Regulations*, Title 49, §383.133).

ETP examiners are required to inform the applicant of this policy prior to administering the CDL skills test. If an applicant communicates in a language other than English, or fails to comprehend instructions given to him/her in English, issue him/her a verbal warning for the first two offenses committed on the same test date, and note the offense(s) on the ETP CDL PRE-TRIP INSPECTION AND SKILLS EVALUATION SCORE SHEET (DL 65 ETP, PART I) or ETP CDL DRIVING PERFORMANCE EVALUATION SCORE SHEET (DL 65 ETP, PART II). Upon a third offense committed on the same test date, end the test and mark the score sheet as automatic failure (AF) for failing to communicate in English.

NOTE: Using slang (not standard English), speaking in broken English, or speaking with an accent should not be misconstrued as communicating in a language other than English.

ETP examiners are encouraged to make every effort to understand what the applicant is saying; however, the applicant and ETP examiners are prohibited from communicating in a language other than English.

Air Brake Test Failures

ETP examiners are required to end the vehicle inspection test and mark the score sheet as an "AF" if the applicant fails the air brakes portion of the test. Do not allow the applicant to continue his/her vehicle inspection test after he/she has failed the air brakes portion of the test.

NOTE: The applicant determines the order in which the vehicle inspection test is conducted. ETP examiners are not allowed to dictate the order.

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Representative Vehicles

Prior to administering the CDL skills test, an ETP examiner will confirm with the applicant the class license they plan to operate and must verify that the test vehicle is representative of the class of commercial motor vehicle (CMV). This can usually be done by visual inspection or checking the vehicle's federal certification label or manufacturer's identification plate to determine the gross vehicle weight rating (GVWR) and/or gross combination weight rating (GCWR) of the vehicle.

NOTE: Do not use the vehicle's actual loaded weight (gross vehicle weight or gross combination weight) as verification. GCWR may be determined by adding the GVWR of the power unit and towed unit.

Commercial class vehicles are defined as follows:

Class A vehicles include:

- Any combination of vehicles with a GCWR of 26,001 **or more** pounds **provided** the GVWR of the vehicle(s) being towed is **more than** 10,000 pounds.
- Any combination of vehicles with a GCWR of less than 26,001 pounds if the towed vehicle has a GVWR of **more than** 10,000 pounds.

NOTE: If an applicant performs the skills test in a Class A combination vehicle with a GCWR of **less than** 26,001 pounds, the CDL will be restricted to the operation of combination vehicles with a GCWR of **less than** 26,001 pounds (Restriction 88).

Class B vehicles include:

- Any single vehicle with a GVWR of 26,001 or more pounds.
- Any 3-axle vehicle weighing more than 6,000 pounds.
- Any bus designed, used, or maintained to transport **more than** 15 passengers including the driver.
- Any vehicle designed, used, or maintained to transport **more than** 10 passengers including the driver, for hire or profit, or used by any nonprofit organization or group.
- Any farm labor vehicle designed, used, or maintained to transport **more than** 10 passengers including the driver.

NOTE: If an applicant performs the skills test in a 3-axle Class B vehicle weighing over 6,000 pounds with a GVWR less than 26,001 pounds, the CDL will be restricted to the operation of 3-axle vehicles with a GVWR less than 26,001 pounds (Restriction 79).

A truck tractor (self-propelled CMV designed or used primarily for drawing other vehicles) *Code of Federal Regulations*, Title 49 §390.5, is not considered a representative vehicle and **cannot** be used for any testing purposes.

Class C vehicles include:

- Any single vehicle not included under Class A or B with a GVWR of **less than** 26,001 pounds used to transport hazardous materials in quantities requiring placarding under the *Hazardous Materials Regulations* (*Code of Federal Regulations*, Title 49, Part 172, Subpart F) or is carrying material listed as a select agent or toxin in *Code of Federal Regulations*, Title 42, Part 73.

Commercial Learner's Permit (CLP)

The commercial instruction permit has been renamed as the commercial learner's permit (CLP) to comply with federal regulations. Until programming modifications are complete, the document will still read commercial instruction permit. The CLP:

- Applicant must be at least 18 years of age.
- Will not be issued to an applicant until he/she has obtained a valid California driver license (DL) which, at a minimum, allows the applicant to operate noncommercial Class C motor vehicles. A temporary California DL is acceptable.
- Is only valid when accompanied by the CLP holder's valid California DL.
- Will be valid for a maximum of 180 days from the date of issuance and may be renewed for up to an additional 180 days, provided the CLP expiration date does not exceed a period of one year from the initial application date.
- Is limited to the following endorsements:
  — Tank (N).
  — Passenger (P).
  — School Bus (S).

  NOTE: Doubles/Triples (T) and Hazardous Materials (HAZMAT) (H) endorsements are prohibited on a CLP.

- Holder with a CLP containing an "N" endorsement is prohibited from operating a tank vehicle unless the tank is empty.

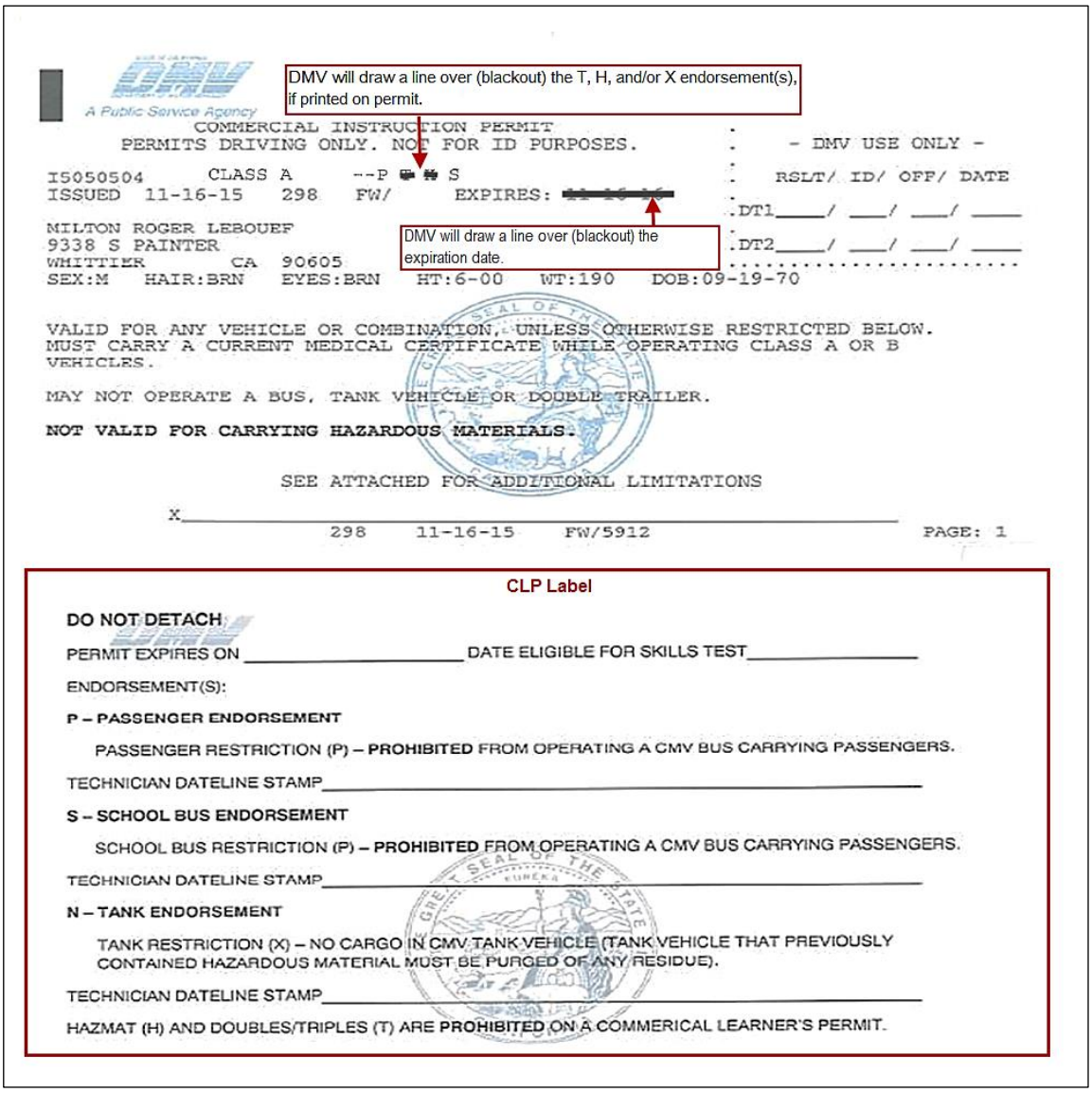
  NOTE: A purge certificate is not required for testing purposes.

- Holder with a CLP containing a Passenger "P" endorsement and/or School Bus "S" endorsement is prohibited from operating a CMV with passengers, other than federal/state auditors and inspectors, test examiners, other trainees, and the accompanying CDL holder.
- Holder must wait a minimum of 14 days after initial CLP issuance to be eligible to take the skills test. The 14-day waiting period applies to classification upgrades and endorsement/restriction changes that require a skills test.
- Holder must be accompanied by a CDL holder while operating a CMV. The CDL holder must possess the appropriate class license and endorsements necessary to operate the CMV.
- Holder must surrender his/her CLP and DL to DMV prior to being issued a CDL.

Department of Motor Vehicles (DMV) Manual Changes

DMV will make the following manual changes to the CLP until programming modifications are complete.

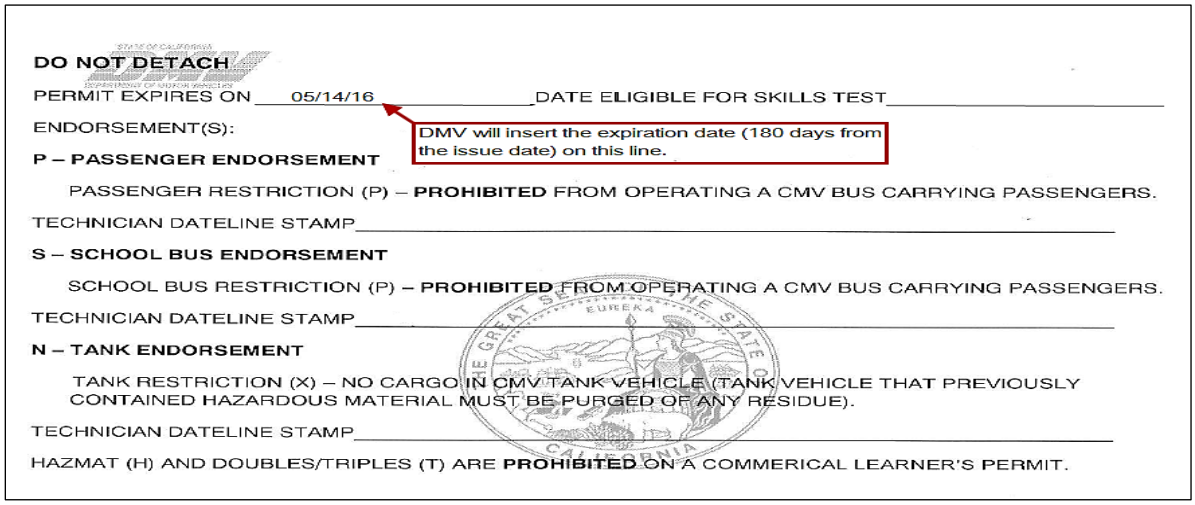
1. DMV will attach a CLP label to the bottom portion of page 1 of the CLP as shown below:



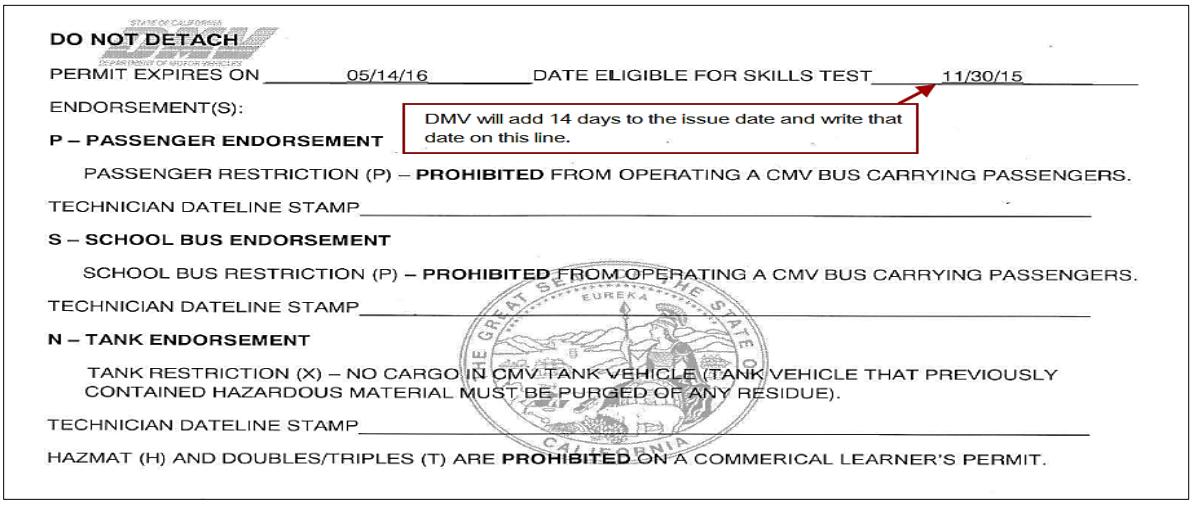
2. DMV will draw a line over (blackout) the expiration date on the CLP using a permanent black marker as shown above.
3. If the CLP contains a Doubles/Triples (T) and/or HAZMAT (H) endorsement, DMV will draw a line over (blackout) the T, H, and/or X endorsement(s) on the CLP using a permanent black marker as shown above.

DMV Manual Changes, ***continued***

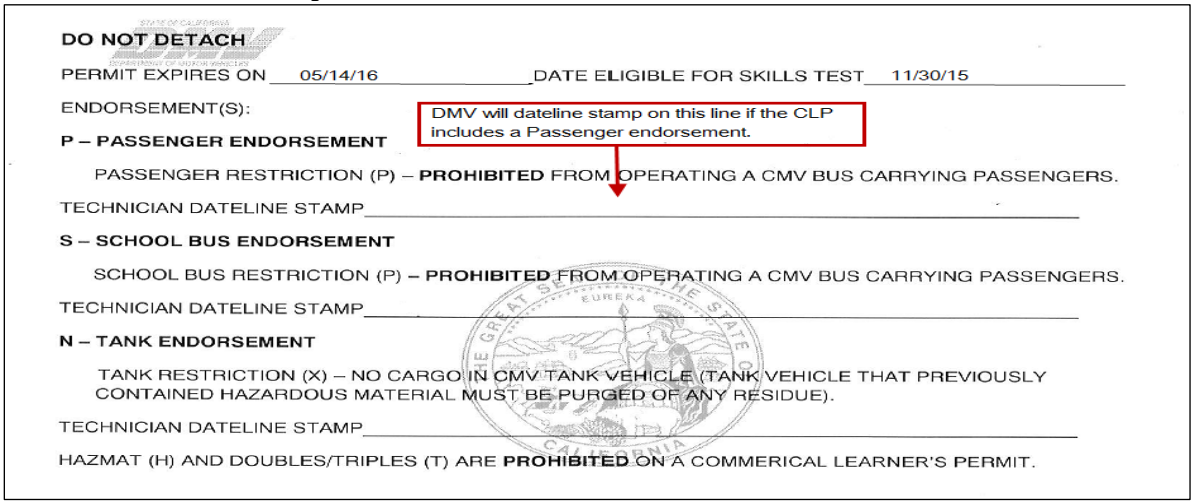
4. DMV will write the permit expiration date (180 days from the date of issuance) on the PERMIT EXPIRES ON line as shown below:


DO NOT DETACH
PERMIT EXPIRES ON 05/14/16 DATE ELIGIBLE FOR SKILLS TEST
ENDORSEMENT(S):
DMV will insert the expiration date (180 days from the issue date) on this line.
P – PASSENGER ENDORSEMENT
PASSENGER RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.
TECHNICIAN DATELINE STAMP
S – SCHOOL BUS ENDORSEMENT
SCHOOL BUS RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.
TECHNICIAN DATELINE STAMP
N – TANK ENDORSEMENT
TANK RESTRICTION (X) – NO CARGO IN CMV TANK VEHICLE (TANK VEHICLE THAT PREVIOUSLY CONTAINED HAZARDOUS MATERIAL MUST BE PURGED OF ANY RESIDUE).
TECHNICIAN DATELINE STAMP
HAZMAT (H) AND DOUBLES/TRIPLES (T) ARE **PROHIBITED** ON A COMMERICAL LEARNER'S PERMIT.

5. DMV will write the date the applicant is eligible for the skills test on the DATE ELIGIBLE FOR SKILLS TEST line as shown below:


DO NOT DETACH
PERMIT EXPIRES ON 05/14/16 DATE ELIGIBLE FOR SKILLS TEST 11/30/15
ENDORSEMENT(S):
DMV will add 14 days to the issue date and write that date on this line.
P – PASSENGER ENDORSEMENT
PASSENGER RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.
TECHNICIAN DATELINE STAMP
S – SCHOOL BUS ENDORSEMENT
SCHOOL BUS RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.
TECHNICIAN DATELINE STAMP
N – TANK ENDORSEMENT
TANK RESTRICTION (X) – NO CARGO IN CMV TANK VEHICLE (TANK VEHICLE THAT PREVIOUSLY CONTAINED HAZARDOUS MATERIAL MUST BE PURGED OF ANY RESIDUE).
TECHNICIAN DATELINE STAMP
HAZMAT (H) AND DOUBLES/TRIPLES (T) ARE **PROHIBITED** ON A COMMERICAL LEARNER'S PERMIT.

6. DMV will dateline stamp the label as follows if the CLP includes an endorsement:


DO NOT DETACH
PERMIT EXPIRES ON 05/14/16 DATE ELIGIBLE FOR SKILLS TEST 11/30/15
ENDORSEMENT(S):
DMV will dateline stamp on this line if the CLP includes a Passenger endorsement.
P – PASSENGER ENDORSEMENT
PASSENGER RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.
TECHNICIAN DATELINE STAMP
S – SCHOOL BUS ENDORSEMENT
SCHOOL BUS RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.
TECHNICIAN DATELINE STAMP
N – TANK ENDORSEMENT
TANK RESTRICTION (X) – NO CARGO IN CMV TANK VEHICLE (TANK VEHICLE THAT PREVIOUSLY CONTAINED HAZARDOUS MATERIAL MUST BE PURGED OF ANY RESIDUE).
TECHNICIAN DATELINE STAMP
HAZMAT (H) AND DOUBLES/TRIPLES (T) ARE **PROHIBITED** ON A COMMERICAL LEARNER'S PERMIT.

DMV Manual Changes, *continued*

DO NOT DETACH

PERMIT EXPIRES ON 05/14/16 DATE ELIGIBLE FOR SKILLS TEST 11/30/15

ENDORSEMENT(S):

P – PASSENGER ENDORSEMENT

PASSENGER RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.

TECHNICIAN DATELINE STAMP

S – SCHOOL BUS ENDORSEMENT

DMV will dateline stamp on this line if the CLP includes a School Bus endorsement.

SCHOOL BUS RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.

TECHNICIAN DATELINE STAMP

N – TANK ENDORSEMENT

TANK RESTRICTION (X) – NO CARGO IN CMV TANK VEHICLE (TANK VEHICLE THAT PREVIOUSLY CONTAINED HAZARDOUS MATERIAL MUST BE PURGED OF ANY RESIDUE).

TECHNICIAN DATELINE STAMP

HAZMAT (H) AND DOUBLES/TRIPLES (T) ARE **PROHIBITED** ON A COMMERICAL LEARNER'S PERMIT.

DO NOT DETACH

PERMIT EXPIRES ON 05/14/16 DATE ELIGIBLE FOR SKILLS TEST 11/30/15

ENDORSEMENT(S):

P – PASSENGER ENDORSEMENT

PASSENGER RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.

TECHNICIAN DATELINE STAMP

S – SCHOOL BUS ENDORSEMENT

SCHOOL BUS RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.

TECHNICIAN DATELINE STAMP

N – TANK ENDORSEMENT

DMV will dateline stamp on this line if the CLP includes a Tank endorsement.

TANK RESTRICTION (X) – NO CARGO IN CMV TANK VEHICLE (TANK VEHICLE THAT PREVIOUSLY CONTAINED HAZARDOUS MATERIAL MUST BE PURGED OF ANY RESIDUE).

TECHNICIAN DATELINE STAMP

HAZMAT (H) AND DOUBLES/TRIPLES (T) ARE **PROHIBITED** ON A COMMERICAL LEARNER'S PERMIT.

7. DMV will draw a line through (blackout) any endorsements not added to the CLP using a permanent black marker as shown below:

DO NOT DETACH

PERMIT EXPIRES ON 05/14/16 DATE ELIGIBLE FOR SKILLS TEST 11/30/15

ENDORSEMENT(S):

P – PASSENGER ENDORSEMENT

PASSENGER RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.

TECHNICIAN DATELINE STAMP 298 11162015 FW

S – SCHOOL BUS ENDORSEMENT

SCHOOL BUS RESTRICTION (P) – **PROHIBITED** FROM OPERATING A CMV BUS CARRYING PASSENGERS.

TECHNICIAN DATELINE STAMP 298 11162015 FW

~~**N – TANK ENDORSEMENT**~~

~~TANK RESTRICTION (X) – NO CARGO IN CMV TANK VEHICLE (TANK VEHICLE THAT PREVIOUSLY CONTAINED HAZARDOUS MATERIAL MUST BE PURGED OF ANY RESIDUE).~~

~~TECHNICIAN DATELINE STAMP~~

HAZMAT (H) AND DOUBLES/TRIPLES (T) ARE **PROHIBITED** ON A COMMERICAL LEARNER'S PERMIT.

New Restriction Codes

New alpha restriction codes may be listed on the CLP label and/or CDL.

NOTE: Alpha restriction codes will not be listed on temporary/interim CDL documents.

Restriction Code	***CDLIS Code***	***Description***
25	V	Federal variance required (CLP and CDL).
40	K	Self-Certification – CDL intrastate only (CLP and CDL).
*42	M	May not operate Class A passenger vehicles (CLP and CDL).
48	L	Limited to vehicles without air brakes when driving commercially (CLP and CDL).
49	N	May not operate Class A or B passenger vehicles (CLP and CDL). **NOTE:** Restriction 49 **will not** be used until programming modifications are complete.
*60	O	Restricted from operating a tractor-trailer combination connected by a fifth wheel (CDL only).
*61	Z	May not operate a full air brake equipped vehicle (CDL only)
64	E	Class A/B limited to vehicles with automatic transmission (CDL only).
66	P	Restricted from operating a CMV bus with passengers (CLP only).
70	X	Restricted from operating a CMV tank vehicle with cargo (CLP only).
* Restriction will not be reflected on the DL record. Restriction 50 will used to capture the restriction(s) until programming modifications are completed.		

NOTE: **Restriction Code 40** is used for CLP/CDL holders who self-certify as Non-Excepted Intrastate (NA) drivers.

Restriction Code 60 is used if the applicant performs his/her skills test in a Class A combination CMV with the power unit (tractor) and the towed unit (trailer) connected with a pintle hook or other non-fifth wheel connection. A truck tractor towing a gooseneck trailer connected by a fifth wheel **will not** receive a Restriction "60."

Adding New Restriction Codes

Until the Certificate of Driving Skill (DL 170 ETP) form is modified to reflect the new restriction codes, examiners **must** handwrite any applicable restriction(s) on the form (see sample).

Adding New Restriction Codes, *continued*

EXAMINER COMPLETES THIS SECTION

The driver passed a drive test(s) in the following type vehicle(s) on _____.
DATE

- ☐ Class A non-passenger vehicle — Add Restriction 42
- ☐ Class A tractor trailer bus — Add Restriction 60
- ☐ Class B non-passenger vehicle — Add Restriction 61
- ☐ Class B bus or van which is:
  - ☐ designed to carry 11–15 passengers, including the driver (**Restriction 74 or 75**)
  - ☐ designed to carry 16 or more passengers, including the driver, with a GVWR of 26,000 lbs. or less (**Restriction 76**)
  - ☐ designed to carry 16 or more passengers, including the driver with a GVWR of 26,001 lbs. or more
- ☐ Class B school bus (school bus mechanics only) which is:

The vehicle(s) used for this drive test(s):

- ☐ has an automatic transmission (**Restriction 64**)
- ☐ has an automated transmission (**Restriction 65**)
- ☐ has a manual transmission
- ☐ does not have air brakes (**Restriction 48**)
- ☐ is equipped with air brakes (law test required)
- ☐ is a 3-axle vehicle with a GVWR between 6,000–26,000 lbs. (**Restriction 79—***Class B* vehicles only)

CDL Test Materials

Do not give the DL 65 ETP (Part I or Part II) score sheet to the applicant/driver upon completion of the skills test. All score sheets (pass and fail) **must** be retained by the employer for a minimum of three years.

Background

In accordance with federal regulations, changes were made to the CDL testing process which include prohibiting the use of interpreters during the administration of the skills test, requiring CDL applicants who wish to have an air brake endorsement to successfully demonstrate all air brake tests, and requiring the skills test to be taken in a representative vehicle. Changes were also made to the CLP issuance process which include, limiting the types of endorsements that may be added, length of the time the CLP is valid, and a minimum waiting period before taking the skills test.

References

Code of Federal Regulations, Title 49 §§383.25, 383.73, 383.91, 383.93, 383.95, 383.113, 383.131, 383.133, 383.135, 383.153, and 390.5

TIMOTHY CORCORAN, Chief
Occupational Licensing