

# REGULATORY PROPOSAL

JULY 9, 2019

**PERTAINING TO:** Commercial Driver's License

**REGULATORY AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT

**REFERENCE:** Federal Register / Vol. 84, No. 131 / Tuesday, July 9, 2019 / Proposed Rules

## UPDATE:

“49 CFR 383.5 defines a “third party skills test examiner” as a person employed by a third party tester who is authorized by the State to administer the CDL skills test. Section 383.75(a)(7) prohibits a third party skills test examiner who is also a skills instructor from administering the CDL skills test to an applicant who received skills training from that examiner. The Agency proposes to remove that restriction and permit the States to allow this practice at their discretion... The Agency’s proposal to remove the skills testing restriction on third party examiners responds to public comment received in response to the DOT’s Notification of Regulatory Review (82 FR 45750 (Oct. 2, 2017))”

## SUMMARY:

“FMCSA proposes to allow States to permit a third party skills test examiner to administer the Commercial Driver’s License (CDL) skills test to applicants to whom the examiner has also provided skills training. Under this proposal, States would have the option to permit this practice, which is currently prohibited under FMCSA rules. The Agency believes that allowing States to permit this practice could alleviate CDL skill testing delays and reduce inconvenience and cost for third party testers and CDL applicants, without negatively impacting safety.”

## RESOURCE:

<https://www.govinfo.gov/content/pkg/FR-2019-07-09/pdf/2019-14225.pdf>