

**HB**

**345**

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345</SUBJECT><COMM>HSTA27</COMM></TARGET>



**HOUSE BILL NO. 345**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES SADDLER, Thomas, Feige, Costello, Petersen, Lynn**

**Introduced: 2/22/12**

**Referred: Transportation, State Affairs**

*Keller  
Moved  
Bill from  
Committee*

*4/3  
Public  
Testimony  
Closed  
951 a*

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to regulations adopted by the Department of Administration waiving**  
2 **the commercial motor vehicle driving skills test for certain drivers with military**  
3 **commercial motor vehicle experience."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **\* Section 1.** AS 28.05.011(b) is amended to read:

6 (b) The commissioner of administration shall, unless otherwise provided by  
7 statute, adopt regulations in compliance with AS 44.62 (Administrative Procedure  
8 Act) necessary to carry out the provisions of this title whose administration is vested  
9 in the Department of Administration. The regulations must include, but are not limited  
10 to,

- 11 (1) registration, titling, and transfer of vehicles;
- 12 (2) licensing of drivers of vehicles and procedures for obtaining
- 13 limited license privileges;
- 14 (3) financial responsibility relating to vehicles other than commercial

1 motor vehicles;

2 (4) management of records of the Department of Administration  
3 required for that department's administration of this title and its regulations adopted  
4 under this title, including provisions for ensuring the accuracy of information  
5 contained in automated and manual information retrieval systems;

6 (5) definitions of words and phrases used in this title and in regulations  
7 adopted under this title unless otherwise provided by statute;

8 (6) registration of motor vehicle, trailer, and semi-trailer dealers;

9 (7) regulations necessary to implement a commercial motor vehicle  
10 driver's licensing program; regulations adopted under this paragraph must  
11 provide for a waiver of the driving skills test for drivers with recent military  
12 commercial vehicle driving experience as allowed by federal law.

# ALASKA STATE LEGISLATURE

*Session:*

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## REPRESENTATIVE DAN SADDLER

*Chairman, Chugiak-Eagle River Delegation*

### SPONSOR STATEMENT

#### House Bill 345

***“An Act relating to regulations adopted by the Department of Administration waiving the commercial motor vehicle driving skills test for certain drivers with military commercial motor vehicle experience.”***

HB 345 allows the state of Alaska to waive the commercial driver’s license road skills test for Alaska military personnel who earned their driving experience operating commercial-grade vehicles in the armed services.

The modern U.S. military is a highly mobile force, depending on skilled drivers operating a wide range of vehicles, under often harsh conditions. Impending budget cuts and troop reductions mean thousands of Alaska service members, including active duty, Guard and Reserve, will soon be hanging up their uniforms to seek civilian jobs.

In Alaska, where many trades and occupations involve transportation of goods and people across challenging landscapes, a commercial driver’s license (CDL) is a valuable credential that can offer a significant boost to those seeking to enter the civilian work force, whether in tourism, commercial fishing, construction, oil field services or other industries.

HB 345 seeks to help returning Alaska military personnel find good jobs, and to help Alaska businesses find qualified and credentialed employees, by acknowledging that many military drivers already possess the skills they need to be safe, productive civilian drivers.

HB 345 directs the Department of Administration to adopt regulations in accordance with Federal Motor Carrier Safety Administration guidelines, allowing the Alaska Division of Motor Vehicles to waive the road test in accordance with federal law.

To be eligible for a waiver, a driver must have spent the last two years or more driving the kind of equipment he expects to use in a civilian job, must have worked in the past 90 days as a military driver and must meet federal exemption requirements outlined in CFR 383.77. He/she also cannot have ever had any license suspended or revoked, had more than one minor traffic violation, been convicted of any driving offense involving drugs or alcohol, or been convicted for any serious traffic violation involving an accident.

Alaskans who honed their driving skills while in service to our nation deserve to have that experience validated and honored in the civilian world. HB 345 is an important tool to help them get the credentials they need to land good civilian jobs, and to help Alaska employers hire skilled and motivated employees.

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## Alaska Statutes.

### Title 28. Motor Vehicles

#### Chapter 33. Commercial Motor Vehicles

##### Section 100. License to Drive Commercial Motor Vehicle.

previous: [Section 33. Presumptions and Chemical Analysis of Breath or Blood.](#)

next: [Section 110. Notification Requirements For Drivers of Commercial Motor Vehicles.](#)

## **AS 28.33.100. License to Drive Commercial Motor Vehicle.**

(a) A person may not drive a commercial motor vehicle until the person applies for and is issued a license for that purpose under [AS 28.15.041](#). The department may not issue a license to drive a commercial motor vehicle unless the applicant

- (1) is at least 19 years of age, to operate in intrastate commerce, or at least 21 years of age, to operate in interstate commerce;
- (2) has held a valid driver's license at least one year before the date of application or meets the experience qualifications established by the department;
- (3) has successfully completed all required driving tests and written and physical examinations;
- (4) either does not have a driver's license issued by another jurisdiction or surrenders all driver's licenses issued by other jurisdictions; and
- (5) is domiciled in this state.

(b) In addition to the information required under [AS 28.15.111](#), a commercial driver's license shall

include information determined by the United States Secretary of Transportation to be appropriate to identify the licensee.

(c) A person who has been a state resident for 30 days or longer may not drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction.

(d) The licensing requirements of this section are in addition to the requirements imposed on a school bus driver under AS [28.15.046](#) .

(e) The department shall disqualify a person for a period of 60 consecutive days, and shall reevaluate the person's application or license to drive a commercial motor vehicle, if the department determines that the person knowingly provided false information required under

(1) this section or AS [28.15](#) in an application to the department for a commercial driver's license; or

(2) AS [28.33.110](#) (c) in an application for employment.

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**Note to HTML Version:**

This version of the Alaska Statutes is current through December, 2007. The Alaska Statutes were automatically converted to HTML from a plain text format. Every effort has been made to ensure their accuracy, but this can not be guaranteed. *If it is critical that the precise terms of the Alaska Statutes be known, it is recommended that more formal sources be consulted.* For statutes adopted after the effective date of these statutes, see, [Alaska State Legislature](#) If any errors are found, please e-mail Touch N' Go systems at [E-mail](#). We hope you find this information useful.

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Alaska Department of Administration

## Division of Motor Vehicles

### COMMERCIAL DRIVER LICENSE (CDL)

[Endorsements](#) | [Medical / Vision](#) | [Transferring a CDL](#) | [Type](#)

You must be domiciled in the State of Alaska in order to obtain or renew an Alaska CDL. (Domicile = ALASKA MUST be your true, fixed and permanent home, and principal residence to which you intend to return whenever you are absent.)

If you live in **RURAL** Alaska, please [CLICK HERE](#) for additional information.

**Transportation Worker Identification Credentials (TWIC)** are issued by the Department of Homeland Security and are not available through DMV.

• [Commercial Driver Manual](#)

#### ORIGINAL ALASKA COMMERCIAL DRIVER LICENSE (CDL)

**A background check is required if you wish to obtain a hazardous materials endorsement or renew a CDL with a hazardous materials endorsement.**

A commercial driver license (CDL) is required for a resident of Alaska who is driving a vehicle intrastate (19 & above) or interstate (21 & above) with a gross vehicle weight rating (GVWR) of 26,001 pounds or more. If you will be driving a vehicle designed to carry 16 or more passengers, or transporting hazardous materials, regardless of the GVWR, a CDL is required. A commercial driver may have only one license and that license must be issued by their home state. Those exempted from the commercial driver licensing requirements include drivers of recreational, military and emergency vehicles. Farm vehicles are exempt if controlled and operated by a farmer, used to transport agricultural products or machinery to and from a farm, not used in for-hire or contract carrier operations, and if driven no further than 150 miles from the farm.

Your social security number is required to obtain a CDL. The commercial driver license fee is \$100.00. There is a \$25.00 non-refundable fee for those requiring a road test. Road test appointments may be scheduled in any State DMV office or using our Online Services. In the Municipality of Anchorage, commercial tests are administered by the Center for Employment Education (CEE). Call 279-8451 for an appointment. Outside the Municipality of Anchorage, please contact your local DMV, schedule your road test online or click [HERE](#) for additional 3rd Party Testers.

An applicant must be at least twenty-one years of age at the time of application and must have held a valid driver license for at least one year. For an intrastate license, the applicant must be at least nineteen years of age. An applicant must pass the road, vision and written test prior to issuance of the CDL. For further information about obtaining a commercial driver license, please address your questions to: E-mail [ALASKA DMV](#)

#### TRANSFERRING A CDL FROM ANOTHER STATE

Welcome to Alaska! Please be sure to obtain an Alaska license within 30 days of your arrival if you intend to make Alaska your home. If you do not have any intention of becoming a resident of Alaska (Seasonal worker, etc.) you must have a valid CDL from your home state in order to drive a Commercial Motor Vehicle in Alaska.

To transfer a CDL from another state to Alaska, you must:

- Complete an **Application for Alaska Driver License, Permit or State Identification** (Form 413) and an **Application for Commercial Driver License** (Form 415).
- Provide proof of the following: Date of birth, legal name, social security number and your physical address **IN ALASKA**.
- Surrender your valid license from another state. (Cannot be expired for over 1 year.)
- Pass the written "Rules of the Road" test to convert to an Alaska license. (20 questions)
- Pass the "Hazardous Materials" test if you have that endorsement and wish to keep it.

**Effective January 31, 2005, you are required to pass a background check in order to obtain or retain a hazardous materials endorsement.**

- Pass any knowledge tests for endorsements that you wish to add to your license and do not have on your current license. Some endorsements require a road test.
- Pass a vision test.
- Pay the \$100.00 fee for an ALASKA CDL.

Note: If your CDL from another state has been expired **over one year**, you must pass ALL written tests that apply to the type of license you wish to obtain. A road test is required if the license has been expired over five years.

#### NEW CDL MEDICAL CARD & VISION REQUIREMENTS

Please see the following for information on CDL Medical Cards.

MCSA New Medical Certification Requirements  
 Guide for Commercial Driver's License (CDL) Holders  
 General Information and Frequently Asked Questions (FAQs)

Medical Report: DOT FORMS

Vision requirements for a CDL are 20/40 or better. If you do not meet the requirements, you *may* be eligible for a waiver for INTRASTATE, ONLY. Vision Waiver Application

**TYPES OF COMMERCIAL DRIVER LICENSE'S AND ENDORSEMENTS:**

- **Class A/CDL** - May operate a combination of a motor vehicle and one or more other vehicles with a GCWR of greater than 26,000 pounds where the combined GVWR of the vehicle or vehicles being towed is greater than 10,000 pounds; a holder of a Class A/CDL license may also operate a Class B/CDL, Class C/CDL, or Class D vehicle. (Examples: 18 wheelers, log trucks)
- **Class B/CDL** - May operate a motor vehicle with a GVWR of greater than 26,000 pounds, or a motor vehicle with a GVWR of greater than 26,000 pounds that is towing a vehicle with a GVWR of 10,000 pounds or less; a holder of a Class B/CDL license may also operate a Class C/CDL or Class D vehicle. (Examples: dump trucks, cement mixer, box trucks, motor coaches)
- **Class C/CDL** - May operate any single motor vehicle, or a combination of a motor vehicle and one or more other vehicles not meeting the definitions of Class A/CDL or B/CDL, but is either designed to transport 16 or more passengers, including the driver, or is placarded under hazardous materials regulations in 49 C.F.R. Part 172, Subpart F, revised as of October 1, 2009; a holder of a Class C/CDL may also operate a Class D vehicle.

**ENDORSEMENT CODE, TEST REQUIREMENTS & ENDORSEMENT TYPE**

**H** - Knowledge & Background Check (Background check - Effective 1/31/05)  
 Hazardous material in placardable amounts.

**N** - Knowledge - Hauling liquids in bulk (Tank)

**P** - Knowledge & Skills (road test) - Transporting more than 15 passengers

**S** - Knowledge & Skills (road test) - School Bus

**T** - Knowledge - Double or Triple Trailers

**X** - Knowledge & Background Check (Background check - Effective 1/31/05)  
 Combination of N and H endorsements

**Federal Website**

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CFR > Title 49 > Subtitle B > Chapter III > Subchapter B > [PREV](#) | [NEXT](#)  
Part 383 > Subpart G > Section 383.113

## 49 CFR 383.113 - REQUIRED SKILLS.

There is 1 rule appearing in the Federal Register. Select the Currency tab below to view.

**CFR**   **Currency**   **Authorities (U.S. Code)**   **Rulemaking**

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(a) **Basic vehicle control skills.** All applicants for a CDL must possess and demonstrate basic motor vehicle control skills for each vehicle group which the driver operates or expects to operate. These skills should include the ability to start, to stop, and to move the vehicle forward and backward in a safe manner.

(b) **Safe driving skills.** All applicants for a CDL must possess and demonstrate the safe driving skills for their vehicle group. These skills should include proper visual search methods, appropriate use of signals, speed control for weather and traffic conditions, and ability to position the motor vehicle correctly when changing lanes or turning.

(c) **Air brake skills.** Except as provided in § [393.95](#), all applicants shall demonstrate the following skills with respect to inspection and operation of air brakes:

(1) **Pre-trip inspection skills.** Applicants shall demonstrate the skills necessary to conduct a pre-trip inspection which includes the ability to:

(i) Locate and verbally identify air brake operating controls and monitoring devices;

(ii) Determine the motor vehicle's brake system condition for proper adjustments and that air system connections between motor vehicles have been properly made and secured;

(iii) Inspect the low pressure warning device(s) to ensure that they will activate in emergency situations;

(iv) Ascertain, with the engine running, that the system maintains an adequate supply of compressed air;

(v) Determine that required minimum air pressure build up time is within acceptable limits and that required alarms and emergency devices automatically deactivate at the proper pressure level; and

(vi) Operationally check the brake system for proper performance.

(2) **Driving skills.** Applicants shall successfully complete the skills tests contained in § [383.113](#) in a representative vehicle equipped with air brakes.

(d) **Test area.** Skills tests shall be conducted in on-street conditions or under a combination of on-street and off-street conditions.

(e) **Simulation technology.** A State may utilize simulators to perform skills testing, but under no circumstances as a substitute for the required testing in on-street conditions.

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Part 383 > Subpart E > Section 383.77

## 49 CFR 383.77 - SUBSTITUTE FOR DRIVING SKILLS TESTS.

There is 1 rule appearing in the Federal Register. Select the Currency tab below to view.

[CFR](#)   [Currency](#)   [Authorities \(U.S. Code\)](#)   [Rulemaking](#)

[prev](#) | [next](#)

At the discretion of a State, the driving skill test as specified in § [383.113](#) may be waived for a CMV operator who is currently licensed at the time of his/her application for a CDL, and substituted with either an applicant's driving record and previous passage of an acceptable skills test, or an applicant's driving record in combination with certain driving experience. The State shall impose conditions and limitations to restrict the applicants from whom a State may accept alternative requirements for the skills test described in § [383.113](#). Such conditions must require at least the following:

(a) An applicant must certify that, during the two-year period immediately prior to applying for a CDL, he/she:

(1) Has not had more than one license (except in the instances specified in § [383.21\(b\)](#));

(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 § [383.51\(b\)](#);

(4) Has not had more than one conviction for any type of motor vehicle for serious traffic violations; and

(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; and

(b) An applicant must provide evidence and certify that:

(1) He/she is regularly employed in a job requiring operation of a CMV, and that either:

(2) He/she has previously taken and passed a skills test given by a State with a classified licensing and testing system, and that the test was behind-the-wheel in a representative vehicle for that applicant's driver's license classification; or

(3) He/she has operated, for at least 2 years immediately preceding application for a CDL, a vehicle representative of the commercial motor vehicle the driver applicant operates or expects to operate.

[53 FR 27649, July 21, 1988, as amended at 55 FR 25606, June 22, 1990; 67 FR 49760, July 31, 2002]

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Department of Motor Vehicles

**CDL Skills Test Exemption for Military Applicants**

Active duty, recently separated (within 90 days of application), or reservist military personnel may be allowed an exemption from the CDL driving skills test based on their holding of a military license, which authorizes operation of military vehicles that are representative of a commercial motor vehicle of a similar class.

Military personnel described above will be granted an exemption from the CDL skills test provided he or she meets all criteria required under Federal Motor Carrier Safety Regulations (FMCSR). This exemption applies only to the CDL skills test and does not include any testing requirements for public transportation, school bus, or hazardous material.

All applicants must pass the required knowledge test(s) based on the type of vehicle to be driven. Knowledge tests will be provided at no fee if the applicant is in active duty status, or meets the current military fee exemption criteria. Applicants must also provide information on all states where they were previously licensed during the past 10-years.

All applicants must present the following:

- Valid Connecticut operator's license
- Valid Form OF-346 (U.S. Government Motor Vehicle Operator Identification Card)
- Military Identification Card or DD-214 if recently separated
- Letter from commanding officer indicating which CMV class (A, B, or C) is representative of the military vehicle the applicant is licensed to operate
- Medical certification dated within 2 years (actual physical or medical certification card)
- Completed DMV Forms B-88 (fee waiver) and R-229A (application for CT license)
- Color Photograph (passport-size)
- Social Security card or proof of SSN
- Certification Form (will be issued at the branch office)

The US Government license must indicate the type of vehicle(s) and the vehicle capacity that the applicant is qualified to operate. In order to qualify for the exemption, the capacity must be at least 26,001 lbs. GVWR.

The applicant must certify the following:

- They have operated a vehicle representative of the commercial motor vehicle that they currently operate or expect to operate for at least two (2) years immediately preceding this application for the CDL. Evidence must be included such as: a letter from the applicant's employer; or test results from another state.

OR

- They are regularly employed in a job requiring operation of a CMV and have either previously taken and passed a skills test given by a State with a classified licensing and testing system and that the test was behind the wheel in a representative vehicle for the applicant's license classification.

AND

- They do not have more than one (1) license; have not had any license suspended, revoked, or cancelled; have not had a conviction in any type of motor vehicle for the **disqualifying offenses\*** found in 383.51(b); have not had more than one (1) conviction for **serious traffic violations\*\*** in any type of motor vehicle; have not had any conviction for a violation of State or local law relating to motor vehicle or traffic control (other than a parking violation) arising in connection with any traffic accident and have no record of an accident in which they were at fault.

**\* 383.51 – Disqualifying Offenses- Conviction for:**

- being under the influence of alcohol while operating a CMV

- being under the influence of a controlled substance
- having a alcohol concentration of 0.04 or greater while operating a CMV
- refusing to take an alcohol test as required by a State or jurisdiction under its implied consent laws or regulations as defined in 383.72
- leaving the scene of an accident
- using the vehicle to commit a felony
- driving a CMV while the driver's CDL is revoked, suspended, or cancelled or the driver is disqualified from operating a CMV
- causing a fatality through negligent operating of a CMV, including, but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle and negligent homicide
- using the vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance

**\*\*Serious Traffic Violations – Conviction for:**

- speeding in excess of fifteen miles per hour or moreover the posted speed limit
- reckless driving
- following too closely
- improper or erratic lane changes
- driving a CMV without a valid CDL
- failure to carry a CDL
- failure to have proper class of license or endorsement or violation of a license restriction
- in connection with an accident related to operation of a CMV and which resulted in a fatality
- failure to stop at a railroad crossing while operating a CMV

A certification form will be given to the applicant at the branch office for completion. The current CT license must be surrendered and the licensing fee paid, if applicable.

Content Last Modified on 11/17/2009 12:51:45 PM



# CDL CERTIFICATION FOR MILITARY WAIVER OF SKILLS TEST

Waiver is available for ONLY up to ninety (90) days after discharge or for active military and active duty New York National Guard.  
(bring copy of your DD-214 or NGB-22 military discharge or military ID card to DMV)

## PART 1 - APPLICANT CERTIFICATION (please print)

Name: \_\_\_\_\_  
Last First Middle

Social Security \_\_\_\_\_ Date of Birth: \_\_\_\_\_ License ID \_\_\_\_\_  
Number: \_\_\_\_\_

**I certify that during the 2-year period immediately preceding this date:**

- I have not had more than one driver's license in more than one jurisdiction at one time.
- I have not had my license suspended, revoked, cancelled or denied.

I have not had any convictions for any of the disqualification offenses listed below:

- Any alcohol or drug related offenses
- Leaving the scene of an accident
- Commission of a felony involving the use of a motor vehicle
- Driving a commercial motor vehicle (CMV) when, as a result of prior violations committed operating a CMV, the driver's commercial driver license (CDL) is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV
- Causing a fatality through the negligent operation of a CMV, including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle and negligent homicide
- Use of a motor vehicle in a felony involving the manufacturing, distribution or dispensing of a controlled substance
- Violations of state or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with any traffic accident and have no record of an accident in which I was at fault

I have not had more than one (1) conviction for any of the serious violations listed below:

- Following a vehicle ahead too closely
- Reckless driving
- Improper or erratic lane changes
- Excessive speeding (15 mph or more above the posted speed limit)
- Any violation for Railroad Highway Grade Crossing
- Driving a CMV without a CDL in the driver's possession (Any individual who provides proof to the enforcement authority that issued the citation, by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid CDL on the date the citation was issued, shall not be guilty of this offense.)
- Driving a CMV without obtaining a CDL
- A violation arising in connection with a fatal accident
- Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported

**I also certify that:**

- I have not had my license or privilege to drive a motor vehicle suspended, revoked or cancelled during the immediately preceding 4 years.
- I have not been convicted of a violation of NRS 484.37955 (vehicular homicide).
- I have not been convicted during the immediately preceding 7 years of a violation of driving under the influence of alcohol or drugs.
- I have not had three (3) or more convictions of moving traffic violations during the immediately preceding 4 years.
- I have not been convicted of any of the offenses related to the use or operation of a motor vehicle which must be reported to the National Driver Register Problem Driver Pointer System during the immediately preceding 4 years (pursuant to the provisions of Parts 1327 et seq. of Title 23 of the Code of Federal Regulations).

**I also certify that:**

- I am regularly employed or was regularly employed within the last 90 days in a military position requiring operation of a commercial motor vehicle; and
- For at least two years immediately preceding this date if actively serving, or the date of my military discharge, I operated a vehicle of the same class and type as the one I want to be licensed to drive.

**I certify I am qualified for the waiver of my driving skills under the conditions above, and that the information I have given is true. IMPORTANT: Making a false statement in any license or non-driver ID card application, or in any proof or statement in connection with it, or deceiving or substituting, or causing another person to deceive or substitute in connection with application, may subject you to criminal prosecution for a misdemeanor or felony under the Vehicle and Traffic Law and the Penal Law.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PART 2 - COMMANDING OFFICER'S CERTIFICATION**

Name of CO: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_

Applicant's Date of Qualification: from \_\_\_\_\_ to \_\_\_\_\_

Mark a "✓" in the box for the class(es) of vehicle(s) that the applicant operates and for the applicable endorsements:

Vehicle Class:  A  B  C                      Endorsements:  T  P  N  H  X

**Experience Operating Commercial Motor Vehicles**

Mark a "✓" in the box for the type(s) of vehicles the applicant has been driving:

- Tractor-trailer ..... Air brake equipped? .....  Yes  No
- Truck-trailer (truck over 26,000 lbs.) ..... Air brake equipped? .....  Yes  No
- Truck-trailer (truck does not exceed 26,000 lbs.) ..... Air brake equipped? .....  Yes  No
- Single Vehicle ..... Air brake equipped? .....  Yes  No
- Vehicle designed to transport 16 or more persons including the driver ..... Air brake equipped? .....  Yes  No
- Vehicle designed to transport 8 - 15 persons including the driver ..... Air brake equipped? .....  Yes  No

Class A Vehicle - Any combination of vehicles with a GCWR of 26,001 pounds or more, provided the GVWR of the vehicle being towed is in excess of 10,000 pounds GVWR. This includes tractor-trailer and truck-trailer.

Class B Vehicle - Any single vehicle with a GVWR of 26,001 pounds or more, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR.

Class C Vehicle - Any single vehicle or combination of vehicles that does not meet the definition of Class A or Class B, but that is designed to transport 16 or more people including the driver or is placarded for hazardous materials.

Endorsements:    T - Doubles/Triples                      P - Passengers  
                      N - Tankers                                      H - Hazardous Materials  
                      X - Hazardous Materials and Tankers

**I certify that the applicant named in Part I is/was assigned in a job/assignment requiring operation of a commercial motor vehicle and that the information I have provided is correct. IMPORTANT: Making a false statement in any license or non-driver ID card application, or in any proof or statement in connection with it, or deceiving or substituting, or causing another person to deceive or substitute in connection with such application, may subject you to criminal prosecution for a misdemeanor or felony under the Vehicle and Traffic Law and/or the Penal Law.**

Print Name/Rank: \_\_\_\_\_ Date: \_\_\_\_\_

Signature:  \_\_\_\_\_ Date: \_\_\_\_\_

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# Qualified vets can skip road test for CDL licenses

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As part of Gov. Andrew Cuomo's "experience counts" campaign, the state will waive road tests for veterans applying for a commercial driver's license if they have military experience operating a similar vehicle.

Active duty military and New York National Guard members are eligible for the waiver for up to 90 days following their discharge.

The waiver would eliminate the CDL road test requirement and \$40 fee, but applicants must still take the written test and pay that \$10 fee.

To be eligible, a veteran must:

- » Have a valid driver's license.
- » Be regularly employed, or have been regularly employed within the last 90 days in a military position requiring operation of a commercial motor vehicle.
- » Have operated a vehicle similar to a civilian commercial vehicle for at least two years immediately preceding discharge from the military.

"In this economy, many returning soldiers have had difficulty in finding work," said state Department of Motor Vehicles commissioner Barbara J. Fiala.

"We hope that this small way of thanking them for their service, and recognizing that the skills they learned in the military are transferable to civilian jobs, will make things just a little easier for our returning veterans."

Applicants must fill out a CDL Certification for Military Waiver of Skills Test form (CDL-102), available at any DMV office or online at [www.dmv.ny.gov/forms/cdl102.pdf](http://www.dmv.ny.gov/forms/cdl102.pdf).

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**MILITARY COMMERCIAL DRIVER'S LICENSE (CDL) SKILLS TEST WAIVER APPLICATION**

PENNSYLVANIA RESIDENT TO APPLY



- Applicant must complete Sections A, B, and D. Section C needs to be completed if military license does not clearly define the type(s) of vehicle(s) authorized to operate.
- See reverse side for REQUIRED ORIGINAL documents (b(2)) needed in section C below.

**A APPLICANT INFORMATION** List all information as it appears on your Pennsylvania Driver's License or Learner's Permit

DRIVER'S LICENSE NUMBER		LAST NAME		JR./ETC
FIRST NAME		MIDDLE NAME		
DATE OF BIRTH		TELEPHONE NUMBER (8:00 a.m. to 4:30 p.m.)	E-MAIL ADDRESS	
MONTH	DAY	YEAR		

**B CERTIFICATION**

I certify that subject to the limitations and requirements of 49 CFR 383.77 (relating to the substitute for driving skills tests), I meet all certifications required for waiver under 49 CFR 383.77 and certify the following:

- I certify that I am a member of the active or reserve components of any branch or unit of the armed forces of the United States or a veteran who received an honorable discharge from any branch or unit of the active or reserve components of the armed forces of the United States.
- I certify that I am or was regularly employed in a position in the armed forces of the United States requiring operation of a commercial motor vehicle.
- I certify that I legally operated, for at least two years immediately preceding application for a commercial driver's license, a vehicle representative of the commercial motor vehicle that I operate or expect to operate either under exemption from this Commonwealth's commercial driver's license requirement provided by the Pennsylvania Vehicle Code, Title 75 Section 1607(b)(2) (relating to requirement for commercial driver's license) or the equivalent exemption of another state or while on active duty in a foreign jurisdiction.

**C DRIVER QUALIFICATION REPORT (Authorized Military Personnel MUST complete if military license does not clearly define type(s) of vehicle authorized to drive; see reverse side for the required original documents to process DL-398 Military CDL Skills Test Waiver.)**

I certify that \_\_\_\_\_ Applicant Name \_\_\_\_\_ meets the Federal Motor Carrier Safety Regulations contained in 49 CFR 383.113(a,b,c)(1,2) relating to "Required Skills" and also meets the requirements contained in 49 CFR 383.135(b) relating to "Minimum Passing Scores" for a commercial driver's license. Your signature certifies that the above named applicant has successfully performed the required skills and has achieved the minimum passing score necessary to operate a commercial motor vehicle as prescribed in the Federal Motor Carrier Safety Regulations 49 CFR 383.113 and 49 CFR 383.135.

\_\_\_\_\_  
Signature of Provost Marshal/Company Commander/Department Head/OIC

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Location

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Date

**D SIGNATURE**

I certify under penalty of law that all information given on this application is true and correct. I hereby acknowledge this day that I have received notice of the provisions of Section 3709 of the Vehicle Code. (See reverse for provisions.)

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
PHONE NUMBER

\_\_\_\_\_  
DATE

WARNING: Misstatement of fact is a misdemeanor of the third degree punishable by a fine of up to \$2,500 and/or imprisonment up to 1 year (18 PA C.S., Section 4904(b)).

## How to Obtain Your CDL Learner's Permit

You must be a Pennsylvania resident to apply for a Pennsylvania CDL Learner's Permit. To apply for a CDL Learner's Permit:

- Complete the DL-31CD Form (Application for CDL Learner's Permit), available on PennDOT's Driver and Vehicle Services Web site, [www.dmv.state.pa.us](http://www.dmv.state.pa.us).
- Mail your completed DL-31CD Form with appropriate fee to the Bureau of Driver Licensing, P.O. Box 68272, Harrisburg, PA 17106-8272.
- When you receive the Knowledge Test Authorization Letter, you may visit your nearest Driver License Center to take the applicable knowledge tests.
- After all required knowledge testing is complete, please refer to the "**Required Original Documents to Process DL-398 Military CDL Skills Test Waiver**" section below.

**NOTE:** If your Pennsylvania Driver's License expires within the next six months, you will be required to renew your Pennsylvania CDL or Non-CDL before your application for a CDL Learner's Permit can be processed.

## Required Original Documents to Process DL-398 Military CDL Skills Test Waiver

You must submit a completed DL-398 Form (Application for Military CDL Skills Test Waiver), to upgrade to a CDL or upgrade your current CDL privilege. To obtain a DL-398 Form, visit PennDOT's Driver and Vehicle Services Web site, [www.dmv.state.pa.us](http://www.dmv.state.pa.us), and select the Forms and Publications link at the top of the home page. Once you've completed the DL-398 Form, you must visit your near Driver License Center with the following original documents.

### Required Documents

- a) Valid PA Non-CDL or CDL
- b) Military Driver's License that clearly defines the types of vehicles you are/were authorized to drive. If not clearly defined, additional documentation is required such as:
  - 1) Verification of Military Experience and Training Document (VMET) that clearly defines the types of vehicles you are/were authorized to drive, that lists the Gross Vehicle Weight Rating (GVWR), Gross Vehicle Weight (GVW), and if the vehicle(s) are equipped with air brakes that you are/were licensed to operate in the military (this form can be obtained by military personnel only by visiting [www.dmdc.osd.mil](http://www.dmdc.osd.mil)), or:
  - 2) Documentation of the types of vehicles you operated or are/were licensed to operate in the military, that lists the Gross Vehicle Weight Rating (GVWR), Gross Vehicle Weight (GVW), and if the vehicle(s) are equipped with air brakes that you are/were licensed to operate in the military. The explanations need to be on military letterhead, signed by your Provost Marshall, Company Commander, Department Head or OIC and section C on the DL-398 Form must be completed by your Provost Marshall, Company Commander, Department Head or OIC.
- c) DD-2 (Active Duty Military ID Card) or DD-214 (within 2 years of Honorable Discharge)
- d) DL-398 (Application for Military CDL Skills Test Waiver)

## How to Transfer Your Out-of-State Driver's License to Pennsylvania

To qualify for the Military CDL Skills Test Waiver, you must be a Pennsylvania resident. Please visit the New Resident/Relocating Information Center on PennDOT's Driver and Vehicle Services Web site, [www.dmv.state.pa.us](http://www.dmv.state.pa.us), and select "Moving into Pennsylvania" link or contact PennDOT's Customer Call Center at: 1-800-932-4600, TDD 1-800-228-0676 (in state); or 1-717-412-5300, TDD 1-717-412-5380 (out-of-state). You will also need to complete the DL-180R Form for Non-CDL or DL-180RCD Form for CDL transfers. These forms are available on PennDOT's Driver and Vehicle Services Web site, or may be obtained by visiting your nearest Driver License Center. You must appear in person at a Driver License Center to transfer your out-of-state driver's license to Pennsylvania. Driver License Centers only accept check or money order for payment. If you have lost your out-of-state driver's license, you must contact your home state DMV to obtain an original Driver Abstract.

### SECTION 3709 OF THE VEHICLE CODE

Section 3709 provides for a fine of up to \$300 for dropping, throwing or depositing, upon any highway, or upon any other public or private property without the consent of the owner thereof or into or on the waters of this Commonwealth, from a vehicle, any waste paper, sweepings, ashes, household waste, glass, metal, refuse or rubbish or any dangerous or detrimental substance, or permitting any of the preceding without immediately removing such items or causing their removal.

For any violation of Section 3709, I may be subject to a fine of up to \$300 upon conviction, including any violation resulting from the conduct of any other persons present within any vehicle of which I am the driver.



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October 28, 2010 at 11:59am

## New military training certification to shorten state's CDL issuance

By Department of Veteran Affairs [Comments \(1\)](#)

The Washington State Department of Veterans Affairs (WDVA) and Washington State Department of Licensing (DOL) have joined forces to help veterans.

Beginning November 1, getting a CDL just got easier for military personnel with specialized truck driver training, thanks to the new Military Training Certification Process.

Here's how it works: WDVA staff will assess the training a military member or veteran received in the military and verify whether it meets the required minimum commercial motor vehicle driver training requirements in

Washington State. Once verification is made, a Commercial Drivers Military Training Certificate is provided.

Military member and veteran applicants must pass the applicable knowledge and skills test, pay all basic license and commercial drivers license fees, and present the Commercial Drivers Military Training Certificate to DOL in order to be issued a CDL.

Veterans have one year following their release from the military to take advantage of this new program.

"We often hear of the challenges our men and women in uniform face when they leave the military and try to find jobs that they qualify for," said WDVA program manager Ric Price. "This is a tremendous step forward in removing a financial barrier to a smoother transition from military to civilian employment."

In the past, veterans were required to attend additional and often expensive commercial drivers training programs to learn the skills they had used for years in the military. WDVA's Helmets to Hardhats liaison Todd Mitchell questioned why this training had to be repeated and worked with a number of organizations to develop this new process.

Thanks to the hard work of WDVA, DOL, Tacoma-Pierce County Chamber of Commerce, Army Reserve Employer Relations, Washington Trucking Association, Teamsters Union and the Washington Defense Partnership, the transition from a military job to a civilian one will require one less step.

This new program allows WDVA to verify an individual CDL applicant has the required minimum commercial motor vehicle driver training requirements provided and documented by a military service.

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"This is another instance of agencies working together to make things more seamless for Washingtonians," said DOL director Liz Luce. "This program is important so that our service members can utilize the training they've received and get right to work in the civilian sector."

For additional information about this new program, contact WDVA at 1-800-562-2308 or contact Ric Price at [Ricp@dva.wa](mailto:Ricp@dva.wa).

Filed under: Veterans

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about JBLM's 2nd Stryker Brigade headed to Afghanistan

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about JBLM's 2nd Stryker Brigade headed to Afghanistan

### Comments for "New military training certification to shorten state's CDL issuance" (1)

Northwest Military is not responsible for the content of these reviews. Northwest Military reserves the right to remove reviews at their discretion.

Arthur Hood said on May. 30, 2011 at 11:19am

Greetings ,my name is Arthur Hood I am a SGT with the United States Army Reserve .I've been a 88mike (truck driver) for 17 years . I was looking for a program from the Military that would help pay for CDL training .But if there is a smoother way to obtain my CDL I'm all ears . I will be contacting you on your program .I live in Mississippi if thats any help .Please give me any info you have on the subject .Thank you .

Sgt. Arthur M. Hood

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# **New Medical Certification Requirements A Guide for Commercial Driver's License (CDL) Holders General Information**

**Federal Motor Carrier Safety Administration  
November 2011**

**What is changing?** State driver licensing agencies (SDLAs) will be adding your medical certification status and the information on your medical examiner's certificate to your Commercial driver's license system (CDLIS) record.

**When does this change start?** This change starts on January 30, 2012

**What is not changing?** The driver physical qualification requirements are not changing.

**What are CDL holders required to do?**

1. You must determine what type of commerce you operate in. You must certify to your SDLA to one of the four types of commerce you operate in as listed below,
  - Interstate non-excepted: You are an Interstate non-excepted driver and must meet the Federal DOT medical card requirements (e.g. – you are "not excepted").
  - Interstate excepted: You are an Interstate excepted driver and do not have to meet the Federal DOT medical card requirements.
  - Intrastate non-excepted: You are an Intrastate non-excepted driver and are required to meet the medical requirements for your State.
  - Intrastate **excepted**: You are an Intrastate excepted driver and do not have to meet the medical requirements for your State.
2. If you are subject to the DOT medical card requirements, provide a copy of each new DOT medical card to your SDLA prior to the expiration of the current DOT medical card.

**For more detailed information read the following:**

Starting January 30, 2012 and no later than January 30, 2014, all CDL holders must provide information to their SDLA regarding the type of commercial motor vehicle operation they drive in or expect to drive in with their CDL. Drivers operating in certain types of commerce will be required to submit a current medical examiner's certificate to their SDLA to obtain a "certified" medical status as part of their driving record. CDL holders required to have a "certified" medical status who fail to provide and keep

up-to-date their medical examiner's certificate with their SDLA will become "not-certified" and they may lose their CDL.

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## **New Medical Certification Requirements A Guide for Commercial Driver's License (CDL) Holders Frequently Asked Questions (FAQs)**

**Federal Motor Carrier Safety Administration  
November 2011**

The following FAQs will help you in determining how to meet the new Federal medical certification requirements:

***Q. What must I do to comply with the new requirements for making my medical certification part of my CDL driving record?***

**A.** Starting on January 30, 2012, when you:

- Apply for a CDL;
- Renew a CDL;
- Apply for a higher class of CDL;
- Apply for a new endorsement on a CDL; **or**
- Transfer a CDL from another State

You will be required to self certify to a single type of commercial operation on your driver license application form. Based on that self certification, you may need to provide your SDLA with a current medical examiner's certificate and show any variance you may have to obtain or keep your CDL.

***Q. How do I determine which type of commercial motor vehicle (CMV) operation I should self-certify to my SDLA?***

**A.** For the purpose of complying with the new requirements for medical certification, it is important to know how you are using the CMV. To help you decide, follow these steps:

**Step 1:** Do you, or will you, use a CDL to operate a CMV in **interstate** or **intrastate commerce**?

**Interstate commerce is** when you drive a CMV:

- From one State to another State or a foreign country;
- Between two places within a State, but during part of the trip, the CMV crosses into another State or foreign country; **or**
- Between two places within a State, but the cargo is part of a trip that began or will end in another State or foreign country.

**Intrastate commerce** is when you drive a CMV within a State and you do not meet any of the descriptions above for **interstate commerce**.

If you operate in both **intrastate commerce** and **interstate commerce**, you must choose **interstate commerce**.

**Step 2:** Once you decide you operate or will operate in **interstate commerce** or **intrastate commerce**, you must decide whether you operate (or expect to operate) in a **non-excepted** or **excepted** status. This decision will tell you to which of the four types of commerce you must self-certify.

### **Interstate Commerce:**

You operate in **excepted interstate commerce** when you drive a CMV in interstate commerce only for the following excepted activities:

- To transport school children and/or school staff between home and school;
- As Federal, State or local government employees;
- To transport human corpses or sick or injured persons;
- Fire truck or rescue vehicle drivers during emergencies and other related activities;
- Primarily in the transportation of propane winter heating fuel when responding to an emergency condition requiring immediate response such as damage to a propane gas system after a storm or flooding;
- In Response to a pipeline emergency condition requiring immediate response such as a pipeline leak or rupture;
- In custom harvesting on a farm or to transport farm machinery and supplies used in the custom harvesting operation to and from a farm or to transport custom harvested crops to storage or market;
- Beekeeper in the seasonal transportation of bees;
- Controlled and operated by a farmer, but is not a combination vehicle (power unit and towed unit), and is used to transport agricultural products, farm machinery or farm supplies (no placardable hazardous materials) to and from a farm and within 150 air-miles of the farm;
- As a private motor carrier of passengers for non-business purposes ; or
- To transport migrant workers.

If you answered yes to one or more of the above activities as the **only** operation in which you drive, you operate in **excepted interstate commerce** and do not need a Federal medical examiner's certificate.

If you answered no to all of the above activities, you operate in **non-excepted interstate commerce** and are required to provide a current medical examiner's certificate (49 CFR 391.45), commonly referred to as a medical certificate or DOT card, to your SDLA. Most CDL holders who drive CMVs in interstate commerce are **non-excepted interstate commerce** drivers.

If you operate in both **excepted interstate commerce** and **non-excepted interstate commerce**, you must choose **non-excepted interstate commerce** to be qualified to operate in both types of interstate commerce.

**Intrastate Commerce:**

You operate in **excepted Intrastate commerce** when you drive a CMV only in intrastate commerce activities for which your State of licensure has determined do not require you to meet the State's medical certification requirements.

You operate in **non-excepted intrastate commerce** when you drive a CMV only in intrastate commerce and are required to meet your State of licensure's medical certification requirements.

If you operate in both **excepted intrastate commerce** and **non-excepted intrastate commerce**, you must choose **non-excepted intrastate commerce**.

**Step 3:** Provide your SDLA with your self-certification of your operating status. If you self-certify to **non-excepted interstate** on or after January 30, 2012, you must provide your SDLA with either the original or copy of your current medical examiner's certificate as required by your SDLA.

If your medical examiner's certificate is only valid with a vision, diabetes or a skills performance evaluation variance granted by FMCSA, you may also be asked by your SDLA to provide a copy of that variance document.

**Q. *What if I am an existing CDL holder who does not have a license renewal, upgrade or transfer between January 30, 2012 and January 30, 2014?***

**A.** You are responsible for following the three steps above and providing your SDLA with your self-certification of operating status by January 30, 2014. If required, you must also provide your current medical examiner's certificate and any variance document by January 30, 2014. Your SDLA will tell you how you can provide this information.

**Q. *After I provide my SDLA with my unexpired medical examiner's certificate, do I still have to carry an original or copy of my medical examiner's certificate?***

**A.** Yes. Until the program is fully implemented on January 30, 2014, you will still have to carry an original or copy of the medical examiner's certificate and provide a copy to your employer for your driver qualification file.



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Summary of Hours-of-Service (HOS) Regulations

**Who Must Comply**

Most drivers must follow the HOS Regulations if they drive a commercial motor vehicle, or CMV.

In general, a CMV is a vehicle that is used as part of a business and is involved in interstate commerce and fits any of these descriptions:

- Weighs 10,001 pounds or more
- Has a gross vehicle weight rating or gross combination weight rating of 10,001 pounds or more
- Is designed or used to transport 16 or more passengers (including the driver) not for compensation
- Is designed or used to transport 9 or more passengers (including the driver) for compensation
- A vehicle that is involved in interstate or intrastate commerce and is transporting hazardous materials in a quantity requiring placards is also considered a CMV

**HOS Final Rule**

The Hours of Service of Drivers Final Rule [Download PDF Version] was published in the Federal Register on December 27, 2011. The effective date of the Final Rule is February 27, 2012, and the compliance date of selected provisions is July 1, 2013. The links below provide more details regarding the HOS Final Rule:

**Download HOS Reference Materials**

- HOS News Release
- Question and Answers
- Logbook Examples (PDF) *New*
- HOS Regulations - Part 395
- Final Rule (PDF)
- Regulatory Impact Analysis (PDF)
  - Appendices A-E (PDF)
- Environmental Assessment (PDF)
  - Appendices A-E (PDF)

Summary of Changes of HOS Final Rule Published in December 2011

The table below [Download PDF Version] summarizes the differences between the prior HOS Rule and the new HOS Final Rule published in December 2011:

PROVISION	PRIOR RULE	FINAL RULE - COMPLIANCE DATE JULY 1, 2013
<b>Limitations on minimum "34-hour restarts"</b>	None	(1) Must include two periods between 1 a.m.- 5 a.m. home terminal time. (2) May only be used once per week.
<b>Rest breaks</b>	None except as limited by other rule provisions	May drive only if 8 hours or less have passed since end of driver's last off-duty period of at least 30 minutes. [HM 397.5 mandatory "in attendance" time may be included in break if no other duties performed]
PROVISION	PRIOR RULE	FINAL RULE - COMPLIANCE DATE FEBRUARY 27, 2012
<b>On-duty time</b>	Includes any time in CMV except sleeper-berth.	Does not include any time resting in a <u>parked</u> vehicle (also applies to passenger-carrying drivers). In a moving property-carrying CMV, does not include up to 2 hours in passenger seat immediately before or after 8 consecutive hours in sleeper-berth.
<b>Penalties</b>	"Egregious" hours of service violations not specifically defined.	Driving (or allowing a driver to drive) 3 or more hours beyond the driving-time limit may be considered an egregious violation and subject to the maximum civil penalties. Also applies to passenger-carrying drivers.
<b>Oilfield exemption</b>	"Waiting time" for certain drivers at oilfields (which is off-duty but does extend 14-hour duty period) must be recorded and available to FMCSA, but no method or details are specified for the recordkeeping.	"Waiting time" for certain drivers at oilfields must be shown on logbook or electronic equivalent as off duty and identified by annotations in "remarks" or a separate line added to "grid."

Summary of HOS Regulations (Valid Until July 1, 2013)

The following table [Download PDF Version] summarizes the HOS regulations for property-carrying and passenger-carrying CMV drivers.

HOURS-OF-SERVICE RULES	
Property-Carrying CMV Drivers	Passenger-Carrying CMV Drivers
<b>11-Hour Driving Limit</b> May drive a maximum of 11 hours after 10 consecutive hours off duty.	<b>10-Hour Driving Limit</b> May drive a maximum of 10 hours after 8 consecutive hours off duty.
<b>14-Hour Limit</b> May not drive beyond the 14th consecutive hour after coming on duty, following 10 consecutive hours off duty. Off-duty time does not extend the 14-hour period.	<b>15-Hour On-Duty Limit</b> May not drive after having been on duty for 15 hours, following 8 consecutive hours off duty. Off-duty time is not included in the 15-hour period.
<b>60/70-Hour On-Duty Limit</b> May not drive after 60/70 hours on duty in 7/8 consecutive days. A driver may restart a 7/8 consecutive day period after taking 34 or more consecutive hours off duty.	<b>60/70-Hour On-Duty Limit</b> May not drive after 60/70 hours on duty in 7/8 consecutive days.
<b>Sleeper Berth Provision</b> Drivers using the sleeper berth provision must take at least 8 consecutive hours in the sleeper berth, plus a separate 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two.	<b>Sleeper Berth Provision</b> Drivers using a sleeper berth must take at least 8 hours in the sleeper berth, and may split the sleeper-berth time into two periods provided neither is less than 2 hours.



Find this page at: <http://www.fmcsa.dot.gov/rules-regulations/topics/hos/index.htm>

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## Hours-of-Service Regulations

**NOTE: A new Hours-of-Service (HOS) Proposed Rulemaking was published on December 29, 2010. For details, visit the HOS Proposed Rule page to view the complete rulemaking, summary of changes, FAQs, and other related information.**

The Hours-of-Service regulations (49 CFR Part 395) put limits in place for when and how long commercial motor vehicle (CMV) drivers may drive. These regulations are based on an exhaustive scientific review and are designed to ensure truck drivers get the necessary rest to perform safe operations. FMCSA also reviewed existing fatigue research and worked with organizations like the Transportation Research Board of the National Academies and the National Institute for Occupational Safety in setting these HOS rules.

The regulations are designed to continue the downward trend in truck fatalities and maintain motor carrier operational efficiencies. Although the HOS regulations are found in Part 395 of the Federal Motor Carrier Safety Regulations, many States have identical or similar regulations for intrastate traffic.

### Who must comply with the Hours-of-Service Regulations?

Most drivers must follow the HOS Regulations if they drive a commercial motor vehicle, or CMV.

In general, a CMV is a vehicle that is used as part of a business and is involved in interstate commerce and fits any of these descriptions:

- Weighs 10,001 pounds or more
- Has a gross vehicle weight rating or gross combination weight rating of 10,001 pounds or more
- Is designed or used to transport 16 or more passengers (including the driver) not for compensation
- Is designed or used to transport 9 or more passengers (including the driver) for compensation
- A vehicle that is involved in interstate or intrastate commerce and is transporting hazardous materials in a quantity requiring placards is also considered a CMV.

### HOS Reference Materials

- Interstate Truck Driver's Guide to HOS<sup>New!</sup>
- Logbook Examples [PDF]
- Interstate Passenger Carrying Driver's Guide To Hours of Service<sup>New!</sup>
- HOS Final Rule
- Frequently Asked Questions
- Recordkeeping Forms [Federal Register Notice PDF]

Related Links
<a href="#">Retention of Supporting Docs &amp; Use of Electronic Mobile Devices Policy</a>
<a href="#">How to Participate in HOS Listening Sessions</a>
<a href="#">FMCSA Announces HOS Listening Sessions - News Release January 4, 2010</a>
<a href="#">HOS News Release - November 18, 2008</a>
<a href="#">HOS Regulations</a>
<a href="#">Maximum Driving Time for Passenger-carrying Vehicles</a>

## Summary of the Hours-of-Service Regulations

The following table summarizes the HOS regulations for property-carrying and passenger-carrying CMV drivers.

HOURS-OF-SERVICE RULES	
Property-Carrying CMV Drivers	Passenger-Carrying CMV Drivers
<b>11-Hour Driving Limit</b> May drive a maximum of 11 hours after 10 consecutive hours off duty.	<b>10-Hour Driving Limit</b> May drive a maximum of 10 hours after 8 consecutive hours off duty.
<b>14-Hour Limit</b> May not drive beyond the 14th consecutive hour after coming on duty, following 10 consecutive hours off duty. Off-duty time does not extend the 14-hour period.	<b>15-Hour On-Duty Limit</b> May not drive after having been on duty for 15 hours, following 8 consecutive hours off duty. Off-duty time is not included in the 15-hour period.
<b>60/70-Hour On-Duty Limit</b> May not drive after 60/70 hours on duty in 7/8 consecutive days. A driver may restart a 7/8 consecutive day period after taking 34 or more consecutive hours off duty.	<b>60/70-Hour On-Duty Limit</b> May not drive after 60/70 hours on duty in 7/8 consecutive days.
<b>Sleeper Berth Provision</b> Drivers using the sleeper berth provision must take at least 8 consecutive hours in the sleeper berth, plus a separate 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two.	<b>Sleeper Berth Provision</b> Drivers using a sleeper berth must take at least 8 hours in the sleeper berth, and may split the sleeper-berth time into two periods provided neither is less than 2 hours.

Find this page at: <http://www.fmcsa.dot.gov/rules-regulations/topics/hos/index.htm>

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# FISCAL NOTE

**STATE OF ALASKA**  
**2012 LEGISLATIVE SESSION**

Bill Version HB345  
 Fiscal Note Number \_\_\_\_\_  
 ( ) Publish Date \_\_\_\_\_

Identifier (file name) HB345-DOA-DMV-3-23-12 Dept. Affected Administration  
 Title Waive CDL Skill Test for Certain Veterans Appropriation Motor Vehicles  
 Allocation Motor Vehicles  
 Sponsor Representative Saddler  
 Requester House Transportation OMB Component Number 2348

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**FUND SOURCE** (Thousands of Dollars)

	FY13	FY14	FY15	FY16	FY17	FY18
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Prgm (DGF)						
37 GF/MH (UGF)						
78 temp code (UGF)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**POSITIONS**

	FY13	FY14	FY15	FY16	FY17	FY18
Full-time						
Part-time						
Temporary						

**CHANGE IN REVENUES**

	FY13	FY14	FY15	FY16	FY17	FY18

**Estimated SUPPLEMENTAL (FY12) operating costs** \_\_\_\_\_ (separate supplemental appropriation required)  
 (discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY13) costs** \_\_\_\_\_ (separate capital appropriation required)  
 (discuss reasons and fund source(s) in analysis section)

**Why this fiscal note differs from previous version (if initial version, please note as such)**

Not applicable; initial version

Prepared by Whitney Brewster, Director  
 Division Division of Motor Vehicles  
 Approved by John Cramer, Deputy Commissioner  
Department of Administration

Phone 907-269-5559  
 Date/Time 3/23/12 10:45 AM  
 Date 3/23/2012

FISCAL NOTE

STATE OF ALASKA  
12 LEGISLATIVE SESSION

BILL NO. HB345

**Analysis**

This legislation will allow for the development of regulations by the Division of Motor Vehicles (DMV) to provide drivers with recent military commercial vehicle driving experience the opportunity to waive the driving skills test required in Alaska Statute 28.33.100(a)(3) and 49 CFR 383.113. This bill has no fiscal impact on the Division of Motor Vehicles (DMV) therefore a zero fiscal note is submitted.