

# Title 49 CFR, Part 383

## CDL Standards-Requirements and Penalties

### Standards

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

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

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

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

### Vehicles requiring commercial driver's licenses

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

- With a gross vehicle weight rating (GVWR) or gross combination weight (GCVW) of at least 26,001 pounds or;
- Designed to transport at least 16 passengers including the drivers; or
- Transporting a quantity of hazardous material requiring placarding.

Because the CDL is a state-issued license, you should check with appropriate State officials regarding particular license classes and specific exemptions.

### LCV Certification Requirements

CDL Drivers of Longer Combination Vehicles (LCV) must meet minimum requirements for special training through:

- LCV Driver-Training Certificate of Grandfathering, or
- LCV Driver-Training Certificate

### Notification to employer and licensing state

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

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

### Disqualifying Offenses

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

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

**Disqualifying Offenses (cont.)**

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

**Penalties**

A driver convicted of a felony offense for using a CMV for manufacturing, distributing or dispensing a controlled substance is disqualified for life, but may be eligible for reinstatement after 10 years.

**60-Day Suspensions**

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

- Excessive speeding (15 miles per hour or more above the posted speed limit in a single offense)
- Reckless driving, improper or erratic lane changes, or following the vehicle ahead too closely; and
- Traffic offenses involving a fatal accident

**120-Day Suspensions**

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

**Implied Consent**

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

**Endorsements**

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

- T-Double/triple trailers (knowledge test only)
- P-Passenger (knowledge and skills test)
- N-Tank vehicle (knowledge test only)
- H-Hazardous materials (knowledge test only)
- X-Combination of tank vehicle and hazardous materials (knowledge tests)

**Air Brake Restrictions**

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

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

## DO YOU NEED A CDL?

There are three types of commercial driver's licenses: **Class A, B, And C**. Drivers of light vehicles – passenger cars and pick up trucks – will be issued an operator's license.

- **Class A** - Combination of vehicles with a gross combined weight rating (GCWR) over 26,000 pounds, provided the GVWR of the vehicles(s) being towed is greater than 10,000 pounds. A driver with a Class A license will be able to drive Class A, B, and C commercial vehicles with proper endorsements when required.
- **Class B** – Single vehicles with a GVWR over 26,000 pounds, or any such vehicle towing a vehicle under 10,000 GVWR. A driver with a Class B license will be able to drive Class B and C Commercial vehicles with proper endorsement when required.
- **Class C** – Vehicles with a GVWR less than 26,001 pounds. Class C is strictly for vehicles designed to carry 16 or more people or carry hazardous material in quantities large enough to require a placard. A class C license holder will be able to drive Class C commercial vehicles only.

Check the chart below to see what kind of commercial driver's license you will need:

