



The Federal Motor Carrier Safety Administration (FMCSA) has amended the commercial driver license standards. This regulation is referred to as the 'CDL Permit Rule' and mandates compliance by July 8, 2015. NYS will be implementing the rule in phases from April through July of 2015.

Throughout this document we will refer to the Commercial Learner Permit as "CLP" and Commercial Driver License as "CDL." For simplicity, the changes are listed in order of implementation by the NYS DMV.

## CDL Skills Testing Changes April, 2015

When scheduling or updating a CDL Skills Test (road test) appointment, you will not be able to schedule an appointment within the first 14 days from the issuance of the CLP.

## National Suspension & Revocation Screening April, 2015

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

## Medical Certification Changes May, 2015

Holders of a CLP will be sent a notification if their medical certification status becomes "Not Certified." Once notification

is sent, the CLP will be cancelled if the CLP holder does not re-certify within 55 days. Employers can receive notification of these status changes if they are enrolled in the NYS License Event Notification Service (LENS). Passenger carriers enrolled in the 19-A System will receive notification of CLP cancellation events.

## Endorsement and Restriction Changes June, 2015

CLPs will no longer be issued with the Double/Triple Trailer (T) endorsement. The T endorsement can be issued only to a motorist holding a CDL. All 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. All CLPs issued with a Tank Vehicles (N) endorsement will automatically get a new federally mandated "No Cargo in CMV Tank Vehicle" (X) restriction. The P and X restrictions are issued on the CLP only. The CDL that is issued after all required tests have been passed will not have the P or X restrictions.

The CDL Permit Rule added 5 new restrictions as illustrated in the Restriction Change Table below, which required New York State to change the letter assigned to existing restrictions.

Restriction	Old	New	Change
No Manual Transmission Equipped CMV	-	E	New
Outside Mirror	-	F	New
No Passengers in CMV Bus	-	P	New
No Cargo in CMV Tank Vehicle	-	X	New
No Full Air Brake Equipped CMV	-	Z	New
Automatic Transmission	E	E1	Re-Lettered
Hearing Aid / Full-View Mirror	F	F1	Re-Lettered
Power Brakes	P	P1	Re-Lettered
Full Hand Control	X	X1	Re-Lettered
Wheel Spinner	Z	Z1	Re-Lettered
No Air Brakes Class A Vehicle	L1	-	Removed
No Air Brakes Class B Vehicle	L2	-	Removed

*Restriction Change Table*

These restriction changes go into effect June 4, 2015. Drivers will receive a new CLP or CDL with these changes printed on them with their next CLP or CDL application on or after June 4, 2015.

## Application Requirement Changes June, 2015

1) All CLP and CDL applications, with the exception of requesting a replacement (duplicate), 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**. Drivers with temporary visitor status will need to provide proof of legal presence in the U.S. with every application, except when requesting a replacement (duplicate).



**IMPORTANT: Because the federal regulations require submission of additional proofs IN PERSON, drivers are prohibited from renewing their CLP and/or CDL by mail.**



CLP and CDL documents for drivers who are not U.S. citizens or lawful permanent residents (i.e., temporary visitors) will have the legend "NON-DOMICILED" printed on documents issued on or after June 18, 2015. The legend "TEMPORARY VISITOR" and the expiration date of their legal status documentation will continue to be printed on the CLP and/or CDL document.



2) All CLP and CDL applications, with the exception of requesting a replacement (duplicate), will require proof of NYS residence (address). Proof of NYS residence is required every time for all drivers.

The ID-44CDL form, available on the DMV Website [2], contains the complete list of acceptable legal presence and NYS residence proof documents.

**Original documents are required when presenting proof for both requirements above.**

## Commercial Document Changes June, 2015

The following changes will be made to documents:

- CLPs will have the warning “VALID ONLY WHEN ACCOMPANIED BY A NYS LICENSE” printed on them.
- Interim (non-photo) licenses and permits will only be valid for 60 days from the date they are issued.

## Suspensions and Revocations (Sanctions) July, 2015

NYS is now required to apply federally mandated commercial suspensions and revocations to CLP 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 July, 2015

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

- an application for a CLP/CDL
- self-certification driving type
- Medical Examiner’s Certificate

## Commercial Document Changes July, 2015

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

- CLPs will be valid for only 180 days with one renewal for an additional 180 days, after which the holder will have

to apply for a new CLP, including retaking any required knowledge tests.

- NYS will void and return an applicant’s current CLP or CDL when issuing a new CLP/CDL document.

## Employer Responsibilities Expanded to CLP July, 2015

Section 140(2)(c) of the NYS Transportation Law is amended to provide that no employer shall allow an employee to operate a commercial motor vehicle during any period in which the operator:

- Does not have a valid CLP or CDL
- Does not have a CLP or CDL with the proper class or endorsement
- Violates any restriction on the CLP or CDL
- Has a suspended, revoked, or disqualified CLP or CDL
- Has more than one CLP or CDL

A violation of this section is punishable by a fine of \$200 to \$1,000.

## Reference

The ‘CDL Permit Rule’ can be found in its entirety in 49 CFR Parts 383, 384, and 385 and as posted on the Federal Register (Vol. 76, No. 89 / Monday, May 9, 2011 / Rules and Regulations).

## Valuable Websites at a Glance

1. NYS DMV: <http://dmv.ny.gov/>
2. NYS DMV Form ID-44CDL: <http://dmv.ny.gov/forms/id44cdl.pdf>
3. DMV License Event Notification Service (LENS): <http://dmv.ny.gov/dmv-records/License-event-notification-service-lens-accounts>
4. NYS Vehicle and Traffic Law: <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO> (scroll down to VAT)
5. Federal Motor Carrier Safety Administration (FMCSA): <http://www.fmcsa.dot.gov/>

Important Information for Employers and Drivers  
Regarding Changes to 49 CFR Parts 383,384 and 385  
Federal Motor Carrier Safety Administration (FMCSA)

# NEW COMMERCIAL DRIVER LICENSE TESTING AND LEARNER PERMIT STANDARDS



**Department of  
Motor Vehicles**