

Motor Vehicle Division Informational Memo # 18-06
Commercial Learner's Permit-Length of Validity

DATE: May 14, 2018

FROM: Sara Siedsma, Compliance Officer, MVD

TO: All Driver & Identification Services staff, County Treasurers and County Treasurer staff that issue driver's licenses and nonoperator's identification cards

SUBJECT

This informational memo explains an administrative rule change to chapter 761 IAC 607, Commercial Driver Licensing amending the length of validity of a Commercial Learner's Permit (CLP) from 180 days to one year.

SUMMARY

During the 2017 legislative session, Iowa Code section 321.180(2) was amended to change the validity period of a CLP from 180 days to one year. Previously, a CLP could be issued for a duration of 180 days, with an option to renew it for an additional 180 days. However, the Federal Motor Carrier Safety Administration (FMCSA) issued an exemption that allowed states to forego renewal after 180 days and instead make the CLP valid for one year.

In order to align with this statutory change, we are amending rule chapter 761 IAC 607 to strike the references to a 180-day CLP validity period, and replace with references to a one-year validity period as well as amend the rules related to CDL knowledge and skills tests requirements to conform with the new length of validity for a CLP as well as account for the fact that the CLP is no longer able to be renewed for an additional 180 days.

The amendments to Iowa administrative rule chapter 761 IAC 607 were adopted and became **effective April 18, 2018**.

LINK TO IOWA ADMINISTRATIVE RULES

<https://www.legis.iowa.gov/docs/iac/chapter/03-14-2018.761.607.pdf>

CURRENT

Previously, a CLP could be issued for 180 days, with an option to renew the CLP for an additional 180 days. If the CLP was renewed, all three segments of the skills test had to be retaken.

NEW

In order to align with this statutory change, we amended rule chapter 761 IAC 607 to strike the references to a 180-day CLP validity period, and replace with references to a one-year validity period as well as amend the rules related to CDL knowledge and skills tests requirements to conform with the new length of validity for a CLP as well as account for the fact that the CLP is no longer able to be renewed for an additional 180 days.

BUSINESS IMPACT

This directive aligns with 2017 legislative changes, which have already been implemented. However, it is important to be aware that the administrative rule chapter governing Commercial Driver Licensing has been updated to align with the legislative change relating to the period of validity for a CLP.

HELPFUL QUESTIONS AND ANSWERS

The following questions and answers provide additional information that will be helpful to you and to customers.

CAN A CUSTOMER WHO WAS PREVIOUSLY ISSUED A CLP VALID FOR 180 DAYS STILL RENEW THEIR CLP?

No, if the customer was previously issued a CLP valid for 180 days and their CLP is about to expire or is expired, the customer is no longer eligible for a CLP renewal, rather the customer must reapply for a CLP that is valid for one year. As time passes, this issue will lessen as the 180 day CLP holder obtains their CDL, has their CLP expire, or starts over with a one year CLP.

HOW LONG ARE THE CDL SKILLS AND KNOWLEDGE TESTS VALID?

The administrative rules were updated to provide that the CDL skills and knowledge tests will be valid for one year in order to match the length of validity of the CLP. ARTS programming was changed to allow for CDL skills and knowledge tests to be valid for one year.

WHEN WILL CLP HOLDERS BE REQUIRED TO RE-TEST?

If the CLP holder was issued a 180 day CLP under the prior law, the customer will have to re-test after 180 days if they want to apply for a one year CLP (since they can no longer renew their 180-day CLP). A customer who was issued a one-year CLP can count on their knowledge and skills tests being valid for the entire one-year period. With that being said, any time a customer is applying for a new one-year CLP, the customer will have to test or re-test.

IF A CUSTOMER'S ONE-YEAR CLP EXPIRES, CAN THEY APPLY FOR ANOTHER ONE?

Yes. Although the CLP can no longer be "renewed" as it used to be for an additional 180 days, if the customer's one-year CLP expires and they need another one, they can reapply and re-test to be issued a new CLP valid for one year.

WILL THE ONE-YEAR CLP STILL BE ISSUED ON PAPER, OR WILL IT SHIFT TO PLASTIC?

The CLP will continue to be issued on paper. If we encounter issues with the paper not holding up over a one-year period, we will likely revisit this issue.