

Motor Vehicle Division Policy Memo # 22-19

2022 legislation – 3rd party CDL knowledge tests and public transit testers

DATE: June 20, 2022

FROM: Kathleen Meradith-Eyers, Compliance Officer II

TO: All Motor Vehicle Division staff, Iowa County Treasurers, and County Treasurer's staff that issue or support the issuance of commercial driver's licenses

SUBJECT

This policy memo explains a bill that was passed during the 2022 legislative session that expands third-party CDL skills testing and authorizes all third-party CDL skills testers to conduct CDL knowledge tests.

SUMMARY

SF 2337, enacted during the 2022 legislative session, amends Iowa Code section 321.187 to authorize public transit systems and regional public transit systems to be third-party CDL testers, and to allow all third-party testers to administer the CDL knowledge test in addition to the CDL skills test. Any CDL knowledge or skills test offered by a third-party must be the same as the test administered by the DOT.

The change to allow public transit agencies to become third-party testers arose out of a desire to expand CDL skills testing opportunities and to address a perceived barrier for public and regional transit systems to recruit and train drivers. The change to allow all third-party testers to administer the CDL knowledge test comes from a recent decision by FMCSA to allow this on a national level.

This bill becomes effective on July 1, 2022, but the testing expansion will not take effect immediately as new third-party testers (and existing third-party testers who wish to offer the knowledge test) must receive training and be approved by the MVD.

LINK TO LEGISLATION

<https://www.legis.iowa.gov/docs/publications/LGE/89/SF2337.pdf>

CURRENT

Under current law, the only entities other than the DOT or a county treasurer that may conduct CDL skills testing are community colleges, Iowa-based motor carriers (e.g. TMC), and the Iowa Motor Trucking Association (IMTA). Currently, no third-party testers may conduct CDL knowledge testing.

NEW

Regional and public transit systems will be authorized to become third-party CDL skills testers upon approval by the MVD. Additionally, all third-party testers (community colleges, Iowa-based motor carriers, IMTA, and transit systems) will be authorized to offer the CDL knowledge test upon approval by the MVD.

BUSINESS IMPACT

Because of these changes, a person could complete the entire CDL testing process with a third-party tester, returning to the DOT or a county issuance location only to be issued their CLP and later to be issued their CDL. We may eventually see a reduction in CDL knowledge and skills tests administered by the DOT and county treasurers.

CDL knowledge tests. The biggest change for issuance staff will be how we issue CLPs to customers who took the knowledge test from a third-party tester. We will need to verify the knowledge test results prior to issuing the CLP, and we expect this process will be similar to how we confirm noncommercial knowledge test results for instruction permit applicants who took the knowledge test through Skip the Trip. More information will be coming out once we have set up third-party CDL knowledge testing.

CDL skills tests. Due to the expansion of third-party testers to include transit agencies, we also expect to see an increase in CDL applicants who have taken the skills test with a third-party tester, however, the process for transmission and retrieval of CDL skills test results from third-party testers via CSTIMS will not change.

QUESTIONS AND ANSWERS

The following questions and answers provide additional information to you and to customers.

WHEN WILL THIRD PARTIES START OFFERING KNOWLEDGE TESTS?

Since offering the CDL knowledge tests will be a brand new function for our current third-party testers, it will be several months before any interested third-party testers will be ready to offer CDL knowledge tests. Third-party examiners will need to pass the Certified Commercial Knowledge Examiner (CCKE) course and ensure they have the proper equipment and facilities to proctor the knowledge tests. Also, third-party testers are not required to offer knowledge tests, they will just have the option to do so. Because of this, it is unknown at this point which third-party testers will choose to offer knowledge tests.

WHEN WILL PUBLIC TRANSIT AGENCIES START CDL SKILLS TESTING?

It may be several months before any public or regional transit systems are fully approved to offer the CDL skills test. Any examiner employed by a transit system will need to pass the Certified Commercial Examiner (CCE) course, and new third-party testers will need to set up their course, receive approval on the driving route, and sign formal agreements with the MVD.

HOW WILL WE KNOW WHICH THIRD-PARTY TESTERS OFFER KNOWLEDGE TESTS?

Testers will be required to notify the MVD (i.e., the CDL team in Ankeny MVD central office) within 30 days of deciding to offer, or cease offering, any type of CDL knowledge or skills test.

CAN YOU GIVE SOME EXAMPLES OF TRANSIT AGENCIES THAT WOULD BE ELIGIBLE TO BECOME THIRD-PARTY TESTERS?

Entities like DART (Des Moines), CyRide (Ames), CAMbus (Iowa City), and Siouxland Regional Transit System (Cherokee, Ida, Monona, Plymouth, and Woodbury counties) are eligible under the bill to become third-party CDL knowledge and skills testers. The Iowa Public Transit Association [website](#) contains an expansive list of public and regional transit members who would be eligible as third-party testers, although a public or regional transit agency is not required to be an IPTA member to be eligible under the bill.

WILL THERE BE ANY RESTRICTIONS ON THE TYPES OF KNOWLEDGE TESTS THIRD PARTIES CAN OFFER?

At this time, we anticipate that any third-party tester who wants to offer a CDL knowledge test will have the ability to proctor all types of knowledge tests (general, combination vehicles, hazardous materials, air brake restriction removal, passenger, etc).

WILL THERE BE ANY RESTRICTIONS ON THE TYPES OF SKILLS TESTS THAT PUBLIC/REGIONAL TRANSIT SYSTEMS CAN OFFER?

A public transit system or a regional transit system certified as a third-party tester will not be allowed to administer the skills test to a person seeking a Class A commercial driver's license as defined 321.189(1)“a.”