

Motor Vehicle Division Informational Memo # 22-27

Temporary waiver of 14-day CLP waiting period

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FROM: Kathleen Meradith-Eyers, MVD Compliance Officer

TO: All Motor Vehicle Division staff, Iowa County Treasurers and County Treasurers' staff that issue commercial driver's licenses

SUBJECT

This memo explains the applicability of the Federal Motor Carrier Safety Administration (FMCSA) temporary waiver of the 14-day CLP waiting period for CDL applicants which lasts through February 28, 2023.

BACKGROUND

Between March 24, 2020 and May 31, 2022, FMCSA issued a COVID-19-related waiver of the requirement under 49 CFR § 383.25(e) that a person must hold a CLP for 14 days before they can take the CDL skills test (see MVD IM# 20-04). FMCSA recently issued a new, similar waiver due to the nationwide truck driver shortage that initially was effective from September 1, 2022 through November 30, 2022, and has now been extended from December 1, 2022 through February 28, 2023.

EXPLANATION

In recognition of the challenges facing the trucking industry and ongoing supply chain issues, the MVD will honor this waiver to the extent that our service centers have the availability to offer the requested expedited CDL testing, the applicant has a need for expedited testing, and the applicant has completed the applicable entry-level driver training (ELDT) requirements.

Accordingly, through November 30, 2022, CLP holders may take the CDL skills test without waiting 14 days after initial issuance of the CLP, provided they have completed applicable ELDT requirements. **All requests to waive the 14-day waiting period must be approved by a supervisor or the ACE team prior to scheduling the applicant for the skills test.** Approval should be based on the applicant's need for expedited testing and CDL skills test availability. A SNOW ticket will need to be initiated to manually waive the 14-day waiting period by emailing DOT.Helpdesk@iowadot.us or calling 515-237-1075. Staff should indicate the customer number and add "FMCSA 14 day SBE waiver" to the emailed request. **This process is not immediate, so please plan ahead by submitting the Help Desk request to waive the 14-day waiting period as soon as you know it is needed.**

Unless further extended by FMCSA, the requirement for all CLP holders to wait 14 days prior to taking the CDL skills test will resume on March 1, 2023. Beginning March 1, 2023, no CLP holder may take the CDL skills test until 14 days has elapsed since the issuance of their CLP, even if the CLP was issued prior to March 1, 2023.

LINKS TO GUIDANCE

August 31, 2022 waiver - <https://www.fmcsa.dot.gov/emergency/three-month-waiver-response-covid-19-emergency-states-and-clp-holders-operating-8>

December 1, 2022 waiver - <https://www.fmcsa.dot.gov/emergency/three-month-waiver-states-and-clp-holders-december-1-2022>

QUESTIONS AND ANSWERS:

HOW DO WE DETERMINE IF THE APPLICANT HAS A “NEED” FOR EXPIDITED TESTING?

An example of an applicant “needing” expedited testing would be a driver hired by a school district to complete daily school routes, or a driver pending hire by an employer who is experiencing driver shortages. Supervisors and the ACE team should use their discretion and flexibility when approving these requests and **tend towards allowing the 14-day waiver if we have examiner and site availability**. Keep in mind, applicants must still have completed the applicable ELDT before they can take the CDL skills test.

DOES THE WAIVER APPLY ONLY TO CERTAIN CLASSES/ENDORSEMENTS?

No, this waiver is applicable to any CDL issuance that requires possession of the CLP prior to taking the skills test. This includes both current CDL holders seeking to upgrade their license or add an endorsement, or brand new CDL applicants.

DO WE NEED TO MANUALLY TRACK THE NUMBER OF APPLICANTS WHO UTILIZE THIS WAIVER?

No. For federal reporting purposes, we will be running a report in ARTS to track how many customers are utilizing the waiver of the 14-day waiting period. You do not need to notate anything special on the record to demonstrate that you are waiving the 14-day waiting period.

DOES THIS GUIDANCE APPLY TO COUNTY TREASURERS?

All county treasurers who conduct CDL skills testing are authorized to use this waiver, however, it not required. A county treasurer who chooses to waive the 14-day waiting period for a CDL applicant must first receive approval from the ACE team prior to scheduling the applicant for the expedited skills test.