

Motor Vehicle Division Information Memo # 22-34

Commercial Driver's Licensing (CDL) Administrative Rule Updates

DATE: December 1, 2022

FROM: Kathleen Meradith-Eyers, Compliance Officer II

TO: All Motor Vehicle Division staff and County Treasurer staff who issue commercial driver's licenses (CDLs)

SUBJECT

This informational memo explains updates to administrative rule chapter 761—607, Commercial driver's licensing.

SUMMARY

The amendments to chapter 761—607 conform to changes made by Senate File 2337 passed during the 2022 legislative session. The bill expanded third-party CDL testing by allowing public and regional transit systems to become third-party testers and allowing all third-party testers to administer the CDL knowledge test. IM 22-19 explains the legislation in detail.

Specifically, the administrative rule amendments do the following:

- Provide that public and regional transit systems may be certified by the DOT as third-party CDL testers and allow all third-party testers to be certified by the DOT to administer CDL knowledge tests in addition to CDL skills tests.
- Adopt several new definitions and update references to the Federal Motor Carrier Safety Regulations.
- Clarify that the existing \$50,000 bond requirement only applies if the third-party tester is not a government agency, in accordance with federal rules.
- Require the DOT to revoke a knowledge test examiner's authority if the examiner does not meet certain minimum federal requirements, and clarify that the DOT must also revoke an examiner's authority if they fraudulently administer either type of test.

The administrative rule amendments become effective January 4, 2022. The original legislation became effective July 1, 2022.

LINK TO ADMINISTRATIVE RULES

<https://www.legis.iowa.gov/docs/aco/arc/6706C.pdf>

CURRENT

Administrative rule chapter 761—607 does not currently incorporate the changes to third-party CDL testing made during the 2022 legislative session.

NEW

As of January 4, 2022, the rules will align with the legislative changes described in IM 22-19.

BUSINESS IMPACT

This directive does not significantly impact the way that MVD operates because we have already updated our internal policies and procedures to comply with the legislation. However, it is important for staff to be aware of this administrative rule update.

The CDL team has been working diligently to implement the third-party testing expansion. As of the date of publication of this memo, three public transit entities have become third-party testers (CyRide, Cambus, and Davenport Transit), and four existing third-party testers have begun or will soon begin administering the knowledge test.