

## Executive Summary

This pamphlet provides an overview of the new federal commercial driver license (CDL) regulations and the impact these regulations have on the Texas CDL Program.

The Department of Public Safety (department) conducted an assessment of Texas' CDL program and determined that additional full-time equivalent (FTE) employees and skills testing locations are needed statewide to comply with these regulations and prevent federal de-certification of Texas' CDL program.

The department has requested additional funding from the Texas Legislature for FY16-17 to hire additional FTEs and fund additional skills testing sites.

Resource constraints prohibit opening any additional locations or committing FTEs without legislative authority.

## History

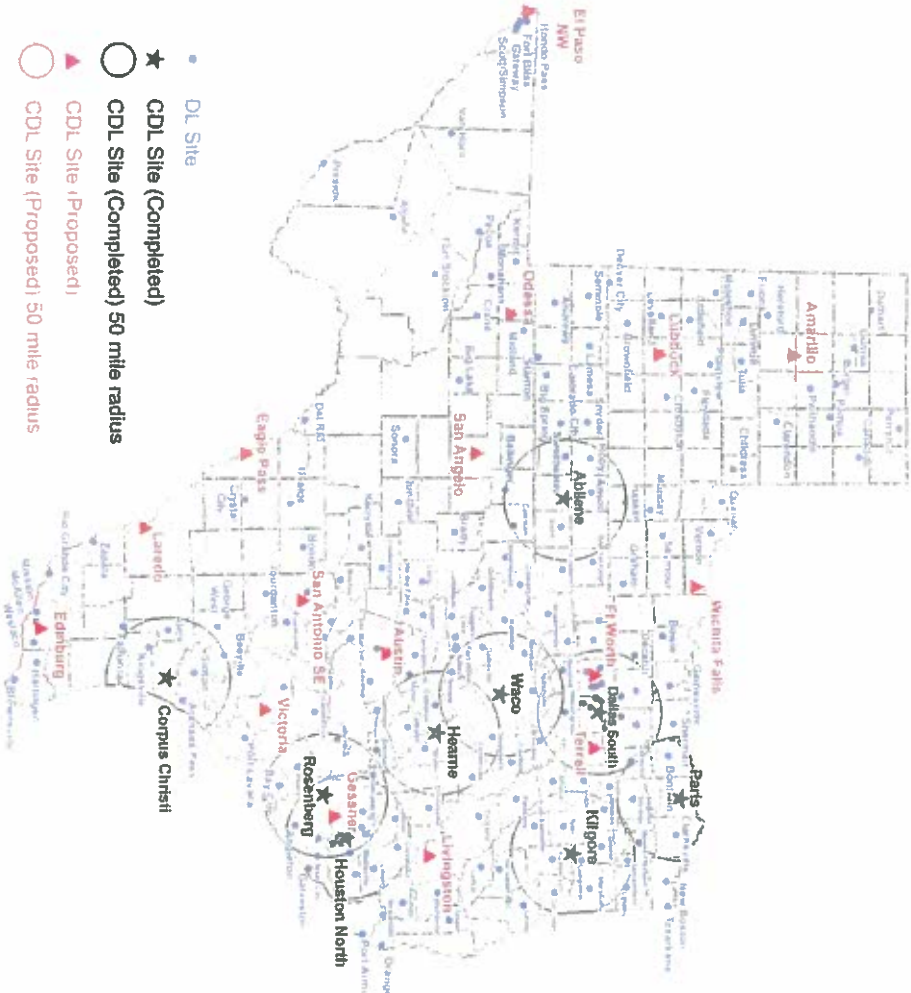
The Federal Commercial Motor Vehicle Safety Act (CMVSA) of 1986 requires each state to meet certain minimum standards for CDL and Commercial Learner's Permit (CLP) issuance and renewals. Texas adopted the CMVSA requirements as state law (Transportation Code, Chapter 522) in 1989, and the Texas Department of Public Safety began enforcing this law and issuing new Commercial Driver Licenses in 1990.

## New Federal Regulations

In May 2011, the Federal Motor Carrier Safety Administration (FMCSA) amended CDL knowledge and skills testing standards and established new minimum federal standards for the issuance of both CDLs and CLPs. These amendments include:

- Revisions to the CDL knowledge and skills testing requirements
- Revisions to the standards for issuing CDLs and CLPs
- Upgrades to the Commercial Driver License Information System (CDLIS) network

## Proposed Texas CDL Consolidated Locations



All states are required to adopt these changes no later than July 8, 2015. The goal is to ensure all CLP holders meet the same requirements as a CDL holder, and the upgrades to CDLIS guarantee that all states are able to continue exchanging information on commercial licensed drivers.

### De-certification and Federal Highway funds withholding for non-compliance

Texas' failure to comply with these new federal regulations could result in FMCSA issuing a Notice of Non-Compliance resulting in:

- De-certification of the state's CDL program
- Withholding of up to eight percent of selected federal highway funds
- Prohibition on issuing interstate commercial driver licenses to Texas residents

Texas has approximately 900,000 licensed commercial drivers who depend upon their commercial license to make a living. These drivers are responsible for carrying commerce to and from locations within Texas and throughout the United States. Should FMCSA place Texas out-of-compliance for not meeting these new regulations, Texas commercial driver licenses will not be recognized for interstate commerce.

FMCSA states that at the end of FY 16 the following programs would be impacted and the associated amounts withheld from Texas for non-compliance (based upon federal highway funds received in FY 15).

- 23 USC104(b)(1) – National Highway Safety Program
- 104(b)(3) – Surface Transportation Program
- 104(b)(4) – Interstate Maintenance Program
- Four percent (4%) withholding first year non-compliance: \$77,849,498.44
- Eight percent (8%) withholding second year non-compliance: \$155,698,996.88
- Biennium withholding total: \$233,548,495.32