



Leveraging Public-Private Partnerships: How State Governments Can Make the CDL Testing Process More Efficient and Reduce Wait Times for CDL Applicants



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EXECUTIVE SUMMARY

A career as a commercial vehicle driver can be both a personally and financially rewarding career, with new entrants earning close to U.S. median household income the first year on the job. Whether an individual seeks a Class A, B, or C Commercial Driver's License (CDL), a CDL is necessary to operate a truck or large bus. CDL holders are currently in high demand due to the shifting demographics of an aging workforce, in addition to continuing U.S. economic growth. In fact, the current driver shortage is expected to reach 175,000 drivers short of where demand requires by 2024.¹ The purpose of this primer is to educate government officials, primarily state government officials, about CDL testing policy and skills testing delays.

Expanding CDL testing capacity has become a leading issue for CVTA and many other organizations such as the National Association of Publicly Funded Truck Driving Schools (NAPFTDS), the American Bus Association (ABA), and the National School Transportation Association (NSTA), amongst other stakeholders. States need to ensure that they have the necessary resources to fulfill demand for CDLs. Unfortunately, many states lack the resources to fulfill demand for CDLs. They are underinvesting in the necessary facilities or examiners to meet demand. Alternatively, some states are unwilling to pursue more innovative solutions such as public-private partnerships with third party vendors. The CDL testing capacity crunch has resulted in longer wait times for CDL applicants to get their license and begin their career.

In a world of limited resources, states need to make choices. Thankfully, adopting sensible testing policies can help states meet the demand for CDLs. Policies that allow public and private schools, motor carriers, municipalities, unions, and independent testing centers to conduct CDL exams on behalf of the state are able to act as a force multiplier and leverage private sector resources for the public benefit. Most important, this benefit to the public comes *with little or no additional expense to the state*.

¹ Costello, Bob and Suarez, Rod (October 2015). *Truck Driver Shortage Analysis 2015*. Page 3. American Trucking Associations, Washington, DC.

Obtaining a CDL: The Process

The process to obtain a CDL is similar to obtaining a traditional driver's license. Applicants must first take a commercial learner's permit (CLP) written exam. This license allows the applicant to drive on public roads in a commercial motor vehicle (CMV), provided the CLP holder is accompanied by a licensed CDL holder of the particular class of vehicle the CLP holder is operating. After a mandatory 14-day waiting period,² the CLP holder is permitted to take the CDL skills exam and is responsible for procuring the vehicle he or she must test on.

The Class-A CDL skills exam is a three-part process.³ The exam begins with a pre-trip inspection, where the applicant conducts an inspection of the equipment he or she is about to operate. Applicants are graded on their ability to identify potential hazards that may affect the operational safety of the vehicle and determine the overall fitness of the truck to be on the road. The second part of the exam requires particular backing maneuvers, where an applicant must successfully conduct three of six maneuvers related to physically backing up a vehicle. The third part of the exam involves a road test, where the examinee drives on the open road with the examiner in the passenger seat. Applicants are graded on driving the speed limit, making turns, stopping, and other critical skills necessary to safely operating on the road with other vehicles.

Every state's CDL skills exam is relatively similar, but states can and do score their exams differently. Some assign different point deductions for certain elements of the exam. In some states, if an applicant fails one part of the exam, the exam is immediately terminated and the applicant needs to schedule a retest of the entire CDL exam. In states that allow "banking," however, applicants are allowed to "bank" the segments of the exam they pass. However, federal regulations dictate that once an examinee fails a part of the test, the test must be terminated.⁴ Therefore, if an examinee fails the pre-trip inspection (the first part of the test), the test must be terminated. If an examinee passes the pre-trip, but fails backing maneuvers, a state that permits banking will allow the examinee to retest just on the backing maneuvers and road test—or if an examinee passes the first two parts of the exam, but fails the road test, he or she has the option of only retesting on the road test. Therefore, the applicant may only need to retest on a segment or segments the applicant failed if the applicant tests in a state that allows banking.

Understanding Skills Testing Delays

The CDL skills testing waiting period is the time between when an applicant requests to take the test and when the applicant actually takes the skills test. Some

² This was instituted on July 8, 2015. Prior to this time, there was no 14-day mandatory waiting period.

³ CITE 49 C.F.R. § 383.133

⁴ 49 CFR 383.133 (c)(6)(i)

states offer an applicant a CDL exam within two days of requesting an exam, while in other states, applicants can wait two to three months. A waiting period of one week or longer is considered a CDL skills testing delay (delay). In 15 states, CDL skills testing delays of two weeks or more are a growing problem. Such extended delays are generally the result of states lacking the budgetary resources to hire enough examiners, an inadequate number of state CDL testing facilities, or the state's refusal to implement or expand third-party testing policies.

Since 2012, CDL skills testing delays have been growing. Long waiting periods of up to two weeks or more to take CDL skills tests or retests are problematic for many reasons. First, obtaining a CDL is the final step in beginning a career as a truck or bus driver and one cannot begin work until the state's CDL exam has been successfully completed.

Second, the longer the waiting period, the larger the economic burden on those seeking a CDL. Many who are seeking their CDLs are in jobs that do not pay as well as being a commercial driver. Some applicants, who are waiting to take a skills test, or retest, are also unemployed and attempting to improve their economic condition. Regardless of the individual's economic circumstance, states can and should reduce delay times.

The longer the time period an applicant faces, the more likely that skills he or she has learned will begin to erode. If the delays are really severe, CDL applicants who have attended a commercial driving school may be forced to either remain in a program to keep their skills sharp at great expense to the school or motor carrier, or otherwise sent home and brought back to hone their skills prior to sitting for their exam. Either way, the skills testing delays disrupt this process and may actually lead to higher failure rates.

Issues related to skills testing delays have become so problematic that Congress added Section 5506 to the new Highway Bill, the *Fixing America's Surface Transportation Act* (FAST Act) to better understand the problem. The provision requires the FMCSA to provide an annual report on CDL exam wait times in each state, including the time between when an applicant requests to take either an exam or a retest and when the exam or retest actually occurs. It also requires the report to include the number of CDL examiners in each state, the number of facilities, and steps the FMCSA is taking to improve wait times in excess of seven days. A preliminary report was due in June 2017 and will be the first attempt to require states to actually track their delay times.

States, however, have a number of options at their disposal to make the CDL testing process more efficient. They can invest more or allocate budgetary resources to ensure adequate state testing facilities and personnel to meet CDL testing demand, or they can outsource a part of the testing function to a third-party, who provides the examiners and facilities at little or no additional expense to the government. A public-private partnership, where a commercial driving school, independent testing

center, municipality, or motor carrier carries out the testing function of the state, can help save public funds by leveraging already existing infrastructure to keep up with CDL demand. The more CDL testing facilities are available to applicants, the less time they need to wait to take a test.

Introduction to Third-Party Testing

Each State Driver's License Authority (SDLA) is tasked with conducting and/or overseeing the skills tests for CDL applicants. The Department of Motor Vehicles (DMV) is an example of an SDLA. While all SDLAs are responsible for the oversight of testing, not all states issue the CDL exam solely through state entities. In fact, nearly 80 percent of all states rely on some form of "third party testing" to help offset demand for CDL testing.

Third party testing is where a public or private entity is allowed to conduct the CDL skills test on behalf of the state. As mentioned, common examples of third party testers include private commercial driving schools, community colleges, motor carriers, unions, municipalities, or independent test centers. States that allow these entities to offer testing require that each examiner undergo the exact same training and oversight as state examiners. Third party facilities, their examiners, and the oversight over them is the same or greater than that required of state facilities. In fact, most third-party testers have, or are required to hold a CDL, whereas state examiners are not required to hold a CDL. Specifically, third party examiners must:

- Use the same testing materials developed and provided by the state in which they operate;
- Meet guidelines set by the state as far as having the necessary infrastructure to conduct CDL skills tests, including having adequate space for maneuvering tests;
- File road routes with the state used to conduct on-the-road skills tests;
- Follow the exact testing procedures implemented by state SDLAs, which are subject to regular overt and covert audits by state and FMCSA officials to ensure compliance; and
- Are subject to periodic recertification.

Auditors also examine third party facilities' records to ensure organizational integrity. All information collected by auditors is reported to the state government, appropriate enforcement agencies (if necessary), and the FMCSA. Third party facilities that act outside of state or federal guidelines when performing skills tests can face severe fines and decertification.

It is important to note that in many states where third party testing is offered, the definition of "third party" can be narrowly defined. For example, many states restrict testing to trucking companies (employers) or community colleges. Non-public commercial driving schools in such states may be prohibited from acting as

third party testers by virtue of the fact that they are non-public institutions, even though they have the necessary facilities and expertise to conduct CDL skills tests. This distinction is important because states that narrowly define third party testing often are those that have some of the most severe CDL skills testing delays. By engaging in all forms of third party testing, states can leverage existing infrastructure and knowledge base for purposes of certifying the next generation of CDL licensees. This avoids using public funds in constructing and maintaining large-scale public investments in infrastructure and hiring examiners necessary to catch up with CDL demand. Not only does the FMCSA not limit types of third party testers, there is no data to suggest that trucking companies (employers) or public institutions are better suited to conduct CDL skills tests.

According to the U.S. General Accounting Office (GAO), of the “39 states that reported having third party testing sites, officials from over half indicated that test appointments were likely available in under 6 days.⁵ The states that employ third parties for CDL testing do so to increase capacity, reduce wait times, supplement state resources, and/or reduce costs. Availability and location of test sites is especially important considering many CDL applicants have reported having to travel up to 100 miles or more round-trip to test at a state CDL skills testing facility.

States that leverage third party testing policies often find that they are able to save money on their testing infrastructure. They are then able to redirect resources into auditing and enforcement. Many states that allow third party testing also continue to conduct CDL exams through state facilities. In other states, state examiners may be reassigned into oversight roles, where they are tasked with auditing third party examiners to ensure compliance with federal and state laws. States continue to bring in revenue through fees collected from testing and CDL licensing, as third-party testing facilities only conduct CDL exams on behalf of the state and report test scores. They do not, under any circumstances, issue or renew a CDL.

Eleven states and the District of Columbia do not use third party testing. States that do not allow third party testing typically do so because they believe that they are currently meeting demand, or out of concern that it will lead to fraudulent activity. CDL fraud is a major concern. It should be rooted out wherever it is occurring, but concerns that fraudulent activities are more likely to occur at a third party testing facility as opposed to a state facility are completely unfounded. There is evidence of bad actors with regards to third-party testing including a recent case in Florida⁶ involving the fraudulent testing of non-English speaking CDL examinees. In addition, there have also been cases where state employees are susceptible to corruption when administering CDL tests: one case from 2013 involved a sophisticated bribery scheme where employees of the New York DMV collected thousands of dollars from

⁵ General Accounting Office, Commercial Drivers Licensing, *Federal Oversight of State Programs Could Be Improved* (GAO-15-607) July 2015. Page 21.

⁶ <https://www.fbi.gov/contact-us/field-offices/tampa/news/press-releases/illegal-commercial-drivers-license-conspiracy-exposed>

non-English speaking CDL applicants to get answers to the state CDL exam.⁷ Our analysis suggests that there is no greater likelihood for corruption by a private entity compared to a public entity, and that robust oversight of CDL testing is the most effective deterrent to stopping fraudulent activity. Strong oversight is one of many best practices outlined throughout this document and used by states with successful third-party testing programs.

Oversight of Third Party Testing

All third-party examiners are subject to oversight by the state and the Federal Motor Carrier Safety Administration (FMCSA) to ensure they are conducted in accordance with federal requirements. Federal Third-Party Testing requirements⁸ set a high standard for third party CDL testing. Under these requirements, states must ensure:

- CDL examiners use the same skills test administered by the state, with the same written instructions and scoring sheets;
- On-site inspections of third party facilities are conducted at least every two years, with a focus on examiners with a pattern of irregular test results such as unusually high pass rates;
- A state examiner is required to periodically co-score a CDL test along with a third party examiner to ensure testing consistency;
- State and Federal oversight officials are permitted to send covert test-takers to take CDL written and skills exams to confirm the integrity of the third party testing process;
- FMCSA is allowed to conduct random inspections of test facilities without prior notice;
- Third party examiners have completed formal training by state motor vehicle departments and are certified by the state to conduct CDL tests;
- Third party testers are insured against liability claims, and bonded to cover the costs of retesting CDL holders when fraudulent or otherwise deficient testing by an examiner occurs;
- Road routes used by testers for on-the-road tests are approved by the state;
- The reliability and validity of each exam and accompanying documentation through internal controls;
- Conflicts are addressed between SDLA procedures and FMCSA/AAMVA guidelines; and
- Third party testers give Federal officials two (2) days' notice of when an individual plans to take a skills test.

⁷ <https://www.justice.gov/usao-edny/pr/five-defendants-convicted-conspiring-obtain-commercial-driver-s-licenses-department>

⁸ 49 CFR § 383.75

All of these requirements are in place to ensure the integrity of the system and a level of uniformity in CDL testing across all states and U.S. territories, despite the fact that some states do not implement all requirements uniformly.

The purpose of this document is for government officials to not only understand the benefits of third-party testing, but to demonstrate how to conduct third party testing in a manner which ensures safety, protects the integrity of the skills testing process by creating a system of checks and balances, and maximizes efficiency. The by-product, as many states have discovered, is that third party testing also saves money.

Third Party Testing as a Force Multiplier

Third party testing enables a state to leverage non-state resources to act as a force multiplier to reduce CDL skills testing wait times. In short, because resources are limited, and states must make budget-conscious decisions, third party testing is often a choice states make to maximize their budgets. This concept is best described in the following example:

States are often faced with a choice when confronted with skills testing delays. Either a state can dedicate or request a bigger budget to hire additional state examiners, or they can adopt third party testing. For example, if a state legislature appropriates money to hire five new examiners, each examiner would be capable of issuing four exams per day (two hours for each CDL exam). All five examiners are capable of 20 tests per day, 100 tests per week, or 4,800 tests per year. The state would be responsible for their salary and benefits, and must also maintain the CDL testing facility where these examiners work. Additionally, the state would be forced to pay overtime if they work beyond 40 hours.

Alternatively, assume a state legislature approves third party testing for only three locations. Further assume that each location hires five examiners capable of issuing four tests per day, these three locations are capable of issuing 60 tests per day, 300 per week, and 14,400 per year. More importantly, all the state would need to change current policy is adopt third-party testing. It would further need to convert two to three existing CDL examiners into “auditors” to oversee the new locations. This is the force multiplier caused by third party testing and shows the value of this public-private partnership. No state money would be needed to support the facilities because the maintenance and upkeep is the responsibility of the third party testing entity, not the state.

Again, by adjusting policy, third party testing not only helps meet the demand for CDLs, it helps maximize valuable state resources which can be directed into CDL oversight or other critical areas.

Third Party Testing Best Practices

There are many states that offer best practices for third party testing. It is CVTA's opinion that Pennsylvania, Tennessee, and Arizona are three states that serve as models for others states to follow. Each of these states presents a number of best practices, which combine excellent oversight, robust process, and efficient outcomes. Below are examples of specific state requirements or certain aspects of each third party CDL testing program.

1) Frequent Audits

States that perform frequent audits of CDL testing facilities show a commitment to preventing fraud. Each state determines how often a third-party vendor is audited, which can range from every month to every two years. During an audit, state auditors will conduct a CDL exam with third party examiners to ensure consistency in test grading. The FMCSA also conducts audits on facilities if it is deemed necessary, and they often occur with little, if any, notice. An auditor may also conduct an audit covertly by acting as a CDL applicant and taking the CDL exam to assess the examiners' integrity and competency.

- In Pennsylvania third party testing facilities self-report their activities on a monthly basis. The state can either overtly or covertly audit a tester at its discretion within a two-year period.
- Arizona Department of Transportation (ADOT) conducts biannual audits (every six months) and covert testing to ensure integrity in the testing process.

2) Robust Internal CDL Fraud Unit

States need to ensure that they dedicate the proper resources to overseeing the CDL examiners, both state and third party. A dedicated unit, comprised of full-time and part-time members, offers a model for success to combat fraud. Personnel that would otherwise conduct CDL exams, if not for third party testers, could be reallocated to conduct CDL audits since they are already familiar with testing protocols.

Tennessee revamped its auditing practices in 2009 when a major third-party testing fraud scheme was uncovered involving both government and third-party officials. As a result of the Department's overhaul, the state created a dedicated CDL audit unit, which now includes: auditors who work under the leadership of a director who conduct both overt and covert audits of third-party facilities.

3) *Enhanced Examiner Background Checks*

Enhanced background checks for third party testers demonstrate a commitment to ensuring integrity in the people that perform tests.

In Pennsylvania

- all personnel involved with a third-party testing program are subject to a background check by the CDL third party tester. Any incriminating findings must be furnished to PennDOT and the candidate must await the agency's approval to get hired by the third party facility. In addition, all personnel are subject to annual background reviews and must have a clean driving record going back at least three years.
- In Tennessee, third party vendors must submit to the state a driving record going back ten years for every examiner they plan on employing to conduct tests.
- An employee drug-testing program must be enforced.

4) *Bureaucratic Integrity and Recordkeeping*

Because third party testing facilities are acting as agents of state government when conducting tests, they must use testing forms produced and distributed by the state. Using official forms prevents fraud and ensures that all applicants taking the CDL use the same paperwork, graded on the same scale set by the state, and that recordkeeping is consistent.

In Arizona, the SDLA:

- Individually numbers each page for their testing forms, which each third-party tester receives from the state DMV.
- Upon completion of an exam, one page is kept in a student's file at the facility, one page is filed with the state, and one page is given to the student, which he or she must provide to the DMV office where the CDL photo identification card is provided.
- Test results must be submitted by the testing facility to the State by the end of the following business day.
- Test scores are recorded in a national database known as the Commercial Skills Test Information Management System, or CSTIMS.

- Examinees who are taking an exam in one state, but are domiciled in another state, will have their results transmitted via AAMVA's Report Out-of-State Test Results (ROOSTR) electronic system.

Pennsylvania requires:

- Schools keep records of all students tested for at least two years, and state regulations dictate the type of information that needs to be kept on file such as score sheets, and the make and model of the CMV being used for the test.
- Upon successful completion of a test, should the student have need of his or her photo license in an expedited fashion, the instructor could make a phone call to a Driver's License Center to make those arrangements.
- Third party vendors to furnish test results to the Commonwealth, which is immediately inputted into their system so that an examinee that has successfully completed the skills test can go to the DMV and obtain get their CDL.

5) Contract Review and Recertification

Timely review of third party contracts and recertification of examiners/facilities are an important best practice. A state and a third-party tester enter into a contract that outlines the terms of agreement and scope of work. The contract review process for testing facilities and recertification for examiners ensures that third party vendors have, and will continue to abide by, the terms of the contract. This review and recertification process ensures that third party testers continue to provide quality service, examiners continue to be fit for their duties, and that third party vendors are following federal regulations law.

Each state dictates the term limits of their contracts with third party vendors between recertification:

- A contract for a Tennessee third-party facility is renewed annually, and examiners must participate in refresher training every two years.
- Contracts between the State of Arizona and third party vendors for CDL tests are renewed every three years or less.

6) Testing Quotas to Maintain Examiner Status

Many states mandate that examiners conduct a minimum number of tests per month, or year, in order to retain their certification. This is beneficial for a number of reasons, but particularly because it keeps examiners' testing skills current. Not all states mandate third party testers conduct a minimum amount of tests, and those that do vary in how they implement those quotas.:

- In Pennsylvania, each testing site must ensure that at least 50 CDL exams are being conducted on an annual basis and must conduct at least one CDL test per month.
- Examiners in Tennessee must conduct a minimum of ten FULL exams per year or else they must attend a refresher course in order to continue their certification. Examiners that conduct only partial tests are not credited for a full test.

7) *Experienced Testers*

Experience matters. Some states require more experience. Unfortunately, not all states require state-employed CDL examiners to hold a CDL. This presents a number of concerns, mainly that conventional wisdom would assume persons who test CDL applicants should themselves be licensed, in the same way that a flight instructor be certified to fly a plane. There are many possible scenarios where a CDL examiner may need to assume control of the testing vehicle—such as when a CDL applicant performs an unsafe maneuver on the road skills portion of the test, resulting in an automatic failure and must thus forfeit control of the vehicle—yet the examiner does not have the requisite license to do so legally—resulting in instances where a truck must pull over to the side of the road and wait for a licensed CMV operator to arrive on scene and assume control.

Furthermore, it is illegal for a CLP holder to operate a CMV without a CDL holder present in the vehicle. Yet somehow, it is not a violation of state or federal law when a CDL examiner, having never taken a CDL exam, can test others on CMV driving skills. It may be incumbent upon federal regulators to, at the very least, update regulations to mandate that all state CDL examiners hold a CDL so that they have a basic understanding of how to operate a CMV, and the agency would certainly be within their authority to do so without congressional action. This would reinforce the integrity of the testing process and maintain consistency with conventional wisdom. Any state that currently requires state CDL examiners to at least hold a CDL—in addition to some level of commercial driving experience—is way ahead of the federal government in this regard.

Many states mandate further requirements on testing centers and their examiners: some go as far as requiring that examiners have endorsements for the equipment on which the test is being conducted (such as a HAZMAT) and requiring a minimum number of years an examiner holds a CDL before being certified by the state.

Policies in states that require third party examiners to hold specific endorsements—such as HAZMAT endorsements for applicants who seek to operate tanker trucks—are worth examining because they recognize that these vehicles operate differently and are more complex than other types of trucks. More importantly, HAZMAT cargo is especially dangerous when equipment is not secure or when it is otherwise

exposed to the environment. Therefore, the handling of HAZMAT cargo, and the operation of a HAZMAT truck, will require even more delicate handling than what is already required for non-HAZMAT vehicles.

A CDL examiner with operational experience will have a much keener eye for the types of driving behavior exhibited by an examinee to determine whether or not that driver is fit to receive his or her CDL.

- In Arizona, examiners are required to carry a CDL and all necessary endorsements depending on the type of equipment on which the test taker is being tested. In addition, all Arizona Examiners must hold a CDL test for and have five years' experience operating a CMV.

8) Two Years of Business Experience Required to Operate Third Party Facilities

In addition to having examiners with commercial driving experience, some states require that the testing facility operators must have been in business as a commercial driving school for at least two years. This kind of policy has merit considering that the longer an institution has been in business, the more qualified it is to conduct tests, and prevent “fly-by-night” institutions from popping-up for the express purpose of profiting off of regulations without regard for safety (such as institutions who operate for the express purpose of instructing people on how to pass a CDL exam without teaching them how to actually operate a CMV):

- For example, eligible driving schools in Pennsylvania must have been in business for at least two years, employ at least one certified CDL examiner, and each tester must have a CDL with all of the endorsements for which the school teaches.
- In Tennessee, examiners must not only have a CDL, but also a DOT medical card certifying that they are healthy enough to operate a Commercial Motor Vehicle (CMV) for up to two years.

9) Performance Bonds

The FMCSA requires third party testers keep a performance bond in an amount that is determined by the state. A performance bond ensures that CDL applicants falsely issued a CDL—due to fraud, negligence, or various other reasons not directly attributable to the CDL applicant—are compensated for the costs of retaking a CDL exam. The amount of a bond can vary depending on the size of the third-party facility, the number of CDL applicants it processes for exams, and other factors determined by the state in which the third-party facility is located.

10) Use of Existing Technology

CSTIMS is an internet-based tool that SDLAs can use to track test scores of CDL applicants in all 50 states. ROOSTR is a system established to be compliant with 49 CFR 383.79, a federal requirement that all states must honor out-of-state CDL test results. Unfortunately, there are some states are not completely on board with CSTIMS and ROOSTR, which is part of a broader problem of achieving uniformity in the application and enforcement of CDL exams.

A state that does not transmit test results to other states makes it difficult for applicants who are trained and tested in that state to attain their CDL upon return to their home states. The regular and consistent use of CSTIMS and ROOSTR by SDLAs in *all* states will contribute considerably to a safer and more streamlined CDL process and helps prevent applicants from being delayed in starting work.

Conclusion

Allowing third party testing, particularly all types of third-party testers, is efficient, adds additional capacity to relieve the demand for CDL testing at state facilities, and saves money since states are not required to provide infrastructure upkeep. Motor carriers and commercial driving schools that are also licensed third party testers have the convenience of being able to test their students, so long as the examiner was not an instructor of the applicant being tested.⁹ Schools and motor carriers, who train students, are also able to efficiently use and align their resources (i.e. examiners, trucks, and space) when the applicant is ready to test. This also with reducing wear and tear on vehicles or adding significant miles to their equipment driving to and from state-operated testing locations.

The availability of testing slots plays a critical role in skills test wait times, whether it be for a first-time CDL skills test or a retest. The more resources a state commits to CDL skills tests, such as road test facilities and examiners, the less time CDL applicants can expect to wait to take the CDL skills test and subsequently begin work.

Other factors play into waiting times as well. During certain times of year, state DMVs anticipate higher than average interest in the CDL skills test and make slots available accordingly. Certain state testing facilities are capable of accepting more examinees than others. However, CDL applicants may have to travel up to 100 miles round-trip or more to a testing facility with a convenient test slot available although the location might be inconvenient.

With 39 states opting to use third party vendors to conduct CDL tests, a trend that started in the 1980s, either partially, or fully outsourcing CDL exams to private sector testing facilities, is an effective means for delivering CDL testing. The FMCSA

⁹ 49 CFR 383.75 (a)(7)

has imposed baseline standards, which allows some degree of uniformity while ultimately deferring to states on how stringently those standards should be in place.

States that are hesitant about making such significant changes to their CDL exam process may want to consider implementing a pilot program. A pilot program would include a test period of a few months or more to conduct CDL exams at third party facilities in tandem with a state SDLA. This way, a state can get a sense of how successful a permanent program might be. Another option would be for states to invest in more testing infrastructure and qualified personnel to ensure the testing process is more efficient and accessible.

With few (if any) exceptions, the private sector has demonstrated that it can successfully and efficiently conduct these exams on behalf of the state. States that do not use third party testing or narrowly define third party testing tend to have longer delays. Many states have already set examples of successful public-private partnerships from which others can learn. Should your state need help in designing such a program, CVTA is here to lend our members' experience or facilitate dialogue with other SDLAs about this issue.