Part 383

Commercial Driver's License Standards

Requirements and Penalties

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The licensing provisions in Part 383 are intended to help reduce accidents by setting standards that:

- Require commercial drivers to be properly qualified and to hold a single valid driver's license (CDL) and
- Disqualify drivers who do not operate a Commercial Motor Vehicle (CMV) safely

Vehicles Requiring Commercial Driver's Licenses

Drivers must hold a CDL if they operate in interstate, intrastate, or foreign commerce and drive a vehicle:

- A single vehicle with a GVWR or GVW of 26,001 pounds or more, whichever is greater; or
- A GCWR or GCW of 26,001 pounds or more, whichever is greater, inclusive of a towed unit with a GVWR or GVW of more than 10,000 pounds, whichever is greater; or
- Designed to transport at least 16 passengers including the driver, or
- Transporting a quantity of hazardous materials requiring placarding

Exception: Effective Oct. 1, 2012 CDL requirements are no longer applicable to Covered Farm Vehicle drivers. A Covered Farm Vehicle driver is a driver who operates:

- Any vehicle with a GVWR of 26,001 pounds or less; or
- Any vehicle with a GVWR greater than 26,001 pounds and traveling wholly within the state the vehicle is licensed from or within 150 air miles of the farm/ranch in interstate commerce
- Operated by a farm/ranch owner or operator, employee or family member
- Transporting agricultural commodities, livestock, machinery or supplies to or from the farm/ranch
- The vehicle must be identified by a special license plate. (In Missouri, this is indicated by the 'F' tab on the plate.)
- The vehicle may not be operated for-hire
- Is not transporting hazardous materials requiring placarding

Because the CDL is a state-issued license, you should check with appropriate state officials regarding particular license classes and specific exemptions.

*Gross combination weight rating (GCWR) means the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.
*Gross vehicle weight rating (GVWR) means the value specified by the manufacturer as the loaded weight of a single vehicle.

Notification to Employer and Licensing State

Upon conviction for any state or local traffic violation, a driver must notify his/her employer(s) within 30 days. This notification must be in writing and must include the following information:

- Driver's full name
- Driver's license number
- Date of conviction
- Details about the offense, including any resulting suspension, revocation, or cancellation of driving privileges
- Indication of whether the violation happened in a CMV
- Location of offense and
- Driver's signature

Notification of driver's license suspensions.
Each employee who has a driver's license suspended, revoked or cancelled by a State jurisdiction, who loses The right to operate a CMV, or who is disqualified

from operating a CMV shall notify his/ her current employer.
The notification must be made before the end of the business day following the day the employee received the notice. (383.33)

Disqualifying Offenses

No employer shall knowingly allow, require, permit, or authorize a disqualified driver to drive a CMV. Disqualifying offenses include:

- Driving a CMV while under the influence of alcohol*
- Driving a CMV while under the influence of a disqualifying drug or other controlled substance*
- Having an alcohol concentration of 0.04 or greater while operating a CMV
- Having an alcohol concentration of 0.08 or greater while operating any motor vehicle*
- Refusing to take an alcohol test as required by a State or jurisdiction under its implied consent laws or regulations as defined in 383.72*
- Leaving the scene of an accident that involves a CMV*
- Using a CMV to commit a felony*
- Driving a CMV when the driver's CDL is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV*
- Using a CMV to cause a fatality*
- Using a CMV to commit serious traffic violations*
- Using a CMV to violate an Out-of-Service Order
- Using a CMV to violate the Railroad-Highway Grade Crossing rule*

* Effective September 30, 2005, CDL license holders will be subject when driving a non-CMV (personal vehicle) to the moving violation standards in 383.51, the same as if they were driving CMV.

Penalties

A driver convicted of a felony offense for using a CMV for manufacturing, distributing or dispensing a controlled substance is disqualified for life and is not eligible for reinstatement pursuant to 383.51(a)(6).

Suspensions for Traffic Violations

A 60-day, 120-day, 1 year, 3 year and life suspension will be imposed on certain convictions, depending on severity, number of convictions and subsequent convictions. For more information on the types of convictions and disqualification time frames, please reference 383.51.

Implied Consent

Any CDL holder is automatically considered to have consented to alcohol testing by any state or jurisdiction.

Missouri Classification System

Note: Certain types of vehicles such as tankers, passenger, hazardous material haulers and double/triple trailers, require an endorsement. Please consult the CDL manual offered at the Department of Revenue for particulars. Find it at *https://dor.mo.gov/forms/CDL%20Manual.pdf.*

Class* Description

A Any combination of vehicles with a Gross Combination Weight Rating (GCWR) of 26,001 or more pounds provided the Gross Vehicle Weight Rating (GVWR) of the vehicle(s) being towed is in excess of 10,000 pounds. (Holders of a Class A license may also, with any appropriate endorsements, operate all vehicles within Class B and C).

Examples include but are not limited to:



B Any single vehicle with a GVWR of 26,001 or more pounds or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. (Holders of a Class B license may also, with any appropriate endorsements, operate all vehicles within Class C).

Examples include but are not limited to:



C Any single vehicle less than 26,001 pounds GVWR or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. This group applies only to vehicles, which are required to be placarded for hazardous materials or are designed to transport 16 or more persons, including the operator. A holder of a Class A, B, or C license may drive all vehicles which may be driven by a holder of a Class E or Class F license.

Examples include but are not limited to:



*The representative vehicle for the skills test must meet the written description for that group. The examples represent, but do not fully cover, the types of vehicles falling within each group.

Endorsements

In addition to general knowledge and skills tests, drivers who operate specialized commercial motor vehicles must pass additional tests and obtain endorsements on their CDL, as follows:

T –– Double/triple trailers (knowledge test only)
P –– Passenger (knowledge and skills tests)
N –– Tank vehicle (knowledge test only)
S –– School Bus (knowledge and skills tests)*
H –– Hazardous materials (knowledge test only)**
X –– Combination of tank vehicle and hazardous materials (knowledge tests)

*Effective September 2005, "S" will not suffice for "P" Endorsement.

**If you seek to obtain, renew, or transfer an HME on your CDL, you must apply for a security threat assessment. TSA rules require you to begin applying for the security threat assessment at least 30 days prior to the expiration of your CDL. Web address: www.hazprints.com Telephone: (877)429-7746.

Common CDL Restrictions

If an applicant fails a section of the knowledge test, or performs the skills test in a vehicle unlike the vehicle they will be using in the workplace, the CDL, if issued, will indicate that the license holder may not operate any CMV with equipment outside of the limits of these restrictions. Common examples of restrictions include:

- No Air Brake
- No Manual Transmission
- No Fifth Wheel Attachment
- Medical Variance Required
- Intrastate Only

For more information and a complete listing of CDL restrictions, please contact the Missouri Department of Revenue's CDL section at 573-751-2730.

For-Hire License (Class E) -- Eligible Age 18 Missouri Intrastate Only

You must have a Class E license if you receive pay for driving a motor vehicle transporting 15 or fewer seating capacity (inclusive of the driver), or if you will transport property for pay or as part of your employment. Anyone who regularly operates a motor vehicle for his or her employment, whether owned by that person or belonging to another person and designed to carry freight, merchandise or is operated in furtherance of that business or commercial enterprise, must also have a Class E license. (Example: If the person is a delivery driver, whether the car is owned by the driver or the company, that person must have a Class E license or greater.) The vehicle driven must be 26,000 pounds or less gross vehicle weight rating (GVWR) and not required to be placarded for hazardous materials. You must be at least 18 years old and pass the driver's exam to get a Class E license. (RSMo 302.015)

*Note: If a Commercial Driver License (CDL) is not required, you may be subject to the Missouri Class E driver's license requirement as an operator of a farm truck.

Missouri Intrastate Only "K" Restriction

A driver obtaining or renewing a CDL license may have a "K" restriction placed on their license, which designates "Intrastate Driving Only". This "K" restriction applies to drivers of:

- Vehicles licensed for 60,000 pounds or less and are used exclusively to transport solid waste (Intrastate only);
- Vehicles licensed for 42,000 pounds or less and the license plate has been designated for farm use by the letter F (Intrastate only), unless such vehicle is transporting hazardous materials;
- Persons having a valid Missouri Chauffeur's License on May 13, 1988 are not subject to the medical requirements of Section 391.41 (In intrastate commerce only)
- Persons 18 to 20 years old. A driver who is at least 18 years of age, but not yet 21 years of age, if otherwise qualified and licensed to operate a commercial motor vehicle transporting passengers or property, may do so, only in intra-state commerce, except hazardous materials. (Any person transporting hazardous material must be at least 21 years old). This subsection exempts these drivers only from the 21 year minimum age required by 49 CFR 391.11(b)(1), but not from any physical qualification required by 49 CFR 391.41.

In addition, MoDOT may authorize a person who is physically unqualified to drive a commercial motor vehicle to operate commercial motor vehicles in Missouri intrastate commerce only. MoDOT grants individual medical exemptions by issuing a Skill Performance Evaluation (SPE) Certificate, to successful applicants, whether they are physically unqualified because of limb amputation, limb impairment, insulin-treated diabetes mellitus, or vision impairment.

Guidance: Missouri Commercial Driver's License and Medical Certification

Federal law says states must store DOT medical certification status in commercial driver's license computer systems. One step of the process requires Missouri CDL holders to self-certify with the Missouri Department of Revenue which of four types of CDL best describes the driver's situation.

Visit *www.modot.org/mcs/CDLMed* or use the information below to make a choice.

The four choices are:

Non-excepted Interstate (NI) - *the most common* – Drivers who are required to follow federal medical certification requirements (DOT card).

Non-excepted Intrastate (NA) – Drivers operating wholly within Missouri who must meet the federal DOT medical card requirements.

Excepted Interstate (EI)– Drivers who are not required to comply with Federal medical card rules due to a federal exception from medical requirements.

Excepted Intrastate (EA) – Drivers operating wholly within Missouri who do not have to meet the Federal medical card requirements due to a Missouri state exception.

Interstate or Intrastate

If you ever operate a CMV in a state other than Missouri or haul a load that began or will end up in another state or country, certify as an *interstate* driver. If you operate only in Missouri, hauling loads that originate and end completely within the state, you're an *intrastate* driver.

Interstate excepted or non-excepted

You operate in *excepted interstate* commerce when you drive a CMV in interstate commerce only for certain activities, the most common of which are:

- To transport school children and/or school staff between home and school.
- As federal, state or local government employees.
- Fire truck or rescue vehicle drivers during emergencies and other activities.
- A truck that is controlled and operated not-for-hire by a farmer, when specific conditions apply.
- You hold a CDL but do not operate a commercial motor vehicle.

If any of the above activities are the only operation in which you drive, you operate in *excepted interstate* commerce and do not need a federal medical examiner's certificate. Most other drivers operate in *non-excepted interstate* commerce and must provide a current medical examiner's certificate to DOR. If both apply, choose n*on-excepted interstate*.

Intrastate Excepted or Non-Excepted

You operate in *excepted intrastate* commerce if you drive a CMV only in intrastate commerce activities that do not require you to have a medical examination due to a Missouri state exception. All other intrastate drivers operate in non-excepted intrastate commerce.

If you held a Chauffeur's license prior to May 13, 1988 and have a "K" restriction printed on your CDL, you are exempt from the need to have a DOT medical card and should certify as being *excepted intrastate* (EA).