

# Introduction: Michigan's Commercial Driver License Program

## This Section Covers

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|--------------------------------------|--------------------------------------|
| ✓ Who needs a CDL                    | ✓ Tests                              |
| ✓ Eligibility Requirements           | ✓ Restrictions                       |
| ✓ Medical/Physical Requirements      | ✓ Fees                               |
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**Please read this section very carefully to determine if you need a CDL.**

This manual includes the information needed to pass the Commercial Driver License (CDL) knowledge and skills test(s).

Although every effort has been made to ensure accuracy of this information, laws and procedures are subject to change. For exact wording of a law or specific guidelines, contact a Secretary of State branch office. All offices have a copy of the Michigan Vehicle Code which has traffic laws and regulations. Branch office personnel will also explain procedures related to your questions.

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## Who Needs a CDL?

Any resident who intends to operate:

- ✓ **VEHICLES:**
  - Having a gross vehicle weight rating (GVWR) of 26,001 pounds or more.
- ✓ **COMBINATION VEHICLES:**
  - Towing a trailer or other vehicles with a GVWR of 10,001 pounds or more with a gross combination weight rating of 26,001 pounds or more.
- ✓ **ANY VEHICLES:**
  - Designed to transport 16 or more people (including the driver)
  - Carrying hazardous materials in amounts requiring placards.

**Gross Vehicle Weight Rating (GVWR)** is the recommended maximum total weight of the vehicle and load as designated by the vehicle manufacturer. The **GVWR** label is usually found on the driver side door post of the power unit and on or near the front of the trailer. The **GVWR** should not be confused with the elected **GVW** which is declared by the vehicle owner for registration purposes.

**Gross Combination Weight Rating (GCWR)** means the value specified by the manufacturer as the maximum loaded weight of a combination vehicle. In the absence of a label, the GCWR will be calculated by adding the GVWR of the power unit to the GVWR of the vehicle(s) or trailer(s) being towed.

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## What Are the Driving Record Eligibility Requirements?

Before a person may apply for an original CDL, they must qualify for the CDL based on their driver record. Any of the following will disqualify a person from applying for a CDL:

- ✓ The inability to make required certifications on the CDL Certification Form (BFS-103). See Appendix A.
- **Effective January 30, 2012** in accordance with state law and federal regulations, a driver applying for an original or renewal of a CDL must certify to one of four federally defined types of CMV operation. They are:

1. **Non-excepted interstate.** Operates a commercial motor vehicle outside of Michigan and must provide a legible copy to the Secretary of State of one of the following medical certification documents:

- A completed Medical Examiner's Certificate signed by a medical professional. You must continue to keep this document with you until January 30, 2014 after receipt by the Department of State when operating a commercial motor vehicle.  
An FMCSA Skills Performance Evaluation document or an FMCSA document listed in 49 CFR 381 Subpart C, authorizing operation of a commercial motor vehicle. This document must be in your possession when operating a commercial motor vehicle.

Note: **Transportation with a CMV within state lines is considered interstate commerce if the origin and/or destination of the load crosses state lines.**

2. **Excepted interstate.** Operates a commercial motor vehicle outside of Michigan, only for "excepted" purposes listed below. The medical documentation does not need to be provided to the Department of State. However, it must be in your possession when operating a commercial vehicle.

Excepted Interstate Purposes:

- 49 CFR §390.3(f): School bus operations, state and federal transportation, occasional transportation of personal property not for compensation, transportation of human corpses or sick/injured persons, fire trucks and rescue vehicles, commercial vehicles designed or used to transport between 9 and 15 passengers (including the driver), transportation of propane winter heating fuel.
- 49 CFR §391.2: Farm custom operations, apiarian industries (beekeepers seasonally transporting bees), certain farm vehicle drivers.
- 49 CFR §391.68: Private motor carrier of passengers (non-business).
- 49 CFR §398.3: Driver of migrant workers.

3. **Non-excepted intrastate.** Operates a commercial motor vehicle only within Michigan (intrastate commerce). Your medical certification or a Motor Carrier Division Medical Waiver does not need to be provided to the Department of State. However, the medical certification or a Motor Carrier Division Medical Waiver must be in your possession when operating a commercial vehicle.

4. **Excepted intrastate.** Operates a commercial motor vehicle only within Michigan (intrastate commerce) only for an excepted purpose listed below.

Excepted Intrastate Purpose:

MCL 480.15(2)-(4): A self-propelled implement of husbandry or an implement of husbandry being drawn by a farm tractor or another implement of husbandry, public utility, telephone, and cable television company service vehicles that do not meet the definition of a commercial motor vehicle in 49 CFR part 383, or a public utility service vehicle used in cases of emergency.

- For a driver who certifies to **NON EXCEPTED INTERSTATE** he/she has certified to operating a CMV outside the State of Michigan and in accordance with state law and federal regulations, will be required to submit to the Secretary of State a:
  - o Legible medical examiner's certificate signed by a medical professional, and if needed,
  - o Federal Motor Carrier Safety Administration (FMCSA) Skills Performance Evaluation (SPE)

Upon submission, the SOS will post the medical certification or SPE to the person's driving record, and after September 2012 eliminating the need for the driver to keep the medical certification or SPE in their possession while operating a CMV and eliminating the need for the driver's employer, to maintain a copy of the medical certification or SPE in their employee's file.

- The CDL portion of a person's operator or chauffeur driver license is only valid through the length of the medical certificate or SPE submitted; the lengths can vary, up to a maximum of 2 years.
  - If driver fails to certify to a type of CMV operation, and if required by driving type certification, fails to submit a medical examiner's certificate or SPE, the driver may only apply for a non-CMV driver license.
  - You can find additional information regarding certification to driving type and medical certifications at the SOS website at: [www.michigan.gov/sos](http://www.michigan.gov/sos)
- ✓ Having a license from more than one state.
  - ✓ An active Michigan or out-state suspension, revocation, denial, or cancellation of a person's driving privilege. The license action must be resolved before a person can apply for an original CDL.  
  
Any active suspension must be terminated before a person may apply for a CDL.
  - ✓ A suspension or revocation in the 36 months immediately preceding application.
- NOTE:** Suspensions for, Failure to Appear in Court (FAC), Failure to Comply with a Court Judgment (FCJ), failure to appear for a Driver Assessment re-examination, financial responsibility, non-sufficient funds checks, and a suspension or revocation for a temporary medical condition will **not** disqualify an applicant for a CDL.
- ✓ Conviction of any six-point violation in the 24 months immediately preceding application. Conviction for operating a commercial motor vehicle while impaired in the 24 months immediately preceding application.

#### **How Old Must I Be To Obtain a CDL?**

You must be age 21 to drive a commercial motor vehicle across state lines (**interstate**). You may drive a commercial motor vehicle in Michigan (**intrastate**) at age 18; except to transport hazardous materials in a quantity that requires the vehicle be marked or placarded, you must be age 21 or older.

## **What are the Driver Qualification Requirements for the CDL?**

Unless exempt, you must comply with the federal commercial driver qualification requirements, **including the medical/physical qualifications** found in the Federal Motor Carrier Safety Regulations, 49 CFR Part 383 – CDL Standards, Requirements and Penalties and Part 391 — Qualifications of Drivers. This includes drivers who operate commercial vehicles only in Michigan. When applying for your CDL, you will sign a certification form (BFS -103 — see Appendix A) that states you meet these requirements before receiving your CDL. **Before** taking any CDL driver skills tests, you must provide a valid Medical Examiner's Certificate (commonly known as a DOT card) or medical waiver to your examiner allowing you to operate your truck or bus. Ask your employer about these medical/physical and other driver qualification requirements.

## **How Can I Get Additional Information on Medical/Physical Requirements?**

- ✓ **Intrastate** (in Michigan) medical/physical requirements and state commercial truck and bus rules and regulations, contact: Michigan Center for Truck Safety. **Internet:** [www.truckingsafety.org](http://www.truckingsafety.org)
- ✓ **Interstate** (across state lines) medical/physical requirements and the Federal Motor Carrier Safety Regulations for trucks and buses, contact: **Federal Motor Carrier Safety Administration, 315 W. Allegan St., Room 205, Lansing, Michigan 48933;** (517) 853-5990. **Note:** The Lansing FMCSA office does not distribute any forms or sell the FMCSR rulebooks. **Internet:** [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).
- ✓ **School bus** medical/physical requirements and other school bus regulations, contact: **Michigan Department of Education, Pupil Transportation Program, P.O. Box 30008, Lansing, Michigan 48909; 517/373-6388.** **Internet:** [www.michigan.gov/mde](http://www.michigan.gov/mde).

## What Type of CDL Do I Need?

A Michigan resident needs a CDL with the appropriate group designation to operate the following vehicles:

### ✓ **GROUP A:**

- Any combination of vehicles with a gross combination weight rating (GCWR) of 26,001 pounds or more, provided the gross vehicle weight rating (GVWR) of the vehicle(s) being towed is 10,001 pounds or more.

**A Group A endorsement will allow a driver to operate a Group B or Group C vehicle provided he/she possess required endorsement(s).**

### ✓ **GROUP B:**

- Any single vehicle with a gross vehicle weight rating (GVWR) of 26,001 pounds or more, or, any such vehicle, towing a vehicle with a gross vehicle weight rating (GVWR) of 10,000 pounds or less.

**A Group B endorsement will allow a driver to operate a Group C vehicle provided he/she possess the required endorsement(s).**

### ✓ **GROUP C**

- Any single vehicle, or combination of vehicles, that meets neither the definition of Group A nor that of Group B, but is either designed to transport 16 or more passengers including the driver, or is used in the transportation of materials found to be hazardous and require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

## What Endorsements Do I Need?

In addition to the appropriate CDL vehicle group designation, endorsements are required to operate the following:

- ✓ **T DOUBLE or TRIPLE TRAILERS:** (Triple trailer combinations are not permitted in Michigan).
- ✓ **P PASSENGER:** For vehicles which are designed to carry 16 or more people (including the driver).
- ✓ **N TANK:** For vehicles designed to haul liquids or liquefied gases in bulk in permanently mounted cargo tanks rated at 119 gallons or more or portable cargo tanks rated at 1,000 gallons or more.
- ✓ **HAZARDOUS MATERIALS:** To carry hazardous materials in amounts requiring placards.
- ✓ **X Combined TANK and HAZARDOUS MATERIAL Endorsements** - When an applicant adds both the tank and hazardous materials endorsements to their driver license.
- ✓ **S SCHOOL BUS** for commercial motor vehicles used to transport pre-primary, primary, or secondary school students from home to school, school to home, or to and from school sponsored events.

## Are There CDL Exemptions?

The following people do **NOT** need a Commercial Driver License (CDL):

- ✓ **ACTIVE DUTY MILITARY:** Operating military vehicles with military licenses (**includes National Guard**).
- ✓ **POLICE AND FIREFIGHTERS:** Operating authorized emergency vehicles.
- ✓ **FARMERS:** Operating vehicles within a 150 mile radius of their farm.
  - An F-endorsement is needed by farmers operating combination vehicles whose towing vehicle has a GVWR of 26,001 pounds or more. A knowledge test, but no skills test, is required to obtain the F-endorsement. The F-endorsement is **NOT** a CDL.

## Are There CDL Exemptions?

The following people do **NOT** need a Commercial Driver License (CDL) (continued):

- Farmers who carry hazardous materials in amounts requiring placards while operating combination vehicles whose towing vehicle has a GVWR of 26,001 pounds or more, or a single vehicle with a GVWR of 26,001 pounds or more, **need a CDL with a hazardous materials endorsement.**
- ✓ **INDIVIDUALS:** Operating motor homes or other vehicles used exclusively to transport personal possessions or family members, for non-business purposes.

## How Do I Obtain a CDL?

When ready to apply for your **first** CDL, come to a local Secretary of State branch office to:

- ✓ Show your driver license.
- ✓ **Show** proof of Social Security number (Social Security card, payroll check stub, W-2 Form).
- ✓ If applying for CDL with a hazardous material endorsement you must also show proof of U.S. Citizenship or Lawful Permanent Residency. Acceptable proofs of U.S. Citizenship or Lawful Permanent Resident documents are:

**Acceptable Proof of U.S. Citizenship:**

- Unexpired U.S. passport or passport card
- Original or certified copy of birth certificate issued by a state, county, municipal authority, or outlying possession of the U.S. bearing an official seal.
- Consular Report of Birth Abroad issued by the U.S. Department of State (FS-240, DS-1350 or FS-545)
- Certificate of Naturalization (N-550, N-570 or 578)
- Certificate of U.S. Citizenship (N-560 or N-561)

**Acceptable Proof of Lawful Permanent Resident:**

- Valid, unexpired Permanent Resident Card, issued by USCIS or INS.

- ✓ Fill out the CDL Certification form (BFS-103), which includes a statement certifying that you meet the commercial driver medical qualifications. If you have had any change in your physical condition that could affect your ability to drive since your last driver license renewal, the service agent may give you a physician's statement to be completed by your physician before you can apply for a driver license renewal.
- ✓ Meet driver eligibility requirements as determined by branch office personnel. (See page iv.)
- ✓ Pass the required knowledge and vision tests. You must pass all required knowledge tests to obtain a **CDL Temporary Instruction Permit (TIP)**. This allows you to practice driving under supervision of a driver who has a CDL for the type of vehicle you are operating. A CDL TIP is also required for taking the CDL skills tests.

## How Do I Obtain a CDL? (continued)

- ✓ Pay your CDL Group Designation and Endorsement fees.

<b>What License Fees Do I Pay?</b>		
<b>Type of License</b>	<b>Fees</b>	
	<b>Standard</b>	<b>Enhanced</b>
Base Operator	\$25	\$45
Base Chauffeur	\$35	\$50
<b>PLUS</b>		
CDL Vehicle Group Designation	\$25	
CDL Endorsements (if any)	\$5 each \$10 for "X" Endorsement	
Correction Fee (if applicable)	<b>Standard</b>	<b>Enhanced</b>
Operator	\$18	\$38
Chauffeur		\$43

- ✓ Schedule and take your CDL skills test through an approved third party driver skills test organization certified to administer the CDL skills test. These organizations are public and private agencies authorized only by the state to conduct driver skills tests.

Please visit: [http://www.michigan.gov/sos/0,1607,7-127-1627\\_49417\\_50817-209557--,00.html](http://www.michigan.gov/sos/0,1607,7-127-1627_49417_50817-209557--,00.html) to find an approved driving skills test facility in your area.

- ✓ After passing your CDL skills test, you will:
  - Be given the Michigan Department of State Driver Skills Test Certificate (TPT-010) by the third party driver skills test **facility**.
  - Your certificate is **valid for one (1) year** from date the third party skills test organization issued the certificate; after the one year, you cannot apply for the CDL until you have again taken and passed all required CDL tests;
  - Take the skills test certificate directly to a SOS branch office;
  - Pay a correction fee to receive a temporary CDL permit allowing you to operate a commercial motor vehicle (CMV) for the CDL tests passed;
  - Receive the photo CDL in the mail in approximately 10-14 business days from the time the CDL permit was issued.

## What Tests Do I Need To Take?

All drivers applying for their original (first) commercial driver license must take and pass the appropriate CDL knowledge (written) tests and a skills test.

Drivers with a CDL from another state must always take the H-Hazardous Materials endorsement written test to keep the H-endorsement. Transferring drivers must also pass the appropriate knowledge tests when changing their vehicle group, removing vehicle group restrictions or adding vehicle endorsements. They may also need to take the CDL skills tests if upgrading their vehicle group, removing vehicle group restrictions or adding a vehicle endorsement of either passenger (P) or school bus (S) to their CDL.

### Knowledge Tests

You will take one or more knowledge tests. The following chart summarizes the type of tests and number of questions you are required to pass depending on the type of vehicle you drive and the type of cargo you haul. **It is recommended that you study this manual very carefully as it contains the information you need to pass the CDL tests. SEE APPENDIX B FOR SAMPLE TEST QUESTIONS.**

<b>CDL TESTS GROUP</b>	<b>CDL TESTS</b>	
	<b>KNOWLEDGE TESTS</b>	<b>SKILLS TESTS</b>
Group A	70 Questions	Yes
Group B	50 Questions	Yes
Group C	50 Questions	Yes
	* This includes a 20-question combination vehicle test.	
<b>ENDORSEMENTS</b>	<b>KNOWLEDGE TESTS</b>	<b>SKILLS TEST</b>
T – Double Trailer	20 Questions	No
P – Passenger	20 Questions	Yes
S – School Bus	20 Questions	Yes
N – Tank Vehicles	20 Questions	No
H – Hazardous Materials	30 Questions	No
<b>AIR BRAKES TEST</b>		
If you want to be licensed to drive vehicles with air brakes, you must pass a 25-question air brake knowledge test. The vehicle you use for the skills test must be equipped with air brakes. If either of these conditions has <b>not</b> been met, you will be restricted from operating vehicles with air brakes.		

All CDL knowledge tests are administered in written form. A minimum passing score of 80% is required to pass each test. Anyone applying for the H-Hazardous Materials and/or S- School Bus endorsement must pass a written knowledge test.

## CDL Skills Test

You will also need to pass the CDL skills test which includes three parts:

- ✓ A vehicle inspection test to measure your ability to perform a vehicle safety check. A Vehicle Inspection Memory Aid is available on the last page of this manual [Appendix C] and may be used during the test.
- ✓ An off-street basic control skills test.
- ✓ An on-street driving test.

All three parts are conducted during the same testing session, in the order listed above. Each portion must be passed before continuing on to the next. A failure of any segment terminates testing. On subsequent attempts, you must always start with the vehicle inspection regardless of which part you previously failed. You are allowed one (1) attempt per day. The Secretary of State has the right to randomly retest anyone tested by a third party tester.

To find an approved driving skills test facility in your area, please visit the Department's website at: [http://www.michigan.gov/sos/0,1607,7-127-1627\\_49417\\_50817-209557--,00.html](http://www.michigan.gov/sos/0,1607,7-127-1627_49417_50817-209557--,00.html).

**You may also contact the Department of State Information Center at 1-888-767-6424 or visit the Department website at [www.michigan.gov/sos](http://www.michigan.gov/sos) for information about approved third party testing sites in your area.**

## Third Party Driver Skills Test Fee and Refund Policies

Third party driver skills test fees and refund policies vary. Be sure to discuss and understand your test fees and scheduling requirements with the third party organization that you have selected before taking your test.

### **At the Driving Skills Test Facility:**

- ✓ You must supply an empty vehicle with a GVWR representative of the type you plan to drive (including a trailer, if required).
- ✓ The vehicle must be equipped with at least two permanently mounted seats for yourself and the examiner. Safety belts are also required for both the driver and examiner (except for the examiner on buses).
- ✓ Applicants applying for the P-Passenger endorsement must pass the skills test in a vehicle with a seating capacity of 16 or more passengers, including the driver. Drivers who are training to become school bus drivers cannot operate a school bus with students on board if they only hold a temporary instruction permit.
- ✓ You must show valid registration and proof of insurance for your test vehicle.
- ✓ You must also be able to furnish the third party organization with your Michigan photo driver license, CDL Temporary Instruction Permit (TIP), and Medical Examiner's Certificate (DOT card, School Bus card) or medical waiver.

**See Sections 11, 12 and 13 at the end of this manual for more information about the CDL skills tests and information regarding the third party driver skills testing program.**

## **Adding CDL Privileges – Removing a CDL Restriction – Upgrading a CDL Group**

Adding CDL privileges, including adding a passenger endorsement, removing a restriction, and changing a lower group designation to a higher group designation, requires new skills tests in the appropriate vehicle. These are considered new CDLs and are charged accordingly, along with a correction fee.

## What CDL Restrictions Could I Receive?

- ✓ **Restriction Code 28** —“**CDL not valid for operating vehicles equipped with air brakes.**” If you do not pass the air brake knowledge test, or if the vehicle you use for the CDL skills tests is not equipped with air brakes, you will be restricted from operating vehicles with air brakes.
- ✓ **Restriction Code 29** — “**CDL-P or S endorsement valid in Group B or C vehicles only.**” Adding a P-Passenger endorsement to your current Group A vehicle group designation and completing the CDL skills test in a group B bus, will limit the operation of buses to Group B and C buses. If you are adding the P-Passenger and S-School Bus endorsement to your current Group A designation and completing the CDL tests in a school bus, will limit the operation of buses to Group B or C school buses.
- ✓ **Restriction Code 30** - “**CDL-P or S endorsement valid in Group C vehicles only.**”

Adding a P-Passenger endorsement to your current Group A or B vehicle group designation and completing your CDL skills test in a Group C bus, will limit the P-Passenger endorsement to operation of a Group C bus. Adding a P-Passenger and S-School Bus endorsement to your current Group A or B vehicle group designation and completing your CDL skills test in a school bus, will limit the P-Passenger and S-School Bus endorsement to operation of Group C school buses.

- ✓ **SEASONAL RESTRICTED CDL**

A special seasonal restricted CDL is available for agri-business employees operating Group B and C vehicles on routes within 150 miles from the place of business. Buses and school buses cannot be operated with this restricted license. Although CDL knowledge and skills tests are not required, applicants must have held a valid driver license for at least one year and possess a clean driving record for the three-year period preceding application for the seasonal CDL.

This limited CDL must be applied for each calendar year. Within a one-year period, applicants can choose to have the CDL valid for 180 days from date of issue or valid for the seasonal periods from April 2 through June 30 and September 2 through November 30. The restricted CDL permits the driver to transport the following **limited** amounts of hazardous materials without the H or X endorsements.

- Diesel motor fuel in quantities of 1,000 gallons or less.
  - Liquid fertilizers in quantities of 3,000 gallons or less.
  - Solid fertilizers that are not transported with any organic substance.
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## What About Serious Traffic Violation Convictions While Driving a CMV?

If you are convicted of certain major or serious traffic offenses (as defined by Federal regulations, 49 C.F.R. 383.51) that occurred while operating a CMV or, occurred while operating a non-CMV and have a Commercial Driver License (CDL), your CDL will be subject to the suspension or revocation of your privilege to operate a CMV. Your operator/chauffeur license to operate a non-CMV may also be affected, depending on the traffic offense.

Any other traffic convictions occurring while operating a non-CMV that results in a suspension or revocation of your non-CMV privileges (operator or chauffeur license) also suspends or revokes your privilege to operate a CMV.

The following information explains the various traffic offenses convictions for major and serious offenses, drug or alcohol-related offenses and railroad crossing offenses if those offenses were committed while operating a CMV.

<b><u>Major Traffic Offenses</u></b>	
<ul style="list-style-type: none"> <li>• Under the influence of alcohol.</li> </ul>	<ul style="list-style-type: none"> <li>• Having an alcohol concentration of 0.04 or greater while operating a CMV.</li> </ul>
<ul style="list-style-type: none"> <li>• Operating under the influence of a controlled substance.</li> </ul>	<ul style="list-style-type: none"> <li>• Refusing to take an alcohol test.</li> </ul>
<ul style="list-style-type: none"> <li>• Leaving the scene of an accident.</li> </ul>	<ul style="list-style-type: none"> <li>• Using the vehicle to commit a felony</li> </ul>
<ul style="list-style-type: none"> <li>• Causing a fatality through the negligent operation of a CMV</li> </ul>	<ul style="list-style-type: none"> <li>• Using the vehicle in the commission of a felony involving manufacturing, distributing or dispensing a controlled substance.</li> </ul>
<ul style="list-style-type: none"> <li>• *Operating a CMV only while CMV privileges are suspended, revoked, cancelled, or disqualified.</li> </ul>	

If charged and convicted for any major traffic offense listed above while driving \*any type of motor vehicle your privileges to operate a CMV for a:

- 1<sup>st</sup> conviction – 1 year suspension; 3 year suspension if transporting hazardous materials when stopped;
- 2 convictions, separate incidents, 10-year revocation minimum;

Conviction for:

- Reckless Driving, Negligent Homicide, Fleeing/Eluding Law Enforcement - 1 year suspension of CMV privileges;
- Committing a felony involving the manufacture, distribution or dispensing of a controlled substance – CMV privileges revoked for life.

<b><u>Serious Traffic Violations</u></b>	
<ul style="list-style-type: none"> <li>• Speeding 15 mph or more over the posted limit.</li> </ul>	<ul style="list-style-type: none"> <li>• A traffic violation connected with a fatal accident.</li> </ul>
<ul style="list-style-type: none"> <li>• Following too closely.</li> </ul>	<ul style="list-style-type: none"> <li>• Careless driving.</li> </ul>
<ul style="list-style-type: none"> <li>• Changing/using lanes erratically/improperly</li> </ul>	<ul style="list-style-type: none"> <li>• Operating a CMV without a CDL</li> </ul>
<ul style="list-style-type: none"> <li>• Operating a CMV without a CDL in the driver's possession</li> </ul>	<ul style="list-style-type: none"> <li>• Driving a CMV without proper class of CDL and/or endorsements</li> </ul>
<ul style="list-style-type: none"> <li>• Improper or erratic lane changes</li> </ul>	

If charged and convicted for any of the serious traffic violations while operating a CMV or are a CDL holder and operate a Non-CMV, your privilege to operate a CMV will be suspended for:

- 2 convictions, separate incidents within 3-years – 60 days;
- 3 or more convictions, separate incidents within 3 years - 120 days suspension of your CMV privileges.

Also, depending on the severity of the traffic conviction, your non-CMV privileges may also be suspended which will include your privilege to operate a CMV.

## What About Serious Traffic Violation Convictions While Driving a CMV? (continued)

<u><b>Railroad Crossing Violations</b></u>	
<b>For drivers who are not required to always stop:</b>	
<ul style="list-style-type: none"> <li>• Failure to slow down and check the tracks are clear of an approaching train.</li> </ul>	<ul style="list-style-type: none"> <li>• Failure to stop before reaching the crossing when the tracks are not clear.</li> </ul>
<b>For drivers who are always required to stop:</b>	
<ul style="list-style-type: none"> <li>• Failing to stop before driving onto the crossing.</li> </ul>	
<b>For all drivers:</b>	
<ul style="list-style-type: none"> <li>• Failing to have sufficient space to drive completely through the crossing without stopping</li> </ul>	<ul style="list-style-type: none"> <li>• Failing to obey a traffic control device or the directions of an enforcement official at the crossing.</li> </ul>
<ul style="list-style-type: none"> <li>• Failing to negotiate a crossing because of insufficient undercarriage clearance</li> </ul>	

If charged and convicted for a railroad crossing violation listed above, your CDL will be suspended for:

- 1<sup>st</sup> conviction - 60 days;
- 2<sup>nd</sup> conviction within three years - 120 days;
- **3 or more convictions within three years, separate incidents, - 1-year.**

### **POINTS ASSESSED for CONVICTIONS:**

A major, serious, or railroad crossing conviction will also be assessed for points and posted to your driving record.

If you accumulate a total of 12 or more points within a two-year period, Driver Assessment by law may require your appearance at a re-examination to assess your driving activities and to determine if a suspension or revocation **of your driving privilege is required.**

## What About Serious Alcohol Violations While Operating a CMV?

### **Ordered Out-of-Service for 24 hours if a driver:**

- ✓ Refuse to take a preliminary breath test (PBT);
- ✓ Consume alcohol within four hours prior to operating a CMV;
- ✓ Consume alcohol while operating a CMV; or
- ✓ Have a bodily alcohol content (BAC) of .015 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

### **Other Alcohol Violations - If a driver has consumed too much alcohol, he can be charged with:**

- ✓ Operating While Intoxicated.
- ✓ Operating with a High Blood Alcohol Content of 0.017
- ✓ Operating While Impaired by Liquor
- ✓ Operating with a BAC of .04 < .08 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
- ✓ OUIL, OWI or UBAL causing death or serious injury.
- ✓ You may be charged with operating under the influence, or operating while impaired by Controlled Substances.

## What About Serious Alcohol Violations While Operating a CMV? (continued)

### Refusal to Submit to a Chemical Test (Implied Consent\*)

\*Implied Consent means that any person who holds a CDL is considered to have agreed to such testing; consent, is implied by operating a motor vehicle.

If you refuse to submit to a chemical test (implied Consent), or if you are convicted of any of the alcohol offenses listed above, your **CDL** will be:

- ✓ Suspended for one year for a first offense, or three years if transporting hazardous materials; and
- ✓ Revoked for a minimum of ten years for a second or third offense.

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## What are the CDL Consequences for Violations Committed While Operating Non-Commercial Vehicles?

Your CDL is a special privilege attached to your operator or chauffeur license. Therefore, if, while operating a **non-commercial motor vehicle** (including your personal vehicle), you are convicted of a traffic violation that suspends or revokes your operator or chauffeur license, it will also suspend or revoke your CDL.

The length of the suspension or revocation of driving privileges will vary from 90 days to five years depending on the current conviction posted to your driving record and how many and the type of convictions already on your driver record. Below is a partial list of convictions. You may find complete conviction information in the Michigan Vehicle Code, or on the SOS website at: [www.michigan.gov/SOS](http://www.michigan.gov/SOS).

- ✓ Refusal to submit to a chemical test (Michigan's Implied Consent law).
- ✓ Operating under the influence of liquor or controlled substance.
- ✓ Operating while impaired by liquor or controlled substance.
- ✓ Under 21 with a bodily alcohol content  $.02 < .08$ .

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## What are the CMV Operator's Responsibilities Regarding Notification of Convictions and Suspensions?

You must notify your employer in writing of:

- ✓ Traffic violations (other than a parking ticket) committed in **any** motor vehicle within 30 days of conviction. The notification must include:
  - Your full name and signature.
  - Driver license number.
  - Date of conviction.
  - Specific violation(s) committed.
  - Whether the violation was in a CMV.
  - The location of the violation.

You should also notify your employer in writing of:

- ✓ Any driver license suspension, revocation, cancellation, lost privilege or disqualification by the end of the business day following the day you receive notice of the action.
- ✓ Any out-of-service order within twenty-four hours.

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## How Do I Renew My CDL? Can I Renew My CDL By Mail?

CDL's cannot be renewed by mail. An operator or chauffeur commercial driver license must be renewed every four years. Applicants wanting an original or renewal of a commercial driver license must do so at a Secretary of State branch office.

At the SOS Branch Office an applicant will:

- Complete a BFS-103 CDL Certification form (Appendix A) at every CDL application;
- Present proof of U.S. Citizenship or Lawful Permanent Residency. Acceptable proof is listed on the BFS-103 form (Appendix A);
- Take a vision test after the branch receives clearance from both a state and national check;
  - If the commercial driver portion of your driver license has expired for 2 or more years, you will be required to take both the vision and knowledge tests.
  - If the state or national checks reflect your driving privilege is suspended, revoked, canceled or denied, you cannot apply for an original, or a renewal, of a CDL until the state and national checks reflect clear.

## What Tests Do I Need to Take to Renew My CDL?

Unless you have a hazardous materials endorsement, no other tests will be required to renew your CDL.

If you currently have a hazardous materials endorsement on your CDL (H or X), you will be required to take the hazardous materials endorsement test again, and pass it with a score of 80% or higher, to renew the endorsement. The hazardous materials endorsement test is a written knowledge test consisting of 30 multiple-choice questions. An oral test for this endorsement is not permitted. All information needed to pass this test is in this manual.

Unless you are adding a CDL privilege or your CDL privilege has expired a year or more, no other CDL knowledge or skills tests will be required to renew your current CDL.

## What Happens If I Fail the Hazardous Materials Endorsement Test?

You may continue using your CDL and hazardous materials endorsement until your driver license expires (your birthday). If you fail to pass the hazardous materials endorsement test, you may take it again as often as you wish to try to pass it. If your driver license has not expired, you will be encouraged to delay its renewal for as long as possible while trying to pass the hazardous materials endorsement exam.

However, if your CDL is about to expire, you may want to renew it **without** the hazardous materials endorsement. This will allow you to continue to operate private and commercial motor vehicles, but not allowed to transport hazardous materials that require placards. If you pass the hazardous materials endorsement test, after you renewed your driver license, you may add the hazardous materials endorsement to your CDL by paying an \$18.00 correction fee, plus, a \$5.00 endorsement fee.

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## **What Else Do I Need to Know?**

### **Do I Need a Chauffeur License?**

A chauffeur base license is required when a person is:

- ✓ Employed for the principal purpose of operating a motor vehicle or combination of vehicles with a GVWR or GCWR or GVW or GCW of 10,000 pounds or more.
- ✓ Operating a motor vehicle as a carrier of passengers or as a common or contract carrier of property.
- ✓ Operating a bus, school bus, taxi or limousine.
- ✓ Drivers operating vehicles singly or in combination with a GVW, GVWR, GCW or GCWR of 10,000 pounds or more must meet the commercial driver medical requirements (including possession of the appropriate medical card or medical waiver).

If required, the CDL group designator and CDL endorsements are added to the chauffeur base license.

### **What is Required to Convert My Out-of-State CDL to a Michigan CDL?**

When moving to Michigan from another state, you must apply for a Michigan CDL to operate commercial vehicles. To obtain a Michigan CDL, you must visit a Secretary of State branch office and:

- ✓ Surrender your out-of-state CDL.
- ✓ Complete a computer check of your eligibility status through national and state records. If your driving privilege is suspended, revoked, denied or cancelled for any reason in any other state, you cannot receive your Michigan CDL until the out-of-state licensing issue(s) are resolved. The driving record check must be completed by the branch office before your CDL can be issued.
- ✓ Pass the vision test.
- ✓ If your unexpired out-of-state license includes a hazardous material endorsement, you will be required to show proof of U.S. Citizenship or Lawful Permanent Residency - see Appendix A, the BFS 104, CDL Certification for acceptable proofs.
- ✓ Take and pass the appropriate Michigan CDL written tests if you are upgrading your group designator, adding endorsements or removing an air brake restriction. To keep your H-Hazardous Materials endorsement, you must always take and pass the Hazmat written test. Otherwise, written tests are not required if you are not upgrading your CDL.
- ✓ Take and pass the Michigan CDL skills test if you are upgrading your group designator, adding the P-Passenger endorsement or removing a CDL limitation such as the air brake restriction. If a CDL skills test is required, you must wait until you receive your photo Michigan base license (operator or chauffeur) to take the test. Your Michigan photo driver license must be presented to the third party driver skills test organization before your CDL skills test can be administered. Generally, your regular driver license (operator or chauffeur) will be mailed to you within ten (10) days.
- ✓ Receive your Michigan CDL upon proper and successful completion of any necessary CDL tests and payment of fees.

### **Do "Incidental" Drivers Need a CDL?**

Unless exempt, any driver who operates a commercial motor vehicle on roads or highways that are accessible to the public, must have a CDL regardless of the distance driven or amount of driving time.

## **Where Can I Get Additional Information?**

The following organizations can provide information regarding commercial driver licensing, commercial driver qualification requirements and the operation of commercial motor vehicles in Michigan:

### **Michigan Trucking Association**

**1131 Centennial Way**

**Lansing, MI 48917**

**(517) 321-1951**

**[www.mitrucking.org](http://www.mitrucking.org)**

### **Michigan Center for Truck Safety**

**Suite 2**

**1131 Centennial Way**

**Lansing MI 48917**

**Lansing office - (800) 682-4682**

**Upper Peninsula office - (800) 469-7364**

**[www.truckingsafety.org](http://www.truckingsafety.org)**

### **Michigan Department of State**

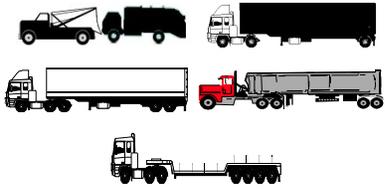
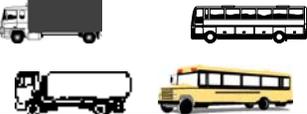
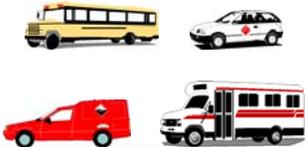
**Department of State Information Center**

**Lansing, MI 48918**

**1-888-767-6424**

**[www.Michigan.gov/sos](http://www.Michigan.gov/sos)**

**MICHIGAN CDL GUIDE** – The following chart is designed to help you determine the type of CDL you need.

GROUP - VEHICLE DESCRIPTION		TYPICAL VEHICLES IN GROUP	KNOWLEDGE TESTS REQUIRED	SECTIONS OF CDL MANUAL TO STUDY	SKILLS TESTS REQUIRED	POSSIBLE RESTRICTIONS
A	Combination vehicles Any vehicle towing a vehicle or trailer when the towed vehicle's GVWR is over 10,001 lbs and the GCWR is 26,001 lbs or more		General Knowledge Combination Vehicles Air Brakes (if equipped)	1, 2, 3 5 6 11, 12, 13 Appendices	Vehicle Inspection Basic Control Skills Driving	CDL not valid for vehicle with air brakes (Code 28) CDL P or S endorsement valid in Group B or C vehicle only (Code 29) CDL P or S endorsement valid in Group C vehicle only (Code 30)
B	Single vehicle having a GVWR of 26,001 pounds or more Group B allows for towing trailers or other vehicles with a GVWR of 10,000 lbs or less		General Knowledge Air Brakes (if equipped)	1, 2, 3 5 11, 12, 13 Appendices	Vehicle Inspection Basic Control Skills Driving	CDL not valid for vehicle with air brakes (Code 28) CDL P or S endorsement valid in Group C vehicle only. (Code 30)
C	Small vehicles designed to carry 16 or more people including the driver Small vehicles that carry hazardous materials in amounts requiring placarding		General Knowledge Air Brakes (if equipped)	1, 2, 3, 4 5 11, 12, 13 Appendices	Vehicle Inspection Basic Control Skills Driving	CDL not valid for vehicle with air brakes (Code 28)
ENDORSEMENTS – VEHICLE DESCRIPTION						
T	Double or Triple Trailers: (Triple trailers are not permitted in Michigan)		Doubles	6, 7 Appendices	None	None
P	Passenger: For vehicles designed to carry 16 or more people (including the driver)		Passenger Transport	4 11, 12, 13 Appendices	Vehicle Inspection Basic Control Skills Driving	CDL P or S endorsement valid in Group B or C vehicle only (Code 29) CDL P or S endorsement valid in Group C vehicle only. (Code 30)
S	School bus: commercial motor vehicle used to transport pre-primary, primary, or secondary school students from home or school, school to home, and to or from school sponsored events		School Bus	4, 10 11, 12, 13 Appendices	Vehicle Inspection Basic Control Skills Driving	CDL P or S endorsement valid in Group B or C vehicle only (Code 29) CDL P or S endorsement valid in Group C vehicle only. (Code 30)
N	Tank vehicles: To haul liquids or liquefied gases in bulk in permanently mounted tanks rated at 119 gallons or portable tanks rated at 1,000 gallons or more		Tank Vehicle	8 Appendices	None	None
H	Hazardous Materials: To carry hazardous materials in amounts requiring placarding		Hazardous Materials	9 Appendices	None	None

An "X" will appear on the license when an applicant receives both the **N**-tank and **H**-hazardous materials endorsements.

