

A.C.A. § 27-23-111

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Title 27 Transportation
Subtitle 2. Motor Vehicle Registration And Licensing
Chapter 23 Commercial Driver License
Subchapter 1 -- Arkansas Uniform Commercial Driver License Act

A.C.A. § 27-23-111 (2012)

27-23-111. Content of Commercial Driver License -- Classifications -- Expiration and renewal.

(a) Content of License. The commercial driver license must be marked "Commercial Driver License" or "CDL", and must be, to the maximum extent practicable, tamperproof. It must include, but not be limited to, the following information:

- (1) The name and residential address of the person;
- (2) The person's color photograph;
- (3) A physical description of the person, including sex and height;
- (4) Date of birth;
- (5) A license number which shall be a nine-digit number assigned to the person by the Commissioner of Motor Vehicles;
- (6) The person's signature;
- (7) The class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restrictions;
- (8) The name of this state; and
- (9) The dates between which the license is valid.

(b) Classifications, Endorsements, and Restrictions. Commercial driver licenses may be issued with the following Class A, Class B, or Class C classifications, as well as the following endorsements and restrictions; the holder of a valid commercial driver license may drive all vehicles in the class for which that license is issued, and all lesser classes of vehicles except motorcycles and vehicles which require an endorsement, unless the proper endorsement appears on the license; all other driver licenses may be issued with the following Class D, Class M, or Class MD classifications;

(1) Commercial Classification.

Class A. Any combination of vehicles with a gross vehicle weight rating (GVWR) of twenty-six thousand one pounds (26,001 lbs.) or more, provided that the GVWR of the vehicle(s) being towed is in excess of ten thousand pounds (10,000 lbs.). No Class A license shall be issued to any person under the age of eighteen (18) years.

Class B. Any single vehicle with a GVWR of twenty-six thousand one pounds (26,001 lbs.) or more, and any such vehicle towing a vehicle not in excess of ten thousand pounds (10,000 lbs.). No Class B license shall be issued to any person under the age of eighteen (18) years.

Class C. Any single vehicle with a GVWR of less than twenty-six thousand one pounds (26,001 lbs.) or any such vehicle towing a vehicle with a GVWR not in excess of ten thousand pounds (10,000 lbs.) comprising:

(A) Vehicles designed to transport sixteen (16) or more passengers, including the driver; and

(B) Vehicles used in the transportation of hazardous materials which requires the vehicle to be placarded under the Hazardous Materials Regulations, 49 C.F.R., part 172, subpart F. No Class C license shall be issued to any person under the age of eighteen (18) years.

(2) Other Classifications.

Class D. Any vehicle which is not a commercial vehicle, as defined by this chapter. No **Class D license** shall be issued to persons under the age of fourteen (14) years; provided, however, that no such licensee under the age of sixteen (16) years shall operate a vehicle unless accompanied in the front passenger seat of the vehicle by a licensed driver with at least one (1) year of driving experience.

No **Class D license** shall be valid to carry passengers for hire without a "P" endorsement. No "P" endorsement shall be issued to any person under the age of eighteen (18) years.

Notwithstanding the provisions of this or any other section of this subchapter, any person who on the effective date of this subchapter, has a valid operator's, chauffeur's, or for-hire chauffeur's license shall be entitled to drive the vehicles authorized thereby until the date of expiration of such license, but not thereafter; provided, however, that any person driving a commercial motor vehicle as defined by this chapter on or after April 1, 1992, must first obtain a commercial driver license as required by this section.

Class M. That license valid for the operation of any motorcycle which displaces more than two hundred fifty cubic centimeters (250 cc). No such license shall be issued to any person under the age of sixteen (16) years.

Class MD. That license valid for the operation of any motor driven cycle which displaces two hundred fifty cubic centimeters (250 cc) or less. No such license shall be issued to any person under the age of fourteen (14) years. A Class MD license shall automatically expire upon the licensee's sixteenth (16th) birthday.

(3) Endorsements and restrictions are:

"H" -- authorizes the driver to drive a vehicle transporting hazardous materials;

"K" -- restricts the driver to vehicles not equipped with airbrakes;

"T" -- authorizes driving double and triple trailers;

"P" -- authorizes driving vehicles carrying passengers or carrying passengers for hire;

"N" -- authorizes driving tank vehicles;

"X" -- represents a combination of hazardous materials and tank vehicle endorsements;

"M" -- authorizes the driver to drive a motorcycle;

"S" -- authorizes the driver to operate a school bus; and

"V" -- indicates there is information about a medical variance on the commercial driver license record for commercial driver licenses issued on or after January 30, 2012, if the Office of Driver Services is notified according to 49 C.F.R. § 383.73(j)(3), as in effect on January 1, 2011, that the driver has been issued a medical variance.

(c) (1) Applicant Record Check. Before issuing a commercial driver license, the Office of Driver Services must obtain driving record information through the Commercial Driver License Information System, the National Driver Register, and from each state in which the person has been licensed.

(2) (A) (i) Criminal Background Check. After January 30, 2005, before issuing a commercial driver license with a hazardous materials or "H" endorsement, the office shall obtain from the Transportation Security Administration a criminal background check and evaluation which establish that the driver is not a security risk.

(ii) After May 31, 2005, before renewing or accepting a transferred commercial driver license with a hazardous materials or "H" endorsement, the office shall obtain from the administration a criminal background check and evaluation which establish that the driver is not a security risk.

(B) (i) If the office denies issuance of a commercial driver license with a hazardous materials or "H" endorsement based on the criminal background check and evaluation performed by the administration, any person disqualified from transporting hazardous material who wishes to appeal that finding shall file an appeal to the administration under the rules, regulations, and guidelines of that agency.

(ii) The appeal process provided under federal law shall be the sole avenue to appeal the denial of the issuance of a commercial driver license under this section based upon the finding of the administration.

(d) Notification of License Issuance. Within ten (10) days after issuing a commercial driver license, the office must notify the Commercial Driver License Information System of that fact, providing all information required to ensure identification of the person.

(e) Expiration of License. All driver licenses issued upon and after January 1, 1990, shall be issued for a period of four (4) years from the date of issuance.

(f) Authority to Adjust All Driver License Expiration Periods. The office, for whatever period of time is necessary, shall have the authority to promulgate rules and regulations to extend or shorten the term of any driver license period, as necessary, to ensure that approximately twenty-five percent (25%) of the total valid licenses are renewable each fiscal year. All driver licenses subject to change for the purpose of this chapter shall also be subject to adjustment of the license fee to ensure the proper license fee is assessed as set forth in this chapter and such change shall be carried out in a manner determined by the office.

(g) License Renewal Procedures. When applying for renewal of a commercial driver license, the applicant must complete the application form required by § 27-23-110(a) providing updated information and required certifications. If the applicant wishes to retain a hazardous materials endorsement, the written test for a hazardous materials endorsement must be taken and passed.

HISTORY: Acts 1989, No. 241, § 11; 1989 (3rd Ex. Sess.), No. 36, § 2; 1991, No. 164, § 2; 1991, No. 852, § 2; 1993, No. 445, § 38; 2003, No. 836, § 3; 2003, No. 842, § 4; 2005, No. 136, § 1; 2007, No. 256, § 2; 2011, No. 352, § 4.

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