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Administrative Procedure Act
Arkansas Code §§25-15-201, et seq.

Agency # 0960

DEPARTMENT OF ARKANSAS STATE POLICE
FINAL
"COMMERCIAL DRIVER'S LICENSE RULES"

RULE 1.0 - ADOPTION; AUTHORITY

The Department of the Arkansas State Police ("Department" or "Arkansas State Police") hereby adopts the following rules for the implementation of the costs for testing and re-testing of the Commercial Driver's License Program (program), as set forth in Act 241 of 1989, codified as Ark. Code Ann. §§27-23-101, et seq., as amended, including §27-23-108, under Act 256 of 2007, and under the Director's additional authority in Ark. Code Ann. §§25-15-201, et seq., the Arkansas Administrative Procedure Act, and other applicable laws. Additional authority is under the directive(s) of the Federal Motor Carrier Safety Administration, U.S. Department of Transportation, to which the State of Arkansas adheres for continuing eligibility for receipt of federal highway administration funds. See the Commercial Motor Vehicle Safety Act of 1986; and 49 CFR 383.123; under subsection (a) (1), as to "S" and "P" driver's license endorsements. The Department shall, from time to time, make and enact other such rules as they become necessary for the effective administration of the program.

Rule 2.0 - PURPOSE & PROCEDURES; COSTS; PERMITS; RENEWALS; RE-TESTS

These rules will establish and set forth the cost of application and testing for the Commercial Driver's License (CDL).

Rule 2.1 - The initial application for the CDL, which includes written knowledge exams, and skill testing shall be fifty dollars (\$50); except as hereinafter set out.

Rule 2.2 - If an applicant fails to pass any portion of the tests on three (3) separate dates during the testing process, he/she will be required to purchase an additional fifty dollar (\$50) application prior to the resumption of testing. This section of the rules shall apply any time an applicant accumulates three (3) failures on a single application.

Rule 2.3 - CDL holders wishing to obtain additional endorsements by knowledge testing must purchase a ten dollar (\$10) application per endorsement. This application is valid for one (1) administration of the test. If the applicant fails the knowledge test, he/she will be required to purchase an additional ten dollar (\$10) application prior to the resumption of testing. This procedure will apply any time an applicant fails a knowledge test for an endorsement.

Rule 2.4 - Upon the renewal of the CDL, the applicant ~~s~~ with a Hazardous Materials endorsement is required to pass the knowledge test for Hazardous Materials. The application fee is the same as outlined in Rule 2.3.

Rule 2.5 - Should a CDL holder elect to obtain a higher class of license, there will be an additional skills test in the vehicle class, as well as other examinations set forth by statute. This procedure will entail payment of a fifty dollar (\$50) application fee.

Rule 2.6 - Instruction permits will be issued by the Arkansas State Police for a period of six (6) months, with an allowance for one (1) renewal for up to one (1) year. There will be no fee for instruction permits.

Rule 2.7 - In the event that the holder of a CDL should have his/her driving privileges suspended or revoked for a period of one (1) year or more, he/she must submit for full re-test for a CDL and pay the application fee outlined in Rule 2.1.

~~Rule 2.8 - Applicants for a CDL to operate a school bus, transit bus drivers who (whose operator is employed by or paid with state or federal funds; who operates buses, vans and other similar vehicles for the transportation of persons) or a church bus shall pay a reduced application fee of twenty dollars (\$20) in lieu of the application fee set out in Rule 2.1 above.~~

~~Rule 2.9. The twenty dollar (\$20) application fee is valid for four (4) knowledge tests: General Knowledge, Air Brakes, Passenger and School Bus, and Skills. If an Applicant fails to pass any of the tests on three (3) separate dates during the testing process, he/she will be required to purchase an additional twenty dollars (\$20) application prior to the resumption of testing. This rule will apply to every third consecutive failure thereafter any time an applicant accumulates three (3) failures on any application.~~

Rule 2.10 ~~8~~ - In the event a person fails any knowledge section of the CDL test, and wishes to re-test, there will be a one (1) day waiting period before re-testing.

Rule 3.0 - WAITING PERIODS BEFORE RE-TESTING; LIMITATIONS ON TESTING

In the event a person fails any section of a CDL skills test, and wishes to re-test, there will be a five (5) day waiting period before re-testing.

Rule 3.1 - All Arkansas State Police CDL examiners, third party CDL examiners, part-time or contract CDL examiners will be limited to a maximum of five (5) CDL skills tests per day; and one (1) examiner will administer each section of the skills test in full sequence until the applicant has successfully completed the skills test, or until a failure occurs.

Rule 4.0 EFFECTIVE DATE

These Rules shall be effective on and after December 1, 2010 ~~October 15, 2007~~. The Rules shall apply to all payments made for CDL testing on or after December 1, 2010 ~~October 15, 2007~~.

COLONEL WINFORD E. PHILLIPS, DIRECTOR,
DEPARTMENT OF ARKANSAS STATE POLICE

~~Date: October 15, 2007~~

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