**§391.33 Equivalent of road test.**

## Guidance Q&A

***Question 1:*** If a driver was grandfathered from the skills test when he or she obtained a CDL, may an employer forego the administration of a road test as required by §391.31?

***Guidance:*** Yes. While the grandfathered driver has not actually taken the CDL skills test, he or she has met the conditions described in §383.77, that are used as a substitute means of determining the driver’s ability to operate the vehicle. Therefore, a grandfathered CDL holder may be treated the same as any other CDL holder in regards to foregoing employer skills testing.

While it is not a requirement for drivers who hold CDL tank vehicle and double/triple trailers endorsements to undergo skills tests, it remains the prerogative of the motor carrier to require and enforce more stringent requirements than the minimum Federal regulations.