

# PROTECTING AMERICA'S ROADS RESTORING INTEGRITY TO NON-DOMICILED CDLS



### **SUMMARY**

The U.S. Department of Transportation announced an emergency interim final rule to strengthen federal oversight of how states issue non-domiciled commercial learner's permits (CLPs) and commercial driver's licenses (CDLs). The rule comes in response to a nationwide review conducted by the Federal Motor Carrier Safety Administration (FMCSA) revealing widespread non-compliance among state driver licensing agencies and a troubling series of fatal crashes caused by non-domiciled CDL holders.

FMCSA's nationwide review of state processes for issuing non-domiciled CDLs uncovered:

- Systemic non-compliance across several states, including California, Colorado, Pennsylvania, South Dakota, Texas, and Washington;
- Programming errors and weak quality assurance; and
- Insufficient staff training that led to CDLs being issued to drivers who were not eligible and to drivers with expiration dates extending beyond a driver's legal stay in the U.S.

### ABOUT THE RULE

This interim final rule closes gaps in how states issue CLPs and CDLs to individuals from outside of the United States. It tightens eligibility, strengthens safeguards, and makes clear when these licenses must be canceled or revoked, delivering a more secure system and safer roads for all Americans.

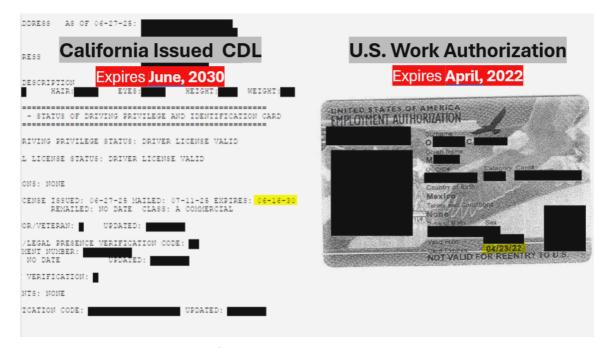
- Limits individuals eligible for non-domiciled CLPs and CDLs to foreign individuals in lawful status in the United States in certain employment-based, non-immigrant categories, certain individuals domiciled in a U.S. territory, and individuals domiciled in a state that is prohibited from issuing CLPs or CDLs because FMCSA has decertified the state's CDL program;
- 2. Requires non-citizen applicants (except for lawful permanent residents) to provide an unexpired foreign passport and an unexpired Form I-94/94A (Arrival/Departure Record) indicating one of the specified employment-based nonimmigrant categories, specifically H2-B, H2-A, and E-2 visas, at every issuance, transfer, renewal, and upgrade action de-fined in the regulation;
- 3. Requires state drivers licensing agencies (SDLA) to query the Systematic Alien Verification for Entitlements system, known as SAVE, which is administered by U.S. Citizenship and Immigration Services within the U.S. Department of Homeland Security, to verify the accuracy and legitimacy of provided documents and information;
- 4. Requires that SDLAs retain copies of the application documents for at least two years;
- 5. Requires the expiration date for any non-domiciled CLP or CDL to match the expiration date of the Form I-94/94A or to expire in one year, whichever is sooner;
- 6. Requires the applicant to be present in-person at each renewal; and
- 7. Requires an SDLA to downgrade the non-domiciled CLP or CDL if the state becomes aware that the holder is no longer eligible to hold a non-domiciled CLP or CDL.



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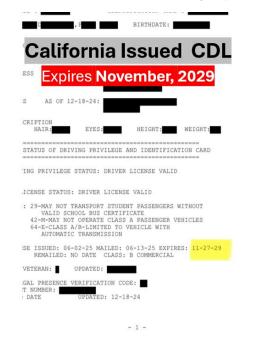


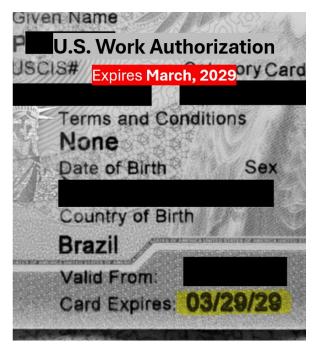
### **EXAMPLE 1**



Driver CDL expiration date eight years beyond expiration date of work authorization

## **EXAMPLE 2**





Driver CDL expiration date eight months beyond expiration date of work authorization

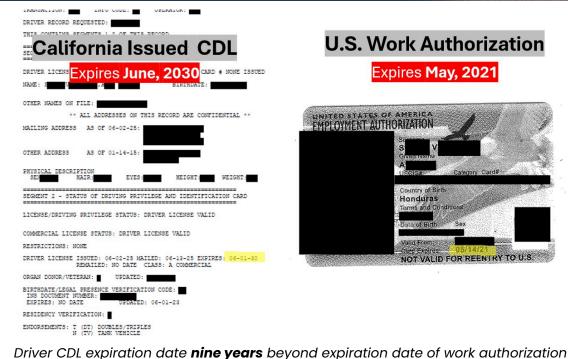


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INIS CONTAINS SEGMENTS 1,2 OF INTS RECORD



### **EXAMPLE 3**



### **EXAMPLE 4**

SEGMENT 1 - DRIVER LICENSE/IDENTIFICATION CARD INFORMATION **U.S. Work Authorization** DRIVER California Issued CDL NAME: F Expires April, 2027 Expires **February, 2031** MAILING ADDRESS AS OF 08-18-25: EMPLOYMENT AUTHORIZATIO OTHER ADDRESS AS OF 06-04-25: PHYSICAL DESCRIPTION SEX: HAIR: SEGMENT 2 - STATUS OF DRIVING PRIVILEGE AND IDENTIFICATION CARD LICENSE/DRIVING PRIVILEGE STATUS: DRIVER LICENSE VALID

COMMERCIAL LICENSE STATUS: DRIVER LICENSE VALID RESTRICTIONS: 01-MUST WEAR CORRECTIVE LENSES WHEN DRIVING 66-MUST WEAR CORRECTIVE LENSES WHEN DRIVING COMMERCIALLY NOT VALID FOR REENTRY TO U.S. DRIVER LICENSE ISSUED: 08-18-25 MAILED: 08-29-25 EXPIRES: 02-10-31 REMAILED: NO DATE CLASS: A COMMERCIAL ORGAN DONOR/VETERAN: UPDATED: BIRTHDATE/LEGAL PRESENCE VERIFICATION CODE: INS DOCUMENT NUMBER:
EXPIRES: NO DATE UPDATED: RESIDENCY VERIFICATION:

Driver CDL expiration date four years beyond expiration date of work authorization