



U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration

1200 New Jersey Ave, SE
Washington, DC 20590

Waiver For Current and Former Military Service Members

July 30, 2026

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Grant of waiver.

SUMMARY: FMCSA grants a waiver to extend the eligible period from one year to two years for experienced current and former military service members to obtain a commercial learner's permit (CLP) or commercial driver's license (CDL) through the Military Skills Test Waiver and Even Exchange programs and to apply for a CLP or a CDL in the State where the service member is stationed but not domiciled. FMCSA strongly encourages States to adopt the waiver and to issue CLPs and CDLs to eligible applicants who have held a qualifying military position requiring operation of a commercial motor vehicle (CMV) within the past two years.

DATES: This waiver is effective July 30, 2026, and expires on October 29, 2026.

FOR FURTHER INFORMATION CONTACT: Ms. La Tonya Mimms, Division Chief, Driver and Motor Carrier Operations, Office of Policy, MCPSD@dot.gov, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

Legal Basis

The Transportation Equity Act for the 21st Century (TEA-21) (Pub. L. 105-178, § 4007, 112 Stat. 107, 401, June 9, 1998) provides the Secretary of Transportation (the Secretary) authority to grant a waiver that relieves a person from compliance, in whole or in part, with any of the Federal Motor Carrier Safety Regulations issued under either 49 U.S.C. 31136 or Chapter 313 of Title 49 of the United States Code (49 U.S.C. 31136(e), 31315(a)). The Secretary must make a determination that the waiver is in the public interest and that it is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained in the absence of the waiver. Individual waivers may be granted only for nonemergency and unique events for a period not in excess of three months. TEA-21 authorizes the Secretary to grant waivers without requesting public comment and without providing public notice.

The Administrator of FMCSA has been delegated authority under 49 U.S.C. 113(f) and 49 CFR 1.87(e) and (f) to carry out the functions vested in the Secretary by 49 U.S.C. chapter 313, relating to commercial motor vehicle operators, and 49 U.S.C. chapter 311, subchapters I and III, relating to commercial motor vehicle programs and safety regulations.

Background

As America celebrates the 250th anniversary of the adoption of the Declaration of Independence, FMCSA proudly supports America's Armed Forces, who continue to preserve America's hard-won freedom. July 25 marks National Hire a Veteran Day. FMCSA is committed to assisting service members and veterans in transitioning to civilian transportation careers. This waiver eases burdens on military personnel who apply for CLPs and CDLs by extending the time period in which States may waive the skills and knowledge tests from one year to two years following the date of the person's qualifying military employment. This waiver also extends the eligible period during which an active service member may apply for a CLP or CDL in the State where the individual is stationed but not domiciled from one year to two years following the individual's qualifying military employment.

Current Regulatory Requirements

FMCSA's Military Drivers Programs for drivers with military experience operating CMVs set forth in 49 CFR 383.77, informally known as the Even Exchange and Military Skills Test programs, allow, but do not require, a State to waive the requirements that a person must pass a knowledge test for a CLP and CDL and a skills test for a CDL if the person is a current or former military service member who meets the conditions and limitations listed in 49 CFR 383.77(a)(2) and (b)(2). To qualify for a waiver of the knowledge test, the person must certify that, during the one-year period immediately prior to the application, he or she was regularly employed and designated as one of the occupational specialties listed in § 383.77(a)(2)(i). To qualify for a waiver of the driving skills test, the person must certify that he or she is regularly employed or was regularly employed within the last year in a military position requiring operation of a CMV.

Under 49 CFR 380.603(a)(3), veterans with military CMV experience who meet all the requirements and conditions of 49 CFR 383.77 are not subject to the requirements for entry-level drivers in 49 CFR part 380, subpart F.

In addition, under 49 CFR 383.79(b), a State may, but is not required to, allow eligible military personnel to apply and be tested for a CLP or CDL in the State where they are stationed without having to travel to or change their State of domicile. The person must be regularly employed or have been regularly employed within the last year in a military position requiring the operation of a CMV.

FMCSA's Determination and Regulatory Provisions Waived

Consistent with the statutory requirements for waivers, FMCSA determined that it is in the public interest to issue this waiver, limited in scope and circumstances, which is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained in the absence of the waiver, and which is valid until October 29, 2026.

This waiver extends the period of time during which a current or former military service member may apply for a knowledge or skills test waiver from a State to two years from the date of the person's qualifying military employment. This waiver also extends the period of time during which an active-duty military service member may apply for a CLP or CDL in the State where the person is stationed but not domiciled to two years from the date of the person's qualifying military experience.

Specifically, the one-year requirements in 49 CFR 383.77(a)(2), 49 CFR 383.77(b)(2)(i)(A), and 49 CFR 383.79(b)(1)(i)(A) are waived.

Public Interest

FMCSA finds that granting this waiver is in the public interest to assist military service members and veterans in obtaining civilian CDLs.

Safety Equivalence

Due to the limited scope of this waiver and the ample precautions that remain in place, FMCSA has determined that the waiver is likely to achieve a level of safety that is equivalent to the level of safety that would be obtained absent the waiver. The waiver does not change the eligibility criteria for drivers with military CMV experience, other than extending the eligible time period from one year to two years from the date the driver was last employed in a qualifying military position. FMCSA previously determined that veterans' knowledge and driving skills would not decrease during a one-year period (81 FR 70634, 83 FR 48964). The knowledge and skills needed to operate a CMV do not change so rapidly that a driver's military training and experience would become obsolete within a two year period. FMCSA does not believe there would be any adverse impact to safety from extending the eligible time period by one year.

Unique Circumstances

FMCSA finds that the unique 250th anniversary of America's Independence provides an opportunity to pay tribute to American service members who have protected American freedom for 250 years.

Terms, Conditions, and Restrictions of the Waiver

This waiver covers States and current and former members of the United States Army, Navy, Marine Corps, Air Force, Space Force, and Coast Guard, and their associated reserve and National Guard units for the period beginning at 12:00 a.m. on July 30, 2026, through 11:59 p.m. on October 29, 2026.

- (1) A current or former military service member applying to the State for a waiver of the knowledge test must certify and provide evidence that, during the two-year period immediately prior to the application, the individual met all of the conditions and limitations in 49 CFR 383.77(a)(2).
- (2) A current or former military service member applying to the State for a waiver of the driving skills test must provide evidence and certify that the individual is regularly employed or was regularly employed within the past two years in a military position requiring operation of a CMV and must meet all other conditions and limitations in 49 CFR 383.77(b)(2).
- (3) An active-duty military service member applying for a CLP or a CDL in the State where the individual is stationed but not domiciled must be regularly employed or have been regularly employed within the last two years in a military position requiring operation of a CMV and must continue to meet all other requirements in 49 CFR 383.79(b)(1).
- (4) An individual who receives a CDL under this waiver is not subject to the Entry-Level Driver Training requirements in 49 CFR part 380, subpart F, consistent

with 49 CFR 380.603(a)(3).

- (5) Upon request, the State Driver Licensing Agency must submit to FMCSA, in a secure manner, the names and CDL numbers of drivers who were issued a CDL under this waiver, as authorized by 49 CFR 383.73(h) and 384.225(e)(2).
- (6) FMCSA reserves the right to revoke this waiver if the waiver results in a lower level of safety than was maintained before it was granted, or continuation of the waiver would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(a).



Issued: July 30, 2026

Derek D. Barrs
Administrator