



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

December 14, 2016

TRUCK DRIVER SCHOOLS MAY TRAIN NONRESIDENTS

Recently passed legislation, Public Act 322, emphasizes that a certified Michigan truck driver school may train nonresidents. The truck driver school is responsible for verifying that the nonresident student has a valid commercial learner's permit (CLP) issued by their state of domicile—i.e., their home state. Once the nonresident completes the training, they return to their home state to take their driving skills test and apply for the CDL.

What truck driver schools need to know

Michigan law and federal law prohibit issuance of a Michigan CLP or CDL to a person who is not domiciled in Michigan. A "state of domicile" is the state where a person has his/her true, fixed, and permanent home and principal residence and to which he/she has the intention of returning whenever he/she is absent. A person who comes to Michigan to attend a truck school but intends to return to their state of domicile cannot legally apply for a Michigan CLP or CDL, even if he/she establishes a Michigan residence while attending the truck driver school.

It is illegal for a truck driver school to assist a person domiciled in another state to apply for a Michigan CLP or CDL. Truck driver schools have been closed and the owners fined after it was determined that the schools were complicit in fraud committed by persons attending the schools. CDLs issued to these persons are subject to cancellation.

PILOT PROGRAM

Recently passed legislation, Public Act 321, allows Michigan Department of State to create a pilot program under which qualified nonresidents may take a CDL driving skills test with an approved Michigan testing business. A qualified nonresident is a person who meets all of the following requirements.

1. The person is trained at a Michigan truck driver school participating in the pilot program.
2. The person successfully completes a truck driver training curriculum that has been approved by the department. The department will approve only those curriculums that meet or exceed standards adopted from the Federal Motor Carrier Safety regulations described in *Commercial Driver's License Requirements: Minimum Training Requirements for Entry Level Commercial Vehicle Operators* (FMCSA-2007-27748).
3. The person has a valid commercial learner's permit (CLP) issued by their state of domicile—i.e., their home state.
4. The person is a resident of a state that participates in the national CDL skills test reporting system used by Michigan (the system is not used by four states).

The nonresident's skills test results would be entered into the national CDL skills test reporting system, where they would be available to the nonresident's home state driver license agency when the nonresident returns to their home state to apply for the CDL.

Truck driver schools interested in learning more about how to participate in the pilot should email drivered@michigan.gov.

What CDL testers need to know

All CDL testers will be authorized to administer a CDL driving skills test to a qualified nonresident.

1. Traffic Safety Program Division staff (TSPD) will determine if a nonresident is qualified to take a Michigan CDL driving skills test through a review of information provided by a truck driver school participating in the pilot program.
2. TSPD will enter information about the qualified nonresident into CSTIMS, including name, driver's license number, CLP, etc. TSPD will not schedule the test.
3. TSPD will issue an Authorization to Test Qualified Nonresident (ATQN). The ATQN will be emailed by TSPD to the tester chosen by the qualified nonresident (a copy will also be emailed to the truck driver school).
4. The tester must save a copy of the ATQN (unless a test is not conducted). The tester may choose whether to print the ATQN or save it electronically. If printed, the tester may choose to keep it with the score sheet or to maintain a separate ATQN file.
5. When the qualified nonresident (or the truck driver school facilitating the test) contacts the tester to schedule the test, the tester finds the driver's CSTIMS record and enters the test appointment into the CSTIMS record (at least two business days before the test).
6. At the test site, the examiner checks the qualified nonresident's driver license, CLP, and other documents in the same manner as on any other test. The examiner enters "NONRESIDENT" in the driver license number field on the score sheet, then enters the driver license number and name of the issuing state into the Comments field.
7. The examiner completes the rest of the score sheet and conducts the test in the regular manner.
8. If the qualified nonresident passes, the examiner does not issue a driver skills test certificate. The examiner tells the qualified nonresident that the test results will be reported into a national CDL skills test reporting system that can be accessed by his/her home state.
9. The examiner issues a properly prepared payment receipt to the driver, regardless of whether he/she passes or fails. (The driver is given the receipt even if paid by the facilitating school).
10. The tester is responsible for entering the test results—pass or fail—into CSTIMS before 8:00 a.m. the next day.
11. Banking, retesting, and scheduling of retests is handled in the same manner as for Michigan applicants.
12. Nonresident score sheets are processed along with regular score sheets.

You will be notified when this program begins. These procedures are subject to change as we determine best practices for the handling of nonresidents testing.