



February 11, 2025

2025-01-DMV

## **Disqualification of Commercial Learner's Permit/Commercial Driver's License for Fraud**

In accordance with 49 CFR 383.73(k), the Department will take the following action if a commercial driver is convicted or suspected of fraud relating to the testing or issuance of a Commercial Learner's Permit (CLP) or Commercial Driver's License (CDL):

1. **Conviction-** If the driver is convicted of fraud related to the issuance of that CLP or CDL, the Department will disqualify the commercial driving privileges. The application of a person so convicted who seeks to renew, transfer, or upgrade the fraudulently obtained CLP or CDL will result in, at a minimum, disqualification. The Department will record any such withdrawal in the person's driving record. The driver may not reapply for a new CDL for at least one year. The driver will be required to complete all requirements of 49 CFR 383.71, once they become eligible to reapply.
2. **Credible Information of Fraud-** If the Department receives credible information that the driver is suspected, but has not been convicted, of fraud related to the issuance of that CLP or CDL, the Department will notify the driver that the driver has thirty (30) days to make an appointment or schedule any applicable knowledge and skills test(s), as determined by the Department. If the driver fails either the knowledge or skills test, does not take the test, or fails to schedule a test within 30 days of notice from the Department, the Department will disqualify the driver's CLP or CDL. Once the CLP or CDL has been disqualified, the driver will need to reapply and complete all requirements of 49 CFR 383.71 and all applicable State requirements.

If commercial driving privileges or credential are going to be disqualified and/or there are actions that need to be completed, the department will notify the driver in writing via mail to the driver's current address on record with the Department.

In addition to specific items identified above, notification will include the following:

- Effective date of the disqualification
- Reason for disqualification (Conviction or Credible Information)
- The right to request a hearing and directions for requesting a hearing