

COMMERCIAL DRIVER'S LICENSING

Federal Oversight of State Programs Could Be Improved

Why GAO Did This Study

Commercial motor-vehicle industry stakeholders have raised concerns that prospective drivers may face delays taking the skills test generally needed to obtain a CDL. As of July 2015, state CDL programs are subject to revised federal regulations that increase federal safety standards and place new requirements on states' licensing agencies. FMCSA must oversee states' compliance with these rules.

GAO was asked to review issues related to CDL skills testing. This report examines: (1) how states administer skills tests; (2) what is known about waits for skills tests; and (3) how FMCSA oversees these tests. GAO reviewed FMCSA regulations and oversight policies and documentation; compared FMCSA's policies and practices to federal internal control standards; surveyed licensing agency officials in 50 states and D.C.; interviewed licensing agency officials in 12 states, selected to include states that use a mix of test administration methods and had the largest number of CDL holders, among other factors; and interviewed representatives of industry stakeholders, such as training schools and motor carriers, and FMCSA officials.

What GAO Recommends

GAO recommends that FMCSA (1) clarify agency policy on oversight of states' CDL programs and (2) improve or obtain a mechanism to track oversight activities. The Department of Transportation agreed with GAO's recommendations.

What GAO Found

A majority of states (29 of 50) use both state testers, such as departments of motor vehicle sites, and third party testers to administer commercial driver's license (CDL) driving "skills" tests. Some of the states that use third party testers allow a wide range of training schools, motor carriers, and others to be testers, but other states are more restrictive. For example, some only allow motor carriers to test their own employees. These 29 states, as well as 10 others that reported only using third party testers, indicated that the states' licensing agency uses third parties to increase the availability of the driving skills test, among other reasons. Eleven states and D.C. chose not to use third parties because, for example, some perceived greater fraud risk with third party testers.

Skills test appointments are likely available within a week or two, but waits can be longer depending on a range of factors. Most officials from licensing agencies that had state test sites reported that skills test appointments were typically available within 2 weeks at those sites, while most officials from the states that had third party testers reported likely availability at those sites within 1 week. Multiple factors, such as federal- and state-mandated wait times (intended to encourage drivers to practice) and state resources may affect scheduling and add weeks to the wait for a skills test. However, stakeholders generally indicated that the wait for a skills test was not an obstacle to obtaining eventual employment with a carrier given the high demand for people with CDLs.

In 2013, the Federal Motor Carrier Safety Administration (FMCSA) established a policy for overseeing states' compliance with its CDL regulations, including requirements for FMCSA field office personnel to conduct periodic reviews. This policy and its implementation has several weaknesses.

- Some elements of FMCSA's oversight policy are unclear. For example, the policy does not clearly delineate the frequency and type of skills test reviews that should be completed. Consequently, there is a lack of assurance that FMCSA personnel responsible for conducting oversight will have a clear understanding of what is expected of them and that oversight will be conducted consistently.
- FMCSA's data system for tracking oversight activities does not readily provide management with accurate and complete information on oversight reviews because it is difficult for users to input or review some information. In 6 of the 12 states in which GAO conducted interviews, FMCSA field office personnel indicated that they primarily used the data system to monitor non-compliance and were less likely to use the system for logging oversight activities because of, for example, difficulties in using the system. As a result, FMCSA management does not have complete and accurate information on what oversight reviews are completed and whether they are conducted per agency policy.

Without a clear policy on oversight of CDL programs and a mechanism to accurately track these activities, consistent with federal standards for internal control, FMCSA cannot provide reasonable assurance that state CDL programs comply with applicable federal regulations, the primary objective of FMCSA oversight.