U.S. Department of Transportation
Federal Motor Carrier Safety Administration

Key Provisions of USDOT Interim Final Rule

Restoring Integrity to the Issuance of Non-Domiciled Commercial Drivers Licenses

About the Interim Final Rule

This interim final rule closes gaps in how states issue commercial learner's permits (CLPs) and commercial driver's licenses (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.

1. 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 at every issuance, transfer, renewal, and upgrade action defined 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.

Full contents of the rule can be viewed at www.fmcsa.dot.gov and on the Federal Register.