

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-341.14:01 of the Code of Virginia, relating to commercial driver's*  
3 *licenses; military service members.*

4 [H 2551]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 46.2-341.14:01 of the Code of Virginia is amended and reenacted as follows:**8 **§ 46.2-341.14:01. Military third party testers and military third party examiners; substitute for**  
9 **knowledge and driving skills tests for drivers with military commercial motor vehicle experience.**10 A. Pursuant to § 46.2-341.14, the Commissioner shall permit military bases that have entered into an  
11 agreement with the Department to serve as third party testers in administering state knowledge and skills  
12 tests for issuing commercial driver's licenses. Military third party testers and military third party  
13 examiners shall comply with the requirements set forth in §§ 46.2-341.14:1 through 46.2-341.14:9 with  
14 respect to knowledge and skills tests.15 B. Pursuant to 49 C.F.R. § 383.77, the Commissioner ~~may~~ *shall* waive the driving skills test *required*  
16 *by 49 C.F.R. § 383.23 and* as specified in 49 C.F.R. § 383.113 for a commercial motor vehicle driver  
17 with military commercial motor vehicle experience who is currently licensed at the time of his  
18 application for a commercial driver's license and substitute an applicant's driving record in combination  
19 with certain driving experience for the skills test.

20 C. To obtain a skills test waiver, the following conditions and limitations must be met:

21 1. An applicant must certify that, during the two-year period immediately prior to applying for a  
22 commercial driver's license, he:23 a. Has not ~~had~~ *simultaneously held* more than one license except for a military license;  
24 b. Has not had any license suspended, revoked, canceled, or disqualified;  
25 c. Has not had any convictions for any type of motor vehicle for the disqualifying offenses contained  
26 in this article;27 d. Has not had more than one conviction for any type of motor vehicle for serious traffic violations  
28 contained in this article; and29 e. Has not had any conviction for a violation of military, state, or local law relating to motor vehicle  
30 traffic control, other than a parking violation, arising in connection with any traffic crash and has no  
31 record of a crash in which he was at fault; and

32 2. An applicant must provide evidence and certify that he:

33 a. Is regularly employed or was regularly employed within the last ~~90 days~~ *year* or any other period  
34 authorized by the FMCSA in a military position requiring operation of a commercial motor vehicle;

35 b. Was exempted from the commercial driver's license requirements in 49 C.F.R. § 383.3(c); and

36 c. Was operating a vehicle representative of the commercial motor vehicle the driver applicant  
37 operates, or expects to operate, for at least the two years immediately preceding discharge from the  
38 military.39 D. *The Commissioner shall waive the knowledge test for certain current or former military service*  
40 *members applying for a commercial learner's permit or commercial driver's license as permitted by 49*  
41 *C.F.R. § 383.77, provided that such current or former military service member meets the conditions and*  
42 *limitations provided by 49 C.F.R. § 383.77.*43 E. *The Commissioner shall waive the knowledge test and driving skills test for certain current or*  
44 *former military service members applying for certain endorsements as permitted by 49 C.F.R. § 383.77,*  
45 *provided that such current or former military service member meets the conditions and limitations*  
46 *provided by 49 C.F.R. § 383.77.*