

NOTICE OF PROPOSED GUIDANCE DOCUMENT

2019 CDL 3rd Party Spring Newsletter

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on 2019 CDL 3rd Party Spring Newsletter, a proposed guidance document.

PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION

Comments may be submitted to the Wisconsin Department of Transportation for 1 day by:

1. Department's website: <https://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=DMV981>

2. Mailing written comments to:

Division of Motor Vehicles
Wisconsin Department of Transportation
4822 Madison Yards Way
PO Box 7336
Madison, WI 53707-7336

WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT

The final version of this guidance document will be posted at wisconsin.gov to allow for ongoing comment.

AGENCY CONTACT

DOTDMVGuidanceDocs@DOT.WI.GOV



CDL Third Party Examiner News



Spring 2019

CDL Skills Test 2019 Count (1st Quarter)

Below are the first-quarter numbers for 2019. Thank you for providing a top notch CDL test to the citizens of Wisconsin and our visitors training here in Wisconsin. Our wait time continues to be at an average of only a few days. Very impressive everyone!

*Scheduled total segments = 10,509

Administered total segments = 8,073

*Pass percentage of all 3 segments combined -- Pass = 68%

Fail = 32%

*Individual Pass percentages -- VI = 88%

BCS = 88%

Road Test = 82%

2014-2018 CDL Skills Test Count History

- 2014= 28,484
- 2015= 32,562
- 2016= 33,556
- 2017= 34,640
- 2018= 36,967
- 2019= 8,073 (YTD)

CDL Audit Unit Update

Summer is here and with that comes audit season. The CDL Audit Unit has been out visiting everyone and getting a jump start on completing audits. As our partnership continues to grow and thrive, the CDL Audit Unit continues to see wonderful things coming from the testing program participants.

Together, we continue to seek out, investigate and remove any bad actors who affect the citizens and companies in Wisconsin through improper, and sometimes fraudulent, testing practices. The CDL Audit Unit remains committed to every member of the CDL testing program who is dedicated to delivering the highest quality CDL skills tests each and every time.

We're here to help and have many resources to help you to find answers to your questions. If you cannot find the answer or are unsure about testing an applicant in any way, STOP the test and reach out to your regional Auditor for assistance.

CDL Fraud Investigation

The CDL Audit Unit recently concluded an investigation in the North West region of the state. The investigation found that Absolute CDL Testing Services and the employed examiner were engaging in fraudulent testing activities.

This company was investigated and was found to have over 30 CDL testing violations, some of which were overtly fraudulent. This company and examiner have been permanently removed from Wisconsin's CDL testing program. Applicants in question will now face re-examination by CDL Third Party Auditors and possibly CDL Third party examiners.

If you see or hear from applicants that have been affected due to the fraudulent activity of this testing company and examiner, please refer them to your regional auditor or Wayne Georgeson for any questions or concerns they may have.

WisDOT Out-of-State Testing Policy - 2019 Update and Reminder

Below are the updated changes to Wisconsin's Out-of-State (OOS) CDL Testing Policy. The email letter dated February 7, 2019 is available for you to distribute or post for notification. Please note the exemption to the licensing requirements for employers training their own employees (see red below).

Effective 03/18/2019, OOS applicants attending training in Wisconsin are required to certify on department form (MV3309) that the following statements are true and correct before being administered a CDL examination in Wisconsin:

- The applicant must certify they are not a Wisconsin resident.
- The applicant must certify they have received 100% of their commercial classroom and behind the wheel training in the state of Wisconsin.
- The applicant must certify that they have received 100% of their commercial training at a Wisconsin University as defined by WI Statute 36.05(13), Wisconsin Technical College as defined by WI Statute 38.001(01), or Wisconsin licensed Driver Training School as defined by WI Statute 343.60(01).
 - **Exemption: Companies providing training for no compensation to their own employees are exempt from WI DOT licensing requirements found in 343.60(01).**
- The applicant must certify they have not received any amount of Commercial Motor Vehicle (CMV) training from the person administering the Commercial Driver's License exam to them.

NOTE: In addition to the above changes on the MV3309, "banking" of CDL skills testing results from other jurisdictions is no longer permitted for OOS applicants. All OOS applicants must start the CDL skills test at the Vehicles Inspection, regardless of what they may have already passed in other jurisdictions. The only CDL skills test "banking" allowed is Wisconsin CDL testing results.

The department believes these changes are necessary to ensure the integrity of the Wisconsin commercial skills testing program while providing the highest level of professionalism to Wisconsin residents and OOS applicants during the commercial skills

testing process. The changes will allow Wisconsin to continue to be an active and contributing partner with neighboring jurisdictions and the commercial driving community while also providing assurance that prospective drivers are receiving a commercial skills exam that is fair, consistent and compliant with all federal and state testing regulations and requirements.

CDL Third Party Testing Violations 2019 (1st Quarter)

When CDL testing violations occur, the testing company and/or examiner are subject to sanctions that include warning letters, cancellations and revocation of testing company or examiner testing privileges.

This is to ensure each examiner in Wisconsin provides a CDL exam that is consistent and compliant with all testing procedures and examiners are using the resources provided to them. We all play a part in ensuring that the CDL testing program in Wisconsin is consistent, fair and uniform.

Here are some examples of testing violations that have resulted in sanctions being taken against the company or examiner:

- Administering a CDL skills test before the wait time is met after a previous fail.
- Testing out of sequence after a CLP renewal.
 - Remember: all testing is void once a customer renews their CLP
- Round-robin-type CDL testing (testing all applicants VI first, then all BCS, then all retests).
 - Remember: round-robin type testing is never permitted under any circumstances. Give each applicant a complete test.
- Entering false data into CSTIMS and/or entering false data on department score forms.
- Improper testing of an applicant in an air brake vehicle, i.e. applicant had an air brake restriction on CLP.
- Administering a partial form Vehicle Inspection to an applicant testing in a passenger bus.
 - Remember: full form inspection is always, and has always been, required for passenger vehicles.
- Training and testing the same individuals.
 - Note: applicants are always re-tested by Third Party examiners or DMV CDL Auditors when this occurs.

CDL Skills Testing Questions

Q: As an examiner, when can I deny a test to someone due to them being rude, unruly or unsafe?

A: Examiners are expected to deliver a fair post-trip assessment and listen to the customer's feedback, but are not expected to be berated or verbally abused at any time. If an examiner feels they are being berated, yelled at or threatened, they can end the conversation at any time by walking away. The examiner has the choice to refuse an exam for any customer at any time. If they feel the customer may pose problems, stop the problem before it starts and cancel the exam. If the problem happens after the exam, do not schedule them for any future testing.

If you feel the customer will be a problem or will put you in an unsafe situation, inform the applicant that you will discuss it further with an auditor and cannot make a final decision at that time. If the customer will not go away or becomes threatening in any way, remove yourself from the situation and contact the local police if necessary. Remember, protect yourself and be safe.

Q: I am currently a Third Party CDL Examiner in Wisconsin. Can I also be a Third Party Examiner in another State/Jurisdiction?

A: The Wisconsin Department of Transportation does not intervene in another jurisdiction's policies or laws regarding employment of CDL examiners and does not bar Wisconsin Third Party CDL examiners from gaining employment in another jurisdiction.

However, it is highly unlikely another jurisdiction would allow the examiner to test applicants without holding a CDL license from their testing state. If that were to occur, you would no longer be able to examine in Wisconsin as you would no longer hold a WI CDL license once you apply for and receive a license in another jurisdiction. No one can hold a driver license in more than one state. This is specific to Wisconsin.

Q: An applicant shows up for the CDL exam and informs the examiner he only wants to complete the vehicle inspection and cancels the rest of the testing due to not being ready, don't have the time, etc. What should I do?

A: The examiner has the responsibility to question the applicant and ensure he is ready for the complete examination. Inform the applicant that all three segments must be performed. CDL exams should not be scheduled until the applicants are fully prepared and ready.

Once scheduled, applicants are required to complete the testing that is scheduled for them. If for some reason this does happen, such as when the applicant does not want to move to the next segment, cancel all segments of the exam for the day and consider the test cancelled as a whole. Since testing unprepared applicants could be dangerous, inform them that they will need to take the full exam when all test segments are ready the next time they are scheduled.

- Only in emergency situations are applicants allowed to leave an exam and the department will uphold the results.

Q: Can a test be scheduled for only part of an exam? For example, I feel my student is only ready for the Vehicle Inspection and the Basic Control Skills, but not the Road Test.

A: Testing segments may not be broken up and must be performed all on the same day, and all in order (VI, BCS, RT). All testing for the day, even segments completed successfully, must be cancelled if the applicant is unwilling to complete the exam.

- Only in emergency situations are the applicants allowed to leave an exam and the department will uphold the results.

Q: What should I do when an applicant shows up in a vehicle different than what was scheduled?

A: The applicant cannot show up in a vehicle of a different Class or Endorsement from what is scheduled. The exam must be rescheduled if this happens. Be sure you clarify this to the applicants when scheduling the exam.

Note: The applicant may show up in a vehicle without air brakes even though the test was scheduled with air brakes. Or other way around. That is fine.

Note: The applicant may show up in a vehicle without automatic transmission even though it is scheduled as a manual. Or other way around. That is fine.

****Key Note**** The above two are examples are just restrictions and do not relate to the Classes or Endorsements.

Q: When an applicant is doing the LAB check, is it a requirement to hear an audible alarm for the low-pressure warning?

A: No, due to the nature of testing and the variety of vehicles, not all vehicles will have an audible alarm. Visual alarms are acceptable for the LAB check if the applicant is pointing this out to you during the alarm check.

CSTIMS Questions

These are some common questions about WisDOT's integrated systems:

Q: Should I put dashes into CSTIMS when entering the Drivers License Number?

A: Do not enter dashes, hyphens, etc. Please just enter the numbers when creating the applicant in CSTIMS.

Q: What are the scheduling reasons in CSTIMS? What does each one mean?

A: Please see the CSTIMS scheduling reasons below:

- Initial CDL
 - New CDL Applicants
 - Other- The only scheduling reason that would indicate you are lifting restrictions.
 - Lifting Air Brakes
 - Vehicle Inspection Only
 - Lifting Automatic Transmission Restriction
 - Road Test Only
 - Lifting Tractor Trailer Restriction
 - Vehicle Inspection, Backing, Road Test (Full Test)
 - Previous Fail
 - New CDL applicants that failed previous attempts. Treated the same as [Initial CDL]
 - Upgrade
 - Upgrading Classes
 - Upgrading Endorsements
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Helpful Links

NEW FORM The updated (12/2018) [CDL Skills Test Guide \(BDS TP1\)](#)

[Wisconsin Department of Transportation Commercial Driver License \(CDL\) Third Party Testing Program](#)

[Driver License Guide](#) to check status and get checklist for paperwork

[Wisconsin DMV Official Government Site - School bus drivers](#)

[Wisconsin DMV Official Government Site - Tiers of operation](#)

[Wisconsin Department of Transportation Diverging Diamond Interchange \(DDI\)](#)

[wisc.jobs](#) for job opportunities with the State of Wisconsin

<http://www.aamva.org/>

<https://www.fmcsa.dot.gov/>

Other Wisconsin DMV tools:

- The [Wisconsin's Commercial Driver's Manual](#) is updated and available in English and Spanish and in various electronic formats.
- Commercial Driver License [practice knowledge test](#) mobile application
- [eNotify](#) (email reminders for important licensing credentials that are about to expire, such as CDL license, S endorsement (school bus license), Fed Med card, Physical examination (if required), Personal vehicle registration.
- [License status checker](#) to check the status of their license anytime, including classes and endorsements, and their current status, driving restriction(s), Tier of operation, and Federal Medical (Fed Med) exams.

Past issues of CDL Third Party Examiner News:

- [Spring 2018](#)
 - [Winter 2018](#)
 - [Fall 2017](#)
 - [Summer 2017](#)
 - [Spring 2017](#)
 - [Winter 2017](#)
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CDL Third Party Audit Unit Contacts



Training and Records Unit Supervisor	Shaun Peterson	608-264-7060	CDL 3 rd Party and DTS
Training and Records Unit/ CDL Audit Unit Lead	Wayne Georgeson	608-264-7296	CDL 3 rd Party and DTS
Appleton Region Auditor	Douglas Rettmann	920-560-1414	CDL 3 rd Party
Eau Claire Region Auditor	Peter Kofman	715-450-1826	CDL 3 rd Party
Madison Region Auditor	Christine Michaelis	608-264-6349	CDL 3 rd Party
Milwaukee Region Auditor	Edgar Rosado	414-227-2044	CDL 3 rd Party
Racine Region Auditor	Patricia Guerra	262-884-2369	CDL 3 rd Party
CDL 3 rd Party Program	CDL 3rd Party Unit		CDL 3 rd Party Inquiries
DMV 3 rd Party Webpage	Wisconsin Department of Transportation Commercial Driver License (CDL) 3rd party testing program	608-246-5632	CDL 3 rd Party Information

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