

Title 27. Transportation

Chapter III. Division of Arkansas State Police, Department of Public Safety

Subchapter A. Generally

Part 50. Commercial Driver's License Rules

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"The Division of the Arkansas State Police ("Division" or "Arkansas State Police") hereby adopts the following rules for the implementation of the costs for testing and re-testing of the Commercial Driver's License Program (program), as set forth in Act 241 of 1989, codified as Ark. Code Ann. §§27-23-101 et seq., as amended, including §27-23-108, under Act 256 of 2007, and under the Director's additional authority in Ark. Code Ann. §§25-15-201, et seq., the Arkansas Administrative Procedure Act, and other applicable laws. Additional authority is under the directive(s) of the Federal Motor Carrier Safety Administration, U.S. Department of Transportation, to which the State of Arkansas adheres for continuing eligibility for receipt of federal highway administration funds. See the Commercial Motor Vehicle Safety Act of 1986; and 49 CFR 383.123; under subsection (a) (1), as to "S" and "P" driver's license endorsements. The Division shall, from time to time, make and enact other such rules as they become necessary for the effective administration of the program."

"These Rules shall be effective on and after December 1, 2010. The Rules shall apply to all payments made for CDL testing on or after December 1, 2010."

Subpart 1. Generally

27 CAR § 50-101. Purpose and procedures — Costs — Permits — Renewals — Retests.

(a) This section will establish and set forth the cost of application and testing for the commercial driver's license (CDL).

(b)(1) The initial application for the CDL, which includes knowledge examination and skill testing, shall be fifty dollars (\$50.00), except as hereinafter set out.

(2) Any CDL-1 application form purchased after the effective date of this part shall expire one (1) year from the date of purchase.

(3) Any CDL-1 application form purchased prior to the effective date of this part shall expire one (1) year from the effective date of this part.

(c)(1) If an applicant fails to pass any portion of the tests on three (3) separate dates during the testing process, he or she will be required to purchase an additional application for fifty dollars (\$50.00) prior to the resumption of testing.

(2) Subsection (c)(1) shall apply any time an applicant accumulates three (3) failures on a single application.

(d)(1) CDL holders wishing to obtain additional endorsements by knowledge testing must purchase an application for ten dollars (\$10.00) per endorsement.

(2) This application is valid for one (1) administration of the test.

(3) If the applicant fails the knowledge test, he or she will be required to purchase an additional application for ten dollars (\$10.00) prior to the resumption of testing.

(4) This procedure will apply any time an applicant fails a knowledge test for an endorsement.

(e)(1) Upon the renewal of the CDL, applicants with a hazardous materials endorsement are required to pass the knowledge test for hazardous materials.

(2) The application fee is the same as outlined in subsection (d) of this section.

(f)(1) Should a CDL holder elect to obtain a higher class of license, there will be an additional skills test in the vehicle class, as well as other examinations set forth by statute.

(2) This procedure will entail payment of a fifty-dollar application fee.

(g)(1) Instruction permits will be issued by the Division of Arkansas State Police for a period of six (6) months, with an allowance for one (1) renewal for up to one (1) year.

(2) There will be no fee for instruction permits.

(h) In the event that the holder of a CDL should have his or her driving privileges suspended or revoked for a period of one (1) year or more, he or she must:

- (1) Submit for full retest for a CDL; and
- (2) Pay the application fee outlined in subdivision (b).

(i) In the event a person fails any knowledge section of the CDL test and wishes to retest, there will be a one-day waiting period before retesting.

Authority. Arkansas Code §§ 27-23-108, 27-23-110, 27-23-120.

Codification Notes. This section as promulgated prior to codification into the Code of Arkansas Rules contained a parenthetical note to 27 CAR § 50-101(b)(2) following the phrase “from the date of purchase” and 27 CAR § 50-101(b)(3) following the phrase “from the effective date of this part” as follows: “(The implementation/effective date of this portion of Rule 2.1 is November 15, 2013)”.

27 CAR § 50-102. Waiting periods before retesting — Limitations on testing.

(a) In the event a person fails any section of a CDL skills test and wishes to retest, there will be a five-day waiting period before retesting.

(b) All Division of Arkansas State Police CDL examiners, third-party CDL examiners, or part-time or contract CDL examiners will be limited to a maximum of five (5) CDL skills tests per day, and one (1) examiner will administer each section of the skills test in full sequence until:

- (1) The applicant has successfully completed the skills test; or
- (2) A failure occurs.

Authority. Arkansas Code §§ 27-23-108, 27-23-120.