



ADMINISTRATIVE RULES OF MONTANA



23.3.566 CERTIFICATION FOR EACH THIRD-PARTY CDL SKILLS TEST EXAMINER

- (1) Third-party CDL skills test examiners must meet the following minimum requirements:
 - (a) pass a fingerprint-based background check paid for by a third-party CDL testing entity. The results must be kept on file for review by the division or federal representative. The following events are disqualifying factors for a person to be a CDL skills test examiner:
 - (i) any felony conviction within the last ten years; or
 - (ii) any conviction involving fraudulent activities.
 - (b) hold a valid Montana CDL with the class equivalent to, or higher than, the class of vehicle applicants are being tested for.
 - (c) meet the medical standards outlined in 49 CFR 391.43. A CDL skills test examiner who is unable to fully meet the medical standards under 49 CFR 383.43 may still be certified if they can meet the state medical standards under ARM 23.3.506 and apply for a Montana medical certificate under ARM 23.3.507.
 - (d) submit a driving record from each state where the examiner has been licensed for the past ten years.
 - (e) an examiner cannot be certified if any of the following events have occurred:
 - (i) serious traffic violation as defined in 49 CFR 383.51 within the last three years;
 - (ii) major offense as defined in 49 CFR 383.51 within the last ten years;
 - (iii) any disqualifications as defined in 49 CFR 383.51 within the last ten years;
 - (iv) has ten or more habitual traffic offender points within the last three years; or
 - (v) a preventable crash involving a fatality or bodily injuries within the last three years.
 - (f) pay the following non-refundable third-party CDL skills test examiner fees to the division:
 - (i) initial or new certification fee in the amount outlined in 61-5-118, MCA, which must be paid before the examiner can attend CDL skills test examiner training course conducted by the division; or
 - (ii) three-year renewal fee in the amount outlined in 61-5-118, MCA, which must be paid before CDL skills test examiner's certificate can be renewed.
 - (g) obtain and maintain a state CDL skills test examiner's certificate by successfully completing a state-provided CDL skills test examiner training, with required refresher training.

Authorizing statute(s): 61-5-118, MCA

Implementing statute(s): 61-5-118, MCA

History: NEW, 2019 MAR p. 176, Eff. 2/9/19.