



ADMINISTRATIVE RULES OF MONTANA

23.3.565 THIRD-PARTY CDL SKILLS TESTING PROGRAM CERTIFICATION

- (1) In order for a third-party CDL skills testing and recordkeeping facility to obtain and maintain division-approved certification, the facility must have, at a minimum, the following:
 - (a) a testing course approved by the division to conduct the same CDL skills test as conducted by state CDL skills test examiners, including:
 - (i) an area of sufficient size to conduct the vehicle inspection component of the CDL skills test as outlined in AAMVA's 2005 CDL Examiner's Manual;
 - (ii) a testing course of sufficient size to conduct the required parts of the basic control skills test component of the CDL skills test as outlined in AAMVA's 2005 CDL Examiner's Manual; and
 - (iii) a road test route that will meet all the minimum scoring requirements as outlined in AAMVA's 2005 CDL Examiner's Manual.
 - (b) a location to securely store all required records and documentation. The facility must have controls protecting all testing material, including all AAMVA testing documents, the road test tablets, testing results, forms, and reports. Testers are prohibited from publishing/distributing any materials relating to the CDL testing model to unauthorized persons or from publishing these materials to any public domain (in any format).
- (2) The facility must obtain and maintain a road test tablet solution that has been tested and approved by the division. The tablets must interface with CSTIMS which requires the tablet solution to pass structure testing with AAMVA before it can be approved by the division.
- (3) The facility must be made available to state and federal personnel for scheduled and unscheduled review during normal business hours.
- (4) The facility must provide proof of liability insurance and a surety bond as described in the third-party CDL skills testing program's agreement.
- (5) The facility must pay the following non-refundable third-party CDL skills testing program fees to the division:
 - (a) an initial or new certification fee in the amount outlined in 61-5-118, MCA.
 - (b) a three-year renewal fee in the amount outlined in 61-5-118, MCA.
- (6) Only division-trained and certified CDL skills test examiners are allowed to conduct CDL skills tests.
- (7) The facility must maintain a driver qualification file as outlined in 49 CFR 391.51 on all CDL skills test examiners.

- (8) The facility must have a signed third-party CDL skills testing agreement with the division.
- (9) The division cannot certify a third-party CDL skills testing program until an agreement is signed and the fees outlined in 61-5-118, MCA, are paid to the division.

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

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

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