

## **COMMERCIAL DRIVER LICENSE EXAMINATION PROGRAM**

### **Purpose**

To provide general information for Authorized Third Party Commercial Driver License Examiners and their Certified Examiners

### **Definition**

As defined in A.R.S. § 28-5100 an “Authorized Third Party” for the purpose of this policy means an entity that has executed a written agreement with the Division and is authorized by the Division to perform limited or specific functions, but is not authorized by the Division to function as an Authorized Third Party Electronic Service Provider.

“Authorized Third Party Commercial Driver License Examiner” means a person (including, but not limited to, another State, a motor carrier, a private driver training facility or other private institution, or a department, agency or instrumentality of a local government) authorized by Arizona to employ skills test examiners to administer the CDL skills tests.

“Certified Examiner” means an individual employed by an Authorized Third Party Commercial Driver License Examiner and their Certified Examiner and their Certified Examiners who is authorized by the State to administer the CDL skills tests.

### **Policy**

- A. The director may authorize third parties to perform certain of the following functions:
  - Title and Registration
  - Motor Carrier licensing and tax reporting
  - Dealer licensing and
  - Driver license functions licensing as prescribed A.R.S. §§ 28-5101.01, 28-5101.02, and 28-5101.03
- B. Applicants applying to the Division for initial authorization and/or certification shall submit an application on a form prepared and furnished by the Division, see Policy [17.5.2 CDLE Authorized Third Party Application Requirements](#).
- C. Unless exempt by Arizona Revised Statutes Title 28 section 28-5104, an Authorized Third Party Commercial Driver License Examiner, shall submit a full set of fingerprints for a criminal records check of each principal at least age 18.
- D. While holding a third-party authorization, any principal or qualifying party of an Authorized Third Party Commercial Driver License Examiner shall not have a suspension, cancellation, revocation, or denial of another Division-issued license; or owe delinquent fees, taxes, or unpaid balance to the Division.

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- E. Unless exempt by Arizona Revised Statutes Title 28 section 28-5104, an Authorized Third Party Commercial Driver License Examiner must post a bond in an amount of at least one hundred thousand dollars.
- F. An Authorized Third Party Commercial Driver License Examiner must ensure all vehicles used for examination are in compliance with registration and insurance requirements set forth in A.R.S. Title 28, Chapters 7, 9, 15 and 16.
- G. An Authorized Third Party Commercial Driver License Examiner must ensure all vehicles used for examination are in compliance with applicable Federal Motor Carrier Safety Regulations and Arizona Commercial Driver License Manual and maintained in a safe operating condition.
- H. An Authorized Third Party Commercial Driver License Examiner must employ or contract with at least one certified examiner to provide the third party services, see Policy [17.5.3 Certified Third Party Application Requirements](#).
- I. An Authorized Third Party Commercial Driver License Examiner and Certified Examiner(s) must attend all ongoing Division training.
- J. An Authorized Third Party Commercial Driver License Examiner shall provide a safe work area adequate in size to accommodate the related test.
- K. An Authorized Third Party Commercial Driver License Examiner must obtain permission before changing skill test routes or test sites and adding another activity.
- L. An Authorized Third Party Commercial Driver License Examiner shall notify the Division, within two business days, of any change to the list of certified personnel or the contact individual.
- M. Until returned to the Division, an Authorized Third Party Commercial Driver License Examiner shall retain the following records at principal place of business for three years:
  - All logs and copies of completed, issued, or voided accountable inventory;
  - All unused accountable inventory; and
  - All other paper and electronic records, including all supporting documents, relating to the activities provided by the third party;
  - Training records for each examiner
- N. An Authorized Third Party Commercial Driver License Examiner shall maintain a copy of the certificate relating to each type of authorized activity the certified individual performs at the business location where the certified individual works. The certificate shall be prominently displayed in an area readily visible.
- O. An Authorized Third Party Commercial Driver License Examiner shall retain a certified individual's personnel file for one year after the certified individual's last day of work. The retained personnel file shall include the certified individual's:
  - Dates of employment
  - All computer access forms, if applicable

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- Computer access termination form, if applicable
  - Training records
- P. Each Authorized Third Party Commercial Driver License Examiner providing services to the general public shall post a sign in a conspicuous location in each Authorized Third Party facility displaying the amount charged for each transaction performed by the Authorized Third Party and the amount charged by the Division for the same transaction.
- Q. The Authorized Third Party Commercial Driver License Examiner shall comply with all quality control requirements of the Department.
- R. Pursuant to A.R.S. § 28-5106, an Authorized Third Party Commercial Driver License Examiner must maintain appropriate records and allow authorized representatives of the Department or any law enforcement agency access to those records during regular business hours to examine and ensure compliance with all applicable state and federal laws, Department rules and contract provisions.
- S. During an onsite audit or inspection, Department personnel, a law enforcement agency, employees, or agents of the Federal Motor Carrier Safety Administration may:
- Review and copy paper and electronic records;
  - Examine the site;
  - Interview the authorized third party's:
    - Employees
    - Certified individuals
    - Customers
  - Re-test a sample of drivers who were examined by the third party to compare pass/fail results
- T. An Authorized Third Party Commercial Driver License Examiner shall cooperate with an onsite audit by Department personnel or the Department's representative.
- U. An Authorized Third Party Commercial Driver License Examiner must revoke the skills testing certification of any examiner who does not conduct skills test examinations of at least 10 different applicants per calendar year.
- V. A Certified examiner who is also a skills instructor either as a part of a school, training program or otherwise is prohibited from administering a skills test to an applicant who received skills training by that skills test examiner.

25 September 2013  
Date

  
STACEY K. STANTON  
Division Director

Authority: A.R.S. §§ 28-5101, 28-5103, 28-5104, 28-5105, 28-5107, 28-5108, 41-1001, 41-1080, A.A.C. R17-7-101, R17-7-201, R17-7-202, R17-7-203, R17-7-301, R17-7-601, R17-7-604, R17-7-704, R17-7-707, R17-7-703