

AUTHORIZED THIRD PARTY COMMERCIAL DRIVER LICENSE EXAMINER APPLICATION REQUIREMENTS

Purpose

To provide information regarding the application process when applying to become an Authorized Third Party Commercial Driver License Examiner and Certified Tester.

Policy

- A. The Motor Vehicle Division's Commercial License and Specialty Services (CLASS) Program certifies, authorizes, regulates and monitors Authorized Commercial Driver Testers and Examiners in Arizona. Third Party applications and supporting documents are submitted to:
 - Motor Vehicle Division
 - Commercial Driver License Examination Program
 - P.O. Box 2100, Mail Drop 515M
 - Phoenix, Arizona, 85001-2100
- B. A "Selection Panel" is a committee, designated by the Director and comprised of Division Personnel, to review and evaluate a potential applicant for Third Party Authorization. The panel shall consist of CLASS personnel involved in the overall commercial driver licensing process.
- C. For the selection panel process, an applicant shall:
 - Submit a completed Third Party Authorization Interest, form #96-0151,
 - Submit a business plan with information as required by the Division, and
 - Attend an interview conducted by Division personnel
- D. The Division selection panel shall evaluate the documentation and forward the results of the evaluation to Commercial Driver License Examination Program.
- E. The Division shall send an approval or denial notification for authorization and/or certification in writing by regular mail, to the mailing address provided on the applicant's application.
- F. Upon approval of a Third Party Authorization and/or Certification, the applicant shall sign a written agreement/contract with the Division defining the terms and conditions of the Third Party Authorization. The authorization agreement shall include an addendum identifying the specific requirements unique to the Commercial Driver License Examination Program.

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Authorization Application Requirements

- G. An applicant for Third Party Authorization shall provide the following:
- Third Party Company Authorization Application, form #96-0140
 - UNLESS EXEMPT One fingerprint card per individual, supplied by the Division completed and signed by law enforcement for the following:
 - Each owner
 - Each partner; and
 - Each Stockholder who owns 20% or more of an entity seeking authorization or certification or both shall provide a full set of fingerprints
 - Original Bond, in the prescribed amount
 - Statement the applicant is in good standing with the Division
 - Third Party Authorization to Release Information, form #46-0903
 - Statement of Personal History, form #46-0409
- H. Documents relating to the applicant's business:
- A corporation: Copy of Articles of Incorporation, including any amendments, any official documents, including copies of board meeting minutes, and annual reports, that reflect changes to the corporate name, structure, or officers
 - A limited Liability Company (LLC): Copy of the Articles of Organization, including any amendments, copy of the application for registration as a foreign LLC, copy of the Certificate of Registration issued by the Arizona Corporation Commission to a foreign LLC
 - A Limited Partnership, Limited Liability Partnership, or Limited Liability Limited Partnership: Copy of a valid Certificate of Existence issued by the Arizona Secretary of State or a copy stamped "Filed" by the Arizona Secretary of State
- I. Address, photographs, and floor plan for each established place of business showing where the accountable forms will be housed.
- J. A narrative description of each skills test route in the manner prescribed by the CDL Examiner manual and a photograph or drawing of each test site, when applicable.
- K. The signature of the sole proprietor, all partners, a corporation office, a LLC manager or the political subdivision head or agency.
- L. Authorized Presence Documentation, form #96-0560, with proof of authorized presence as listed in A.R.S. § 41-1080:
- Applicants who have an Arizona driver or identification (ID) license may authorize the Division to access Division driver/ID records to verify proof of authorized presence instead of presenting the document
 - Applicants with a limited length of stay will need to resubmit proof upon the license's expiration. The license will not exceed the licensee's authorized length of stay
 - This requirement is only for applicants who are individuals, sole proprietors, or general partnerships
 - The applicant may be exempt if all of the following apply and an Authorized Presence Exemption Request, form #96-0566 is submitted:

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- The applicant is a citizen of a foreign country or, if at the time of the application, the applicant resides in a foreign country, and
 - The benefits that are related to the license do not require the applicant to be present in the United States in order to receive those benefits or
 - The individual is a resident of another state; and
 - The individual holds an equivalent license in that other state and the equivalent license is of the same type being sought in this state; and
 - The individual seeks the Arizona license to comply with the state's licensing laws and not to establish residency in this state
- M. Authorization to be an Authorized Third Party Commercial Driver License Examiner, in addition to the above requirements shall:
- Provide the name, and telephone number and email address of the applicant's contact person on the Third Party Authorization Application, form #96-0140
- N. The contact person shall:
- Be a bona fide employee whose principal employment is with the company for whom the applicant has qualified for authorization
 - Have complete oversight, supervision, and responsibility of all operations necessary of the principal, to ensure full compliance with all applicable statutes, rules, and program requirements
 - Meet all authorization requirements

Certified Examiner Application Requirements

- O. An applicant for certification shall provide to the Division the following:
- Third Party Individual Certification Application, form #96-0118
 - Third Party Authorization to Release Information, form #46-0903
 - Statement of Personal History, form #46-0409
 - A full set of fingerprints, on a fingerprint card supplied by the Division and completed by law enforcement for a criminal records check (CRC)
 - The applicant is responsible for the cost of fingerprinting and CRC
 - The applicant requests certification as a Driver License Processor or a Driver License Examiner
 - Authorized Presence Documentation, form #96-0560, with proof of authorized presence, see Section G, number 11
- P. An applicant is eligible for certification if the applicant:
- Is at least 18 years of age on the application date
 - Possess a valid Arizona driver license of the class and endorsement representative of the examinations to be administered by the Driver License Examiner
 - Have a minimum of three years of driving experience pertaining to the operation of a commercial vehicle representative of the type and class for which the applicant is seeking certification
 - Not have any driver license suspensions, revocations, cancellations, or disqualifications within the 39 months of application, **including** convictions related to:

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- Driving under the influence of intoxicating liquors or drugs
 - Reckless or aggressive driving
 - Racing upon a highway
 - Leaving the scene of an accident or
 - Traffic Survival School Assignments
 - Is in good standing as defined in Arizona Administrative Code (A.A.C.) R17-7-101(22)
- Q. Successfully completes all training courses and continuing education courses required by the Division or agrees in writing to complete all training courses and continuing education courses required by the Division.
- R. An applicant who was previously employed by the Division is eligible for certification if the applicant:
- Meets the requirements above
 - Was not terminated by the Division for misconduct in performing official duties or
 - Did not resign during a Division investigation of misconduct performing official duties
- S. Certification for Driver License Examination Program: In addition to the above requirements, an applicant for certification as a Driver License Examiner shall:
- Comply with all state and federal laws, Division rules, and contract provisions
 - Maintain compliance with all pre-certification requirements
 - Not administer any examination unless the driver license applicant meets the requirements of all statutes, rules and policies governing driver licensing
 - Provide written notice within 24 hours to both the Authorized Driver License Examination Program licensee and the Division if the examiner's driver license is suspended, revoked, canceled or disqualified for any reason
 - Conduct skills tests only on Division-approved test routes and test sites
 - Complete, in the presence of the applicant, the score sheet at the time of the skills test
 - The score sheet is valid for 30 calendar days from the day the applicant completes the skills test; and
 - Verify the CDL driver license applicant possesses valid Arizona driver license with photograph, and possesses a valid Division-issued commercial instruction permit for the class and endorsement of the vehicle to be used in the skills test, and
 - Possesses secured documentation from the Division containing proof that the applicant successfully completed the CDL knowledge testing
- T. An Authorized Third Party Commercial Driver License Examiner has the right to withdraw a certification application if the certified examiner applicant has failed to meet certification requirements.

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Original Bond

- U. Pursuant to A.R.S. § 28-5104, a person who applies for authorization shall submit with the application a bond in a form to be approved by the Division and in an amount of at least \$100,000 per branch.
- V. A surety company authorized to transact business in this State shall execute the bond with the applicant as principal obligor on the bond and the State as obligee. The bond shall be conditional upon the premise that the applicant will faithfully comply with all of the provisions of law and that the bond is non-cancelable without at least 60 days prior notice to the Division.
- W. The bond insures to the benefit of any person who suffers loss due to any of the following:
- Nonpayment by the authorized person of any fee or tax paid to the Third Party by that person
 - Insolvency or discontinuance of business
 - Failure of the Authorized Third Party Commercial Driver License Examiner to comply with the Authorized Third Party's duties
- X. The bond requirement and CRC does not apply to an applicant who is seeking Third Party Authorization and who is:
- A department, agency or political subdivision of this State
 - An Arizona court
 - An Arizona law enforcement agency or department
 - A financial institution or enterprise under the jurisdiction of the Department of Financial Institutions or a federal monetary authority
 - The federal government of any of its agencies
 - A Dealer that is licensed and bonded by the Department of Transportation or a State organization of licensed and bonded motor vehicle dealers
 - A manufacturer, importer, factory branch, or distributor licensed by the Department of Transportation
 - An owner of registrant of a fleet of 100 or more vehicles
 - A public utility
 - A tribal government
 - An employer or association that has at least 500 employees or members

Insurance

- Y. Without limiting any liabilities or any other obligation of the company, the company shall purchase and maintain (and cause any relevant subcontractors to purchase and maintain), in a company or companies lawfully authorized to do business in the State of Arizona and rated at least A VII in the current A.M. Best's, the minimum insurance coverage below:
- Z. Commercial General Liability, with minimum limits of \$1,000,000 per occurrence, and an unimpaired products and completed operations aggregate limit and general aggregate minimum limit of \$2,000,000. Coverage shall be at least as broad as the Insurance Service Office, Inc. Form CG00010196, issued on an occurrence basis, and endorsed to add the

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State of Arizona and Arizona Department of Transportation as an Additional Insured with reference to this contract.

- AA. ADOT/MVD reserves the right to request and receive certified copies of all policies and endorsements.
- BB. Certificates of Insurance acceptable to ADOT/MVD shall be issued and delivered prior to the commencement of the work defined in this contract, and shall identify this contract and include certified copies of endorsements naming the State of Arizona and Arizona Department of Transportation as additional insured for liability coverage. The certificates, insurance policies and endorsements required by this paragraph shall contain a provision that the coverage afforded will not be reduced or cancelled unless at least sixty (60) days prior written notice has been given to ADOT/MVD. All coverage, conditions, limits and endorsements shall remain in full force and effect during the term of this contract.

Date

25 September 2013


STACEY K. STANTON
Division Director

Authority: A.R.S. §§ 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 and R17-7-301