

# Okla. Admin. Code § 595:11-3-8

## Section 595:11-3-8 - Skills examination

**(a)In general.** The skills examination shall be administered only after the applicant has successfully passed the written examination, or had it waived if eligible under OAC 595:11-1-13(a), and the vision screening. Whenever a skills examination is required, the following general conditions shall apply:

**(1)** The skills examination shall start at a designated location and shall include an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the operation of a commercial motor vehicle. The applicant must take the skills test in the type of vehicle for which he or she requests to be licensed. It is the responsibility of the applicant to furnish for the skills examination a commercial motor vehicle in good working order which meets all state laws and federal requirements regarding operability and equipment. A vehicle not equipped with air brakes shall be required to have driving restriction code "L" (Vehicle Without Air Brakes) placed on the license of the applicant, upon approval for the issuance of the commercial driver license.

**(2)** The skills examination shall not be administered in a commercial motor vehicle which:

**(A)** is transporting hazardous materials or which is required to be placarded for hazardous materials,

**(B)** requires an oversize permit under the laws of this state or the rules of the Department of Public Safety,

**(C)** was not designed and constructed by the manufacturer with a seating capacity for one or more persons in addition to the driver,

**(D)** is not insured as required by 47 O.S. §7-600 et seq.,

**(E)** does not have a current license plate unless the vehicle has an unexpired dealer tag or a dated notarized bill of sale not more than five (5) days old.

**(F)** is saddle mounted,

**(G)** is a wrecker vehicle towing another vehicle,

**(H)** is not equipped with seatbelts, if the vehicle was originally manufactured and equipped with seatbelts,

**(I)** any vehicle that has components marked or labeled cannot be used for the CDL skills test, or

**(J)** any vehicle hauling livestock.

(3) The applicant has been issued CLP for a minimum of fourteen (14) days. The date of issuance shall not be included.

(4) On or after February 7, 2022, applicants must be in compliance with the provisions of 49 CFR 380.600 subpart F-Entry Level Driver Training Requirements and meet the curriculum requirements set forth in appendices A through E of part 380.

**(b)Scoring of Basic Control Skills (BCS) examination.** The Basic Control Skills scoring procedure shall consist of the content and methods provided in the most recent release of the 2005 American Association of Motor Vehicle Administrators CDL test model. The content is available to the public as provide for in OAC 595:11-3-2. The applicant will be allowed ten (10) minutes per Basic Control Skills (BCS) maneuver to complete the maneuver. In the event the applicant is not able to complete the maneuver in the time allowed, the skills examination will be deemed an automatic failure.

**(c)Content of examination for commercial driver license.** The skills examination shall be conducted in conformance with 49 C.F.R., Section 383.

**(d)Retesting.**

(1) An applicant who fails the skills examination for a commercial driver license may be granted the opportunity to retest the following business day.

(2) The Department shall conduct the skills examination at least one (1) business day apart beginning no sooner than fourteen (14) days (excluding the day of issuance) from the date of issuance of the commercial learner permit.

(3) In computing any time period prescribed by this subsection, the day of the failed examination from which the designated period of time begins to run shall not be included. The last day of the period computed shall be included, unless it is not a working day, in which event the period runs until the end of the next working day.

**(e)Substitute for skills examination.** A skills examination may be waived by the Department for an applicant when one of the following requirements is met:

(1) The applicant is the holder of a valid commercial driver license from one of the fifty (50) states, the District of Columbia, or a Canadian province.

(2) The applicant is an active member of any branch of the military, Military Reserves or National Guard on active duty, including personnel on full-time or part-time National Guard training, National Guard Military Technicians (civilians who are required to wear a military uniform), and active duty personnel of the U.S. Coast Guard; provided, the person for the two (2) years immediately preceding application for a commercial driver license [49 C.F.R. Parts 383 and 391] :

(A) can show, with proper documentation, that he or she has operated a representative class commercial motor vehicle,

(B) certifies that he or she has not been licensed by more than one jurisdiction at the same time,

(C) certifies that he or she has not had any suspension, revocation, cancellation, denial, or disqualification of driving privileges in the two (2) years immediately preceding the application,

(D) has not been convicted of any major disqualifying offense, as defined in 47 O.S., §6-205.2,

(E) has not been convicted more than once of a serious traffic offense, as defined in 47 O.S. §6-205.2, regardless of the type or class of vehicle the offense occurred in, and

(F) certifies that he or she has not been involved in any collision in which he or she was recorded as being at fault.

(3) The Military CDL Skills and Knowledge Exam Waiver process, in accordance with 49 C.F.R. § 383.77, allows certain trained and experienced military and truck bus drivers to waive both the knowledge and skills test (s) needed to acquire a Commercial Driver's License (CDL).

(A) Qualifying Applicants must:

(i) Be current or former members (within one year of separation/retirement) of the military service (including Reserve and National Guard units);

(ii) Have received formal military training for that duty. The applicant must certify that, prior to applying for a CDL, he/she:

(I) Has not had more than one license (except for a military license);

(II) Has not had any license suspended, revoked, or cancelled;

(III) Has not had any convictions for any type of motor vehicle for the disqualifying offenses contained in 383.51 (b);

(IV) Has not had more than one conviction for any type of motor vehicle for serious traffic violations contained in 383.519(c); and

(V) Has not had any conviction for a violation or military, State or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with any traffic accident, and has not record of an accident in which he/she was at fault.

(VI) Provide evidence and verify that he/she is or was regularly employed within the last year in a specified military occupation requiring operation of a CMV.

(B) Military occupational/ rating specialties who qualify for the Even Exchange Program are:

(i) US Army 88M, 14T, 92F

(ii) US Air Force 2T1,2F0, 3E2

(iii) US Marine Corps 3531

(iv) US Navy E0

(C) To be eligible for the Even Exchange, the applicant must:

(i) Meet the basic training and occupational specialty qualifications, and complete the application for an even exchange;

(ii) Present a valid active duty military ID Card, (including National Guard and Reserves); or DOD Form DD214

(iii) Hold a valid military base driver's license issued by the State in which the application is made;

(iv) Hold a current, valid medical certificate issued by an FMCSA Certified Medical Examiner;

(v) Be domiciled in the State of application;

(vi) Meet all other Federal requirements for a CDL, including those listed in 49 CFR 383.

(vii) Attest to his/her safe driving history, noted on the front of the application form;

(viii) Secure signature by his/her Commanding Officer or designee, verifying the information provided on the application form is accurate.

*Okla. Admin. Code § 595:11-3-8*

Added at 26 Ok Reg 2749, eff 7-25-09; Amended at 28 Ok Reg 2161, eff 6-16-11 (emergency); Amended at 29 Ok Reg 510, eff 6-1-12

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