

# KEITH RIPP

STATE REPRESENTATIVE  
42<sup>ND</sup> ASSEMBLY DISTRICT



OFFICE: (608) 266-3404  
TOLL-FREE: (888) 534-0042  
REP.RIPP@LEGIS.WI.GOV  
STATE CAPITOL ROOM 223N  
P.O. Box 8953 · MADISON, WI 53708

WISCONSIN STATE ASSEMBLY  
MADISON ★ WISCONSIN

---

August 13, 2013

## Testimony on Assembly Bill 279

Representative Keith Ripp  
Assembly Committee on Transportation

I want to thank committee members for allowing me to present testimony today in favor of Assembly Bill 279.

I have brought this bill forward today at the request of the Department of Transportation.

Under legislation adopted last session, veterans holding a military commercial driver's license (CDL) are able to convert it to a WI CDL without taking the knowledge and skills tests that other applicants take.

However, federal regulations dictate that no state can waive the knowledge test when issuing state CDLs based on military-issued CDLs. We have been notified by the Federal Motor Carrier Safety Administration (FMCSA) that, if Wisconsin were to continue offering this waiver, there would be a penalty of \$25 million in federal aid in the first year of non-compliance, and \$50 million each year afterward.

This bill brings Wisconsin Law in line with federal law requiring veterans to take a knowledge test, just as regular applicants must do.

Thank you members, I ask for your support and I would be more than happy to answer any questions.



US Department  
Of Transportation  
Federal Motor Carrier  
Safety Administration

January 10, 2013

Lynne Judd  
Administrator, Division of Motor Vehicles  
Wisconsin Department of Transportation  
4802 Sheboygan Ave  
Madison, WI 53707

Dear Ms. Judd:

In May, 2011, the Federal Motor Carrier Safety Administration finalized the Commercial Learner's Permit rule. Within that rule is a provision that gives State Driver Licensing Agencies (SDLA) the authority to substitute two years of CMV safe driving experience in military equivalents of commercial motor vehicles, for the skills test portion of the commercial driver license skills test. **The current rule, as well as previous Federal CDL regulations, does not allow the waiver of a CDL knowledge test when transferring a military CDL to a State CDL license.**

The regulation, 49 CFR 383.77, provides guidance for SDLAs which requires the applicant to certify: 1) his/ her safe driving experience; 2) that he or she has not held more than one license (except a military DL) in the past two years; 3) has not had his/her base State issued driver license suspended, revoked or cancelled; and, 3) has not had convictions in any type of motor vehicle for the disqualifying CDL offenses listed elsewhere in the regulations.

There are also other requirements that States must recognize in order to take advantage of this Skills Test Waiver, but the process allows States to assist veterans and active duty personnel in their transition from their military occupation to a civilian career.

In reviewing Wisconsin statute 343.16(2)(f), we noted Wisconsin law allows waiver of both the skills test and knowledge test for holders of military CDL licenses transferring to a Wisconsin CDL. **Wisconsin must require military CDL holders take a CDL Knowledge test to obtain a Wisconsin CDL in order to comply with Federal Commercial Driver License (CDL) regulations.**

Sincerely,

A handwritten signature in black ink, appearing to read "Mark G. Oesterle".

Mark G. Oesterle  
Division Administrator