



PERMANENT ADMINISTRATIVE ORDER

DMV 10-2025

CHAPTER 735

DEPARTMENT OF TRANSPORTATION

DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILED

07/24/2025 11:01 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Commercial Driver License (CDL) Skills Testing and Citizenship and Legal Presence Requirements

EFFECTIVE DATE: 07/24/2025

AGENCY APPROVED DATE: 07/24/2025

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RULES:

735-060-0120, 735-063-0250, 735-063-0260

AMEND: 735-060-0120

RULE TITLE: CDL Skills Test

NOTICE FILED DATE: 05/29/2025

RULE SUMMARY: DMV proposes to amend this rule to adopt the FMCSA regulations in effect on April 1, 2025, and to establish the CDL skills test versions, "March 1, 2022" and "March 2025," that are approved by DMV.

RULE TEXT:

(1) The CDL skills test is a three-part test of an individual's skills to safely operate a CMV. The three parts are the pre-trip vehicle inspection test, the basic control skills test, and the on-road drive test.

(2) DMV adopts the following FMCSA regulations in effect on April 1, 2025 and prescribes that these regulations establish the standards that must be followed in the administration of an approved CDL skills test described in section (9) of this rule:

(a) 49 CFR sec. 383.71, Driver Applicant and Certification Procedures;

(b) 49 CFR sec. 383.75, Third Party Testing;

(c) 49 CFR sec. 383.110 through sec. 383.123, Required Knowledge and Skills; and

(d) 49 CFR sec. 383.131 through sec. 383.135, Tests.

(3) The CDL skills test must be administered by a certified CDL Third Party Examiner. The Examiner must:

(a) Not administer more than six CDL skills tests within a single calendar day.

(b) Begin and end all CDL skills tests during daylight hours.

(c) Administer all CDL skills tests within the State of Oregon.

(d) Administer all segments of the CDL skills test in the same type and class of commercial vehicle.

(e) Complete all segments of the CDL skills test on the same calendar day unless the CDL applicant fails or is unable to complete any portion of the test, as described in section (8) of this rule.

(f) Not administer another CDL skills test until after the minimum waiting period set forth in OAR 735-062-0070(7) has passed, if the CDL applicant fails any part of the CDL skills test.

- (g) Administer the CDL skills test using the test scoring sheets approved by DMV.
 - (h) Not permit any person who is not an Examiner, an official with DMV, an official with FMSCA or the CDL applicant being tested to observe or participate in a CDL skills test without the prior approval of DMV.
 - (i) Administer all segments of the CDL skills test in English.
- (4) A CDL skills test must not be administered if the Examiner has reason to believe that the CDL applicant's driving privileges are suspended, revoked, canceled or have otherwise been withdrawn.
- (5) The CDL skills test must be administered and scored in accordance with the federal regulations adopted by section (2) of this rule and the CDL skills test versions adopted by section (9) of this rule and the methods and procedures set forth in the Oregon CDL Examiner's Manual. The CDL skills test must include, but is not limited to, the following:
- (a) A pre-trip vehicle inspection test. This part of the CDL skills test must be administered first and must be administered at the scheduled test site, except as provided in OAR 735-060-0105(2)(b). It is designed to evaluate the CDL applicant's ability to identify and operate the equipment on the vehicle in which the CDL applicant is being tested and to detect and identify unsafe vehicle equipment items as described in the Oregon Commercial Driver Manual. The specific items that must be inspected during a pre-trip inspection are those listed in the Oregon CDL Examiner's Manual.
 - (b) A basic control skills test. This part of the CDL skills test must be administered after the CDL applicant has successfully completed the pre-trip vehicle inspection test and prior to the on-road drive test, and must be administered at the scheduled test site, except as provided in OAR 735-060-0105(2)(b). It is designed to evaluate the CDL applicant's ability to control the vehicle and judge the position of the vehicle in relation to other objects through basic starting, stopping, backing or parking maneuvers. The specific exercises that must be performed and the course layout that must be used during a basic control skills test are those described in the Oregon CDL Examiner's Manual.
 - (c) An on-road drive test. This part of the CDL skills test, which must be administered after successful completion of the basic control skills test, is designed to evaluate the CDL applicant's competency to safely operate a commercial motor vehicle or combination of commercial vehicles under actual driving conditions. The CDL applicant must demonstrate safe and proper driving methods and procedures and knowledge of the traffic laws. The following apply to an on-road drive test:
 - (A) It must be administered on the scheduled on-road drive test route, except as provided in OAR 735-060-0105(2)(b).
 - (B) The commercial motor vehicle or combination of commercial vehicles must be of the class for which the CDL applicant seeks a license or endorsement and must have the proper equipment in safe working order so that the vehicle(s) can be operated safely and legally. The Examiner is not required to verify the safe condition of any commercial motor vehicle provided by the CDL applicant for an on-road drive test, but must not administer the test if it is apparent the vehicle cannot be operated safely and legally.
 - (C) The CMV or combination of CMVs must not be loaded, but the test must be administered and scored as if the CMV or combination of CMVs is loaded.
- (6) DMV will approve an on-road drive test route if DMV determines that it:
- (a) Enables the CDL Third Party Examiner to evaluate the ability of the CDL applicant to perform the maneuvers listed in the Oregon CDL Examiner's Manual; and
 - (b) Meets the specifications for an on-road drive test for a CDL set forth in the Oregon CDL Examiner's Manual.
- (7) DMV may determine that a previously approved on-road drive test route is no longer approved if DMV learns that the route is lacking required elements, or, due to road or traffic conditions, trying to perform necessary maneuvers at a certain point on the route may be unsafe. DMV will notify a Third Party Tester when a route may no longer be used for an on-road drive test.
- (8) If an applicant fails any part of the CDL skills test, an approved Third Party Tester may accept a score for the part of the CDL skills test that the applicant passed. A Third-Party Tester may administer a subsequent CDL skills test for any part of the CDL skills test that the applicant previously failed. An applicant must pass all segments of the CDL skills test using one CDL test version, described in section (9) of this rule. DMV may not accept a score for any part of the CDL skills test that the applicant previously passed if the applicant's CLP has expired.

(9) A CDL Examiner must use one of the following approved CDL skills test versions to test an applicant:

(a) AAMVA CDL Skills Test Version March 2025, along with the corresponding examiner policy manual, in effect on June 1, 2025; or

(b) The ODOT CDL Skills Test in effect on March 1, 2022, which is approved for use by a CDL Examiner through May 31, 2026.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.010, 807.080

STATUTES/OTHER IMPLEMENTED: ORS 807.040, 807.070

AMEND: 735-063-0250

REPEAL: Temporary 735-063-0250 from DMV 4-2025

RULE TITLE: Knowledge Testing and Requirements for Issuance of CLP

NOTICE FILED DATE: 05/29/2025

RULE SUMMARY: DMV proposes to amend this rule to establish a clear and comprehensive list of documents acceptable for the issuance of non-Real ID CDL credentials. DMV also proposes to amend the rule to remove reference to "FMCSA guidance" that has been replaced with a formal United States Federal Motor Carrier Safety Administration (FMCSA) exemption to issue non-limited-term Real ID CDLs, and non-Real ID CDLs, to citizens of a country with a Compact of Free Association (COFA) with the United States.

RULE TEXT:

- (1) An applicant for commercial driving privileges must first apply for a CLP, except as specified in OAR 735-063-0260(1).
- (2) The class of CLP that DMV will issue, and the endorsements and restrictions that DMV will place on the CLP, are dependent on the knowledge tests that the applicant takes and passes and current CDL that the applicant possesses, or, if the applicant is applying for a replacement CLP, on the current CLP that the applicant possesses.
- (3) The provisions of OAR 735-062-0040 also apply to the knowledge tests given to an applicant for a CLP.
- (4) For purposes of the issuance of a CLP, a passing score for a knowledge test is valid for six months. Test scores have validity as specified in OAR 735-063-0260(8).
- (5) Except as provided for in section (6) of this rule, all applicants for a CLP must have a valid score for the CDL general knowledge test and additional knowledge test(s) as follows:
 - (a) An applicant for a Class A CLP must have a valid score for the combination vehicles knowledge test.
 - (b) An applicant for a CLP with a passenger endorsement must have a valid score for the passenger endorsement test.
 - (c) An applicant for a CLP with a school bus endorsement must have a valid score for the passenger endorsement knowledge test and for the school bus endorsement test.
 - (d) An applicant for a CLP with a tank endorsement must have a valid score for the tank endorsement knowledge test.
 - (e) An applicant for a CLP who wants to operate a CMV with air brakes must have a passing score for the air brake knowledge test.
- (6) For purposes of this rule, an applicant who previously completed a knowledge test for the issuance of a CDL, as demonstrated by the applicant's current unexpired CDL, or the applicant's CDL that has been expired no more than one year, is not required to retake that knowledge test for DMV to issue a CLP. In the case of a replacement CLP, an applicant who previously completed a knowledge test for the issuance of a CLP, as demonstrated by the person's current unexpired CLP, is not required to retake that knowledge test.
- (7) All knowledge tests are administered in English. DMV does not allow the use of an interpreter or language aid.
- (8) In addition to all requirements of OAR 735-062-0007(1) listed in subsections (e) through (i), an applicant for a CLP must:
 - (a) Provide the applicant's Social Security number on the application. DMV will verify the Social Security number as described in OAR 735-062-0005;
 - (b) Except as provided in section (9) of this rule and OAR 735-063-0265, provide proof of United States citizenship or lawful permanent residence in the United States.
 - (A) Proof of United States citizenship is:
 - (i) A certified copy of a birth certificate issued by a U.S. Territorial government, the District of Columbia or the government of a state or political subdivision of a state of the United States. DMV will not accept a hospital-issued birth certificate, hospital card or birth registration, or baptismal certificate.
 - (ii) U.S. Consular Report of Birth Abroad (FS-240).
 - (iii) U.S. government-issued Certification of Report of Birth (DS-1350 or FS-545).
 - (iv) A valid, unexpired United States passport.

- (v) A valid, unexpired United States passport card.
- (vi) A valid, unexpired United States Territory passport.
- (vii) Certificate of Citizenship (N560 and N561).
- (viii) Certificate of Naturalization (N550, N570 and N578).
- (B) Proof of lawful permanent residence in the United States is a valid, unexpired Permanent Resident card (I-551).
- (c) Certify driving type;
- (d) Provide proof of medical qualification as described in OAR 735-063-0220; and
- (e) Satisfy all requirements set forth in ORS 807.285.
- (9) A citizen of a nation with a Compact of Free Association (COFA) with the United States may apply for full-term commercial driving privileges. COFA nations are the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. An applicant from a COFA nation may present as proof of lawful status in the United States:
 - (a) A valid, unexpired passport issued by a COFA nation, and
 - (b) An Arrival/Departure Record (I-94 or CBP I-94A).
- (10) An applicant for a CLP is subject to the provisions of OAR 735-062-0007(2) to (9).
- (11) DMV shall issue a CLP only as a non-REAL ID CLP.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.010

STATUTES/OTHER IMPLEMENTED: ORS 807.018, 807.031, 807.035, 807.070, 807.285

AMEND: 735-063-0260

REPEAL: Temporary 735-063-0260 from DMV 4-2025

RULE TITLE: CDL Testing and Requirements for Issuance of CDL

NOTICE FILED DATE: 05/29/2025

RULE SUMMARY: DMV proposes to amend this rule to adopt the FMCSA regulations in effect on April 1, 2025, and to establish the CDL skills test versions, "March 1, 2022" and "March 2025," that are approved by DMV. DMV also proposes to amend this rule to remove reference to "FMCSA guidance" that has been replaced with a formal United States Federal Motor Carrier Safety Administration (FMCSA) exemption to issue non-limited-term Real ID CDLs, and non-Real ID CDLs, to citizens of a country with a Compact of Free Association (COFA) with the United States.

RULE TEXT:

(1) An applicant for a CDL must first be issued a CLP and pass a CDL skills test unless the applicant qualifies for one of the following exceptions:

(a) The applicant currently holds an Oregon CDL and is applying to renew or replace a CDL granting the exact same privileges.

(b) The applicant currently holds an Oregon CDL, is qualified for and has passed the knowledge test to add one or more of the following endorsements:

(A) Tank;

(B) Hazardous Materials;

(C) Doubles/Triples.

(c) The applicant surrenders a CDL that is valid or expired less than one year and was issued by another state or the District of Columbia and the applicant:

(A) Meets the qualifications set forth in OAR 735-062-0080 subsections (1)(a) - (e);

(B) Surrenders a CDL that is the same class as the CDL for which the application is made;

(C) Passes the vision screening; and

(D) Complies with OAR 735-063-0250(8)(a) to (d).

(d) The applicant meets the requirements of OAR 735-063-0280 to be issued an Oregon CDL based on the applicant's military training and experience operating CMVs.

(e) The applicant surrenders a valid, unexpired Licencia Federal de Conductor issued by the United Mexican States or a valid, unexpired CDL issued by a Canadian Province or Territory in conformity with the Canadian National Safety Code and meets the requirements described in OAR 735-063-0263.

(2) For a DMV examiner or CDL Third Party Examiner to administer a CDL skills test to an applicant, the applicant must:

(a) Have an unexpired Oregon driver license;

(b) Have an unexpired Oregon CLP that was issued not less than 14 days prior to the test;

(c) Have driving privileges that are not suspended, revoked, cancelled or otherwise withdrawn;

(d) Complete all required ELDT;

(e) Be ready to take the test in a class of vehicle or combination of vehicles that corresponds to or is lesser than the CLP, class, endorsements, and restrictions, possessed by the applicant and that corresponds to the CDL for which the person is applying;

(f) Have proof of insurance coverage on the vehicle as required by Oregon law;

(g) Complete all segments of the CDL skills test on the same calendar day unless the applicant fails or is unable to complete all three parts of the CDL skills test during a previous attempt; and

(h) Communicate with the examiner in English. All examiner instructions are given in English and the applicant must respond in English.

(3) In addition to the applicants described in section (2) of this rule, a CDL Third Party Examiner may administer a CDL skills test to an applicant who:

(a) Has a valid non-commercial driver license issued by another state;

- (b) Has a valid CLP issued by the same state as the non-commercial driver license described in subsection (a) of this section, that was issued not less than 14 days prior to the test;
 - (c) Meets the requirements provided in subsections (c) through (h) of section (2) of this rule;
 - (d) Is employed by an organization that provides employer-based training in Oregon and is an Oregon DMV approved employer-based testing organization;
 - (e) Has completed the employer provided ELDT in Oregon; and
 - (f) Is being tested by the same organization that provided ELDT.
- (4) DMV adopts the following FMSCA regulations in effect as of April 1, 2025, as the standards that must be followed by an examiner in the administration of an approved CDL skills test described in section (15) of this rule:
- (a) 49 CFR 383.71, Driver Applicant and Certification Procedures;
 - (b) 49 CFR 383.110 through 383.123, Required Knowledge and Skills; and
 - (c) 49 CFR 383.131 through 383.135, Tests.
- (5) The CDL skills test must be administered in accordance with the federal regulations adopted by section (4) of this rule and the methods and procedures set forth in the Oregon CDL Examiner's Manual. The CDL skills test consists of three parts:
- (a) A pre-trip vehicle inspection test. This part of the CDL skills test must be the first test administered by the examiner. It is designed to evaluate the applicant's ability to identify and operate the equipment on the vehicle in which the applicant is being tested and to detect and identify unsafe vehicle equipment items as described in the Oregon Commercial Driver Manual.
 - (b) A basic control skills test. This part of the CDL skills test must be administered after the applicant has successfully completed the pre-trip vehicle inspection test and prior to the on-road drive test. It is designed to evaluate the applicant's ability to control the vehicle and judge the position of the vehicle in relation to other objects through basic starting, stopping, backing and parking maneuvers.
 - (c) An on-road drive test. This part of the CDL skills test, which must be administered after successful completion of the basic control skills test, is designed to evaluate the applicant's competency to safely operate a vehicle or combination of vehicles under actual driving conditions. The applicant must demonstrate safe and proper driving methods and procedures and knowledge of the traffic laws. The following apply to an on-road drive test:
 - (A) The vehicle or combination of vehicles used for the CDL skills test must be of the class for which the applicant seeks a license or endorsement and must have the proper equipment in safe working order so that the vehicle(s) can be operated safely and legally. DMV will not administer the test if the examiner concludes the vehicle cannot be operated safely and legally; and
 - (B) The vehicle or combination of vehicles must not be loaded.
- (6) If the applicant fails any part of the CDL skills test, DMV or a CDL Third Party Tester may administer the failed parts of the test on a subsequent day on which DMV or the CDL Third Party Tester does business. CDL Third Party Examiners must conform to the scheduling requirements in OAR 735-060-0105(1)(n).
- (7) If an applicant fails any part of the CDL skills test, DMV or an approved Third Party Tester may accept the score for the part of the CDL skills test that the applicant passed. An applicant must pass all segments of the CDL skills test using a single CDL test version, described under section (15) of this rule. Scores for parts of the CDL skills test that the applicant passed may not be accepted for subsequent CDL skills test after the applicant's CLP expires.
- (8) All CDL skills test results must be recorded in CSTIMS.
- (9) A passing score for a completed CDL skills test is valid for six months. Once an applicant uses a CDL skills test score to have DMV issue commercial driving privileges, the test score is void and DMV may not use the test score for a subsequent issuance.
- (10) If a CDL skills test administered by DMV is not completed because of vehicle equipment failure due to the vehicle not having the necessary safety equipment or not being in proper working order, the required test fee will remain on the DMV customer record to serve as payment for a postponed test. If an applicant must postpone a CDL skills test three times due to equipment failure, it is a test failure and the test fee is forfeited. DMV will require an additional test fee for

subsequent tests.

(11) An applicant for a CDL with a hazardous materials endorsement must meet the requirements described in OAR 735-063-0290.

(12) If an applicant is applying for a Real ID CDL, the applicant is not required to comply with the provisions in section (1)(c)(D) of this rule.

(13) An applicant for a Real ID CDL must first be issued a non-Real ID CLP and pass a CDL skills test unless the applicant surrenders a valid CDL issued by another state or the District of Columbia and the applicant:

(a) Meets social security number verification requirements set forth in OAR 735-062-0006;

(b) Except as provided in OAR 735-063-0268, provides proof of:

(A) United States citizenship as described in OAR 735-062-0022(3);

(B) Permanent Legal residence in the United States as described in OAR 735-062-0022(4); or

(C) Lawful status in the United States as a citizen of the Federated States of Micronesia, the Republic of the Marshall Islands or the Republic of Palau under a Compact of Free Association (COFA) with the United States, as described in OAR 735-062-0022(5);

(c) Certifies driving type;

(d) Provides proof of medical qualification as described in OAR 735-063-0220; and

(e) Satisfies all requirements set forth in ORS 807.285.

(14) The expiration date of Real ID commercial driving privileges issued to a COFA citizen is described in OAR 735-062-0008(12).

(15) A CDL Examiner must use one of the following approved CDL skills test versions to test an applicant:

(a) AAMVA CDL skills test version March 2025, along with the corresponding examiner policy manual, in effect on June 1, 2025; or

(b) The ODOT CDL Skills Test in effect on March 1, 2022, which is approved for use by a CDL examiner through May 31, 2026.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.010, 807.085, 807.455, 807.480

STATUTES/OTHER IMPLEMENTED: ORS 807.018, 807.031, 807.035, 807.045, 807.085, 807.173, 807.285, 807.455, 807.480, 49 CFR §383.71, 49 CFR §§383.110 – 383.123, 49 CFR §§383.131-383.135