



U.S. Department  
Of Transportation

Federal Motor Carrier  
Safety Administration

VERMONT DIVISION

87 State Street Room 305  
P. O. Box 338  
Montpelier, VT 05601

RECEIVED

DEC 11 2023

December 6, 2023

Wanda Minoli, Commissioner  
Vermont Department of Motor Vehicles  
120 State Street  
Montpelier, VT 05603

COMMISSIONER'S OFFICE  
DEPARTMENT OF MOTOR VEHICLES

Dear Commissioner Minoli:

The FMCSA Vermont Division conducted the annual CDL Program Review (APR) and the Skills Testing Review (STR) between October and November 2023. A site visit was conducted at the Montpelier and Barre testing sites to observe CDL knowledge tests, skills tests, medical certification processing, and the general CDL licensing issuance process. The following is the final report of these two reviews.

In 2023, the APR/STR was a comprehensive review involving all aspects of CDL licensing and conviction/withdrawal processing. This year's review showed that VT DMV is largely in compliance with all CDL requirements. The three (3) findings noted in the 2022 APR are being addressed but remain open. These findings are noted in this report and will require updated action plans. The following are the findings and recommendations that will require action:

1. **Prohibition on Masking Convictions, 384.226:** *The State must not mask, defer imposition of judgment, or allow an individual to enter into a diversion program that would prevent a CLP or CDL holder's conviction for any violation, in any type of motor vehicle, of a State or local traffic control law (other than parking, vehicle weight, or vehicle defect violations) from appearing on the CDLIS driver record, whether the driver was convicted for an offense committed in the State where the driver is licensed or another State.*

1/20/2023: A New York CDL driver was issued a ticket for speeding 15 or miles per hour over the speed limit. The offense was amended/pleaded at trial from ACD code S15 (speeding) to a non-ACD code violation (logbook).

- Required: DMV must develop an action plan to address this finding.
- Recommendation: Advise judicial officers not to amend tickets issued for CDL serious and major offenses.

- *This is a repeat finding from the 2022 APR.*
2. **Driver application and certification procedures 383.71 (d):** *When applying for a renewal of a CDL, all applicants must: (1) Provide to the State certifications contained in paragraphs (b)(1) and (5) of this section.* The online renewal system DMV implemented does not capture this information.
- Required: Update and implement action plan to address this finding.
  - Recommendation: Add an update to the online system to capture the self-certification status of the applicant and provide documentation showing the update has been completed.
  - *This is a repeat finding from the 2021 and 2022 APR.*
3. **Driver application and certification procedures 383.71 (d):** *If a person wishes to retain a hazardous materials endorsement, he/she must comply with the requirements specified in paragraph (b)(8) of this section and pass the test specified in §383.121 for such endorsement.* The online renewal system DMV implemented does not prohibit CDL H endorsement holders from renewing their license online.
- Required: Update and implement an action plan to address this finding.
  - Recommendation: Add an update to the online system that prohibits CDL H endorsement applicants who haven't completed Parts 383.71 & 383.121 requirements from completing the online renewal process and provide documentation showing the update has been completed.
  - *This is a repeat finding from the 2021 and 2022 APR.*

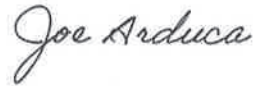
**Recommendations:**

- Ensure all skills testing sites have printed copies of instructions. This will ensure examiners are able to continue with testing in the case of a tablet malfunction.
- Ensure all skills testing sites have maps of the layout and measuring wheels. This will ensure examiners are able to continue with testing if painted layouts are not visible.
- Complete and return the CDL Records and Analysis project by January 31, 2024.
- Review and provide responses to Attachment D – Rural CDL Discussion by January 31, 2024.

I want to thank you and your staff for the time and effort put into this review. Our office looks forward to working with you and providing any assistance needed to address the findings and implement the noted recommendations.

Please submit a letter detailing corrective actions for review by February 1st, 2024. If you have any questions or concerns regarding these requirements/recommendations, feel free to contact me at (802) 828-4480.

Sincerely,

A handwritten signature in cursive script that reads "Joe Arduca".

Joe Arduca  
VT Division Administrator