§ 384.210 Limitation on licensing.

A State must not knowingly issue a CLP, a CDL, or a commercial special license or permit (including a provisional or temporary license) permitting a person to drive a CMV during a period in which:

(a) A person is disqualified from operating a CMV as disqualification is defined in §383.5 of this subchapter, or under the provisions of §383.73(j) or §384.231(b)(2) of this subchapter;

(b) The CLP or CDL holder’s non-commercial driving privilege has been disqualified; or

(c) Any type of driver’s license held by such person is disqualified by the State where the driver is licensed for any State or local law related to motor vehicle traffic control (other than parking, vehicle weight or vehicle defect violations).

§ 384.211 Surrender of old licenses.

The State may not initially issue, upgrade, or transfer a CDL to a person unless such person first surrenders any previously issued driver’s license and CLP.

§ 384.212 Domicile requirement.

(a) The State may issue CDLs or CLPs only to persons for whom the State is the State of domicile as defined in §383.5 of this subchapter; except that the State may issue a Non-Domiciled CLP or CDL under the conditions specified in §§383.23(b), 383.71(f), and 383.73(f) of this subchapter.

(b) The State must require any person holding a CLP or CDL issued by another State to apply for a transfer CLP or CDL from the State within 30 days after establishing domicile in the State, as specified in §383.71(c) of this subchapter.

§ 384.213 State penalties for drivers of CMVs.

The State must impose on drivers of CMVs appropriate civil and criminal penalties that are consistent with the penalties prescribed under part 383, subpart D, of this subchapter.

§ 384.214 Reciprocity.

The State must allow any person to operate a CMV in the State who is not disqualified from operating a CMV and who holds a CLP or CDL that is—
Federal Motor Carrier Safety Administration, DOT

§ 384.221  Out-of-service regulations (intoxicating beverage).

(a) Issued to him or her by his/her State or jurisdiction of domicile in accordance with part 383 of this subchapter;
(b) Not disqualified; and
(c) Valid, under the terms of part 383, subpart F, of this subchapter, for the type of vehicle being driven.

(76 FR 26895, May 9, 2011)

§ 384.218  Second serious traffic violation.

The State must disqualify from operating a CMV for a period of not less than 60 days each person who, in a three-year period, is convicted, as defined in §383.5 of this subchapter, in any State(s) or jurisdiction(s), of two serious traffic violations as specified in Table 2 to §383.51.

[67 FR 49762, July 31, 2002]

§ 384.219  Third serious traffic violation.

The State must disqualify from operating a CMV for a period of not less than 120 days each person who, in a three-year period, is convicted, as defined in §383.5 of this subchapter, in any State(s) or jurisdiction(s), of three serious traffic violations as specified in Table 2 to §383.51. This disqualification period must be in addition to any other previous period of disqualification.

[67 FR 49762, July 31, 2002]

§ 384.220  Problem Driver Pointer System information.

Before issuing a CLP or CDL to any person, the State must, within the period of time specified in §384.232, perform the check of the Problem Driver Pointer System in accordance with §383.73(b)(3)(iii) of this subchapter, and, based on that information, promptly implement the disqualifications, licensing limitations, and/or penalties that are called for in any applicable section(s) of this subpart.

[76 FR 26895, May 9, 2011]

§ 384.221  Out-of-service regulations (intoxicating beverage).

The State shall adopt, and enforce on operators of CMVs as defined in §§383.5 and 390.5 of this title, the provisions of §392.5(a) and (c) of this title in accordance with the Motor Carrier Safety Assistance Program as contained in 49 CFR part 350 and applicable policy and guidelines.