

**HIGHWAY SAFETY UNDER THREAT: EXAMINING
NON-DOMICILED CDL ISSUANCE TO ILLEGAL
ALIENS**

HEARING
BEFORE THE
**SUBCOMMITTEE ON
OVERSIGHT, INVESTIGATIONS,
AND ACCOUNTABILITY**
OF THE
COMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES
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HIGHWAY SAFETY UNDER THREAT: EXAMINING NON-DOMICILED CDL ISSUANCE TO ILLEGAL ALIENS

Wednesday, March 4, 2026

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON OVERSIGHT, INVESTIGATIONS,
AND ACCOUNTABILITY,
Washington, DC.

The subcommittees met, pursuant to notice, at 2:57 p.m., at Room 310, Cannon House Office Building, Hon. Josh Brecheen (Chairman of the subcommittee) presiding.

Present: Representatives Brecheen, Strong, Van Epps, Fong, Thanedar, Carter, and Green.

Mr. BRECHEEN. Good afternoon. The Committee on Homeland Security Subcommittee on Oversight, Investigations, and Accountability will come to order. Without objection, the Chair may declare the committee in recess at any point.

The purpose of this hearing is to examine how the issuance of non-domiciled commercial driver's licenses to individuals who are unlawfully present in the United States endangers public safety. We are pleased to have an expert—

Mr. THANEDAR. Mr. Chairman, I have a parliamentary question. Under clause 2(k)(1) of rule XI, the Chair shall announce in an opening statement the subject of the hearing and under clause 2(k)(8) of rule XI, the committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing. In order to judge if these rules could possibly be satisfied today, could the Chair please tell us how the topic of this hearing and the testimony of these witnesses accords with the committee's rule X jurisdictional statement?

Mr. BRECHEEN. You know, overall you are asking about the jurisdiction of this committee relative to this subject. Given the Homeland Security's oversight of the immigration naturalization elements and how that pertains to ICE, how that pertains to a number of different issuances, this falls within our jurisdiction as a committee.

Mr. THANEDAR. Mr. Chair, per rule X, the Transportation and Infrastructure Committee has jurisdiction over transportation regulatory agencies and roads and safety thereof, and transportation safety and transportation labor. Any bills to improve highway safety would need to be considered and voted on by that committee. I want it on the record before we start that this hearing is really

about nothing more than scapegoating immigrants for the President's economy, which is running off the road.

Mr. BRECHEEN. In response, I am going to just read to you something so everyone can be clear why we have jurisdiction. "While DOT is the primary Federal regulator of CDLs, DHS plays a critical role in granting work authorizations and immigration benefits through U.S. Citizenship and Immigration Services, working with DOT to verify lawful presence in the country, and tasking ICE to arrest and remove deportable aliens who are encountered in the course of commercial vehicle enforcement. In particular, through 287 agreements with State and law enforcement, since September 2025, ICE has partnered with State highway patrol agencies in several States, can conduct joint enforcement operations targeting illegal aliens operating commercial motor vehicles, resulting in significant arrests and taking unsafe drivers off the road.

"Additionally, compliance with Real ID requirements is also a major security concern. As some States have issued CDLs, clearly fail basic verification safeguards, including the instance where the ID listed its holder as, "no name given," in my home State of Oklahoma, this was discovered, "for a license that allowed the holder to operate a commercial driver's license. The Real ID Act of 2005, passed on the recommendations of the 9/11 Commission, established new standards for identification documents such as a driver's license as a way to verify the identities and check the backgrounds of individuals entering vulnerable facilities, especially in the transportation system."

As someone, myself, who has a class A CDL, I understand the danger when someone has a hazmat endorsement and 80,000 pounds used as a chemical bomb. This is absolutely under the jurisdiction of this committee.

Mr. THANEDAR. Well, Mr. Chair, if I may—

Mr. BRECHEEN. The gentleman has not been recognized. If the gentleman has a follow-up, I will recognize him. You are recognized.

Mr. THANEDAR. Thank you, Mr. Chair. Chairman, the DOT alone regulates licenses regardless of immigration status. Look, every collision is a tragedy, but it is already illegal and undocumented—that for undocumented immigrants to hold a CDL. Nothing the Trump administration is proposing, which will take lawful drivers off the road, will improve highway safety. DOT's rules and GOP bills will actually do the opposite, resulting in more lives lost.

Mr. BRECHEEN. All right. To the Ranking Member, this is going to be my last statement on the subject. I am citing from rule X of clause 1, the rules of the House, number 3, Functions—Committee on Homeland Security. Number 3, part of its functions, "Functions of the Department of Homeland Security relating to the following: border/port security; B, customs; C, integration; E, research development; 5—or F, transportation security."

All right. With that, we will continue.

I now recognize myself for an opening statement.

Good afternoon again. Thank you for joining us today. Today the subcommittee will examine a serious growing threat to public safety and the rule of law: the issuance of non-domiciled commercial

driver's license to illegal aliens unlawfully present in the United States.

Commercial truck drivers are the backbone of the American economy. Every day they transport food, fuel, medicine, and other critical supplies all across the United States and enable everyday life to continue without disruption. Currently, Federal law, individual States are responsible for issuance of CDLs, but they must do so in strict compliance with the standards set by the Federal Motor Carrier Safety Administration. The FMCSA requires that for a State to issue a non-domiciled CDL, they must require the individual be legally present in the United States and meet minimum standards for testing, identity, and verification. The FMCSA also recognizes that noncitizens have a basic understanding of the English language to read and understand road signs. Yet recent Department of Transportation audits have revealed alarming failures by many States to comply with these requirements.

For example, in Illinois, 1 in 5 non-domiciled CDLs failed to meet Federal standards. Last November, the Department of Transportation found that California had illegally issued 17,000 non-domiciled CDLs. California had illegally issued 17,000 non-domiciled CDLs. A 2025 audit by FMCSA found that over 50 percent of the non-domiciled CDLs issued by the State of New York were in violation of Federal law.

As President Trump highlighted in his State of the Union address last week, this issue has seen real and devastating consequences. In 2025 alone, at least 17 fatal crashes resulting in 30 deaths were caused by illegal aliens driving commercial vehicles with CDLs. One of the most tragic examples was a crash in St. Lucie County, Florida. Lucie County, Florida, am I saying that correctly? Sheriff, is that correct? Thank you. An illegal alien from India failed the CDL test 10 times in the span of 2 months. I want to repeat that. This accident occurred in your county. An illegal alien from India, who failed a CDL test 10 times in the span of 2 months in the State of Washington, managed to obtain his license, however, in California, then drove his 18-wheeler to Florida and caused a serious vehicle incident after making an illegal U turn, instantly killing 3 people.

These are not paperwork errors. Rather they represent systematic breakdowns and oversight that put American families at risk. These tragic incidents were caused by drivers who should never have been entrusted with commercial driver's licenses in the first place. These individuals were unfit to hold that credential and if States would follow through with standards and laws, they would not qualify them to receive one.

The human cost of these failures is painful. In 2024, 5-year-old Dalilah Coleman was nearly killed when a tractor-trailer driven by an illegal alien carried a fraudulent non-domiciled CDL, directly collided with the vehicle she was in. Following this incident, Dalilah endured a coma and months of hospitalization and had to relearn how to walk, talk, and eat. Her recovery was nothing short of a miracle. While I am grateful that Dalilah is making progress and her recovery must be clear, this tragedy should never have happened. When the rules that protect the public are treated as optional by certain States, innocent people like Dalilah pay the price.

You do not have to be a scholar to understand what a bad actor could do with a 40-ton tractor-trailer, especially one hauling hazardous cargo onto highways. In the wrong hands, that vehicle is not just a truck, it is a weapon capable of threatening public safety and national security.

This trend is a direct consequence of former President Biden's open border policy. President Biden claimed to have created more than 870,000 new CDL holders in his first year in office. The non-domiciled element absolutely a part of that, 870,000 in 1 year. In contrast, the Trump administration has been working diligently to combat this issue, taking several critical steps in recent months to restore accountability and compliance with Federal laws. This includes a final rule issued in February by the Department of Transportation, significantly tightens eligibility standards for receiving non-domiciled commercial driver's licenses. Additionally, the Department of Homeland Security has increased its coordination with many States looking to crack down on illegal aliens driving commercial vehicles, launching several successful operations in Indiana and my home State of Oklahoma, also Texas and Wyoming, to name a few.

Finally, some States, like Oklahoma, have taken steps to introduce legislation to combat this problem. Model legislation in May of last year, Oklahoma passed the Oklahoma Secure Roads and Safe Trucking Act, authored by State Senator Kendal Sacchieri and State Representative Jonathan Wilk, which increases the threshold of non-domiciled CDLs and requires that an individual provide proof of foreign citizenship and valid work visa and demonstrate English language proficiency. It is my hope that all States follow the footsteps of Oklahoma as they look to solve this issue.

Just as a side note, as Mr. Tipton is going to testify here shortly, 500 people were positioned to be removed, found in a September analyzation of weigh stations, Western Oklahoma I-40, of being in violation of FMCSA. Five hundred in Oklahoma in a very short time frame, showing how people come in through our State. Following suit of this change of statute is something that every State ought to be looking to replicate, every Governor, because of the tens of thousands of these commercial truck drivers that are on the roads coming through your State.

Although we are righting previous wrongs, we must remain vigilant. We must make sure the States enforce the law, keep licenses out of the hands of unqualified people who are unlawfully present. It is not a matter only of public safety, but a matter of national security.

Again, I want to thank our witnesses for being here today, and I now yield to Ranking Member Thanedar.

[The statement of Chairman Brecheen follows:]

STATEMENT OF CHAIRMAN JOSH BRECHEEN

MARCH 4

Good afternoon and thank you for joining us today.

Today, this subcommittee will examine a serious and growing threat to public safety and to the rule of law: the issuance of Non-Domiciled Commercial Driver's Licenses to illegal aliens unlawfully present in the United States.

Commercial truck drivers are the backbone of the American economy. Every day, they transport food, fuel, medicine, and other critical supplies all across the United States and enable every-day life to continue without disruption.

Currently, under Federal law, individual States are responsible for the issuance of CDLs, but they must do so in strict compliance with standards set by the Federal Motor Carrier Safety Administration.

The FMCSA requires that in order for a State to issue a non-domiciled CDL, they must require that the individual be legally present in the United States, and meet minimum standards for testing, identity, and verification.

The FMCSA also requires that non-citizens have a basic understanding of the English language to read and understand road signs.

Yet recent Department of Transportation audits have revealed alarming failures by States in compliance with these requirements. Unsurprisingly, sanctuary States are at the root of this problem.

A 2025 audit found that over 50 percent of non-domiciled CDL's issued by New York were in violation of Federal law.

In Illinois, 1 in 5 non-domiciled CDL's failed to meet Federal standards. And last November, the Department of Transportation found that California had illegally issued 17 thousand non-domiciled CDL's.

These are not paperwork errors. Rather, they represent systemic breakdowns in oversight that put American families at risk.

As President Trump highlighted in his State of the Union address last week, this issue has had real and devastating consequences. In 2025 alone, at least 17 fatal crashes, resulting in 30 deaths, were caused by illegal aliens driving commercial vehicles with CDLs.

These tragic incidents were caused by drivers who should never have been entrusted with a commercial driver's license in the first place.

These individuals were unfit to hold that credential and, if sanctuary States would follow existing standards and laws, would not qualify to receive one.

The human cost of these failures is painfully real. In June 2024, 5-year-old Dalilah Coleman was nearly killed when a tractor trailer driven by an illegal alien carrying a fraudulent non-domiciled CDL directly collided with the vehicle she was in. President Trump recognized her story during last week's address as a sobering reminder of what is at stake.

Following this incident, Dalilah endured a coma and months of hospitalization and had to re-learn how to walk, talk, and eat. Her recovery is nothing short of a miracle.

While I am grateful Dalilah is making strong progress in her recovery, we must be clear: this tragedy should never have happened.

When the rules that protect the public are treated as optional, innocent people like Dalilah pay the price.

You do not have to be a scholar to understand what a bad actor could do with a 40-ton tractor trailer, especially one hauling hazardous cargo onto highways.

In the wrong hands, that vehicle is not just a truck; it's a weapon capable of threatening public safety and our national security.

The Trump administration has been working diligently to solve this issue, taking several critical steps in recent months to restore accountability and compliance with Federal laws.

This includes a final rule issued in February by the Department of Transportation that significantly tightens eligibility standards for receiving non-domiciled commercial driver's licenses.

Additionally, the Department of Homeland Security has increased its coordination with many States looking to crack down on illegal aliens driving commercial vehicles, launching several successful operations in Indiana, Oklahoma, Texas, and Wyoming, to name a few.

Finally, some States, like my home State of Oklahoma, have taken steps to introduce legislation to combat this problem. In May of last year, Oklahoma passed the Oklahoma Secure Roads and Safe Trucking Act of 2025, which increases the threshold of non-domiciled CDLs and requires that an individual provide proof of foreign citizenship and valid work visa, and demonstrate English language proficiency.

It is my hope that all other States follow in the footsteps of Oklahoma as they look to solve this issue.

Although we are righting previous wrongs, we must remain vigilant. We must make sure that States enforce the laws and keep these licenses out of the hands of unqualified people who are unlawfully present in this country, instead of recklessly endangering the American public who are just trying to go about their daily lives.

This is not only a matter of public safety, but also a matter of national security.

Again, I want to thank our witnesses for being here today and I now yield to Ranking Member Thanedar.

Mr. THANEDAR. Thank you, Chairman. Good afternoon to all.

This past weekend a convicted felon with bone spurs illegally attacked Iran, launching a protracted war of regime change. President Trump callously said, and I quote, "We may have casualties, that often happens in wars," dismissing the over 1,000 lives lost thus far, including 6 American service members and 175 at a girls school. The Republican-run Congress sat idly by rather than returning to Washington to claim the war powers granted to it in the Constitution. This subcommittee, rather than focusing on how Trump's war threatens the homeland, is holding yet another hearing on demonizing hard-working immigrants.

I am an immigrant who came to this country with very little and worked hard to achieve the American Dream. Our country is built on the promise that anyone, regardless of their background, can come here, work hard, and succeed. That is why I am disturbed and offended that the Trump administration is responding to American Truckers United's call to eliminate trucking operators from foreign lands.

The Department of Transportation is actively trying to strip refugees, asylees, and DACA recipients of their commercial driver's license under the false pretense of highway safety. If DOT is successful, 200,000, or 5 percent, of commercial drivers will be removed from the road. We are all highly dependent upon these drivers to move goods across the country, take our children to school, transport commuters, maintain and repair roads, and clear streets after the storm. Over 70 percent of the Nation's freight moves by truck. Reducing the number of commercial drivers will disrupt the economy and deepen the affordability crisis that already plagues America.

The U.S. economy is running out of road. Americans are already struggling to afford groceries, medicine, and other goods because of Trump's tariffs. Fewer drivers also means fewer school buses, mass transit services, and snowplows. Daily life will get harder except for the men in the Epstein files who fly in luxury jets to private islands.

Replacing 200,000 experienced CDL drivers with less experienced drivers, who statistically are more prone to accidents, will reduce safety. Rather than pursuing sensible solutions to prevent collisions, such as requiring speed-limiting technologies in trucks, the Trump administration would rather punish immigrants who have a safer driving record than U.S. citizens.

Immigrants with non-domiciled CDLs have invested significant resources to satisfy the training, skills, knowledge tests, and requirements applicable to all individuals seeking to hold CDLs. It is already illegal to issue CDLs to undocumented migrants and Federal law requires commercial motorway operators to be proficient in English, including highway traffic signs and signals. Enforce the existing laws, but do not strip immigrants who are here legally of their livelihood, which will harm the U.S. economy and reduce public services.

I thank Ms. Liu for joining us today and look forward to her explaining how she is fighting the Trump administration's illogical attempts to change the eligibility rules for CDLs.

Thank you, Mr. Chair. I yield back.

[The statement of Ranking Member Thanedar follows:]

STATEMENT OF RANKING MEMBER SHRI THANEDAR

MARCH 4, 2026

This past weekend, a convicted felon with bone spurs illegally attacked Iran, launching a protracted war of regime change. President Trump callously said, "we may have casualties, that often happens in war," dismissing the almost 600 lives lost thus far, including 6 American service members and 175 at a girls' school.

The Republican-run Congress sat idly by rather than returning to Washington to claim the war powers granted to it in the Constitution. And this subcommittee, rather than focusing on how Trump's war threatens the homeland, is holding yet another hearing on demonizing hard-working immigrants.

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The Department of Transportation (DOT) is actively trying to strip refugees, asylees, and DACA recipients of their commercial driver's licenses (CDLs) under the false pretense of highway safety. If DOT is successful, 200,000—or 5 percent—of commercial drivers will be removed from the road.

We are all highly dependent upon these drivers to move goods across the country, take our children to school, transport commuters, maintain and repair roads, and clear streets after a storm. Over 70 percent of the Nation's freight moves by truck. Reducing the number of commercial drivers will disrupt the economy and deepen the affordability crisis that already plagues America.

The U.S. economy is running out of road. Americans are already struggling to afford groceries, medicine, and other goods because of Trump's tariffs. Fewer drivers also means fewer school buses, mass transit services, and snowplows. Daily life will get harder except for the men in the Epstein files who fly in luxury jets to private islands. Replacing 200,000 experienced CDL drivers with less experienced drivers—who statistically are more prone to accidents—will reduce safety.

Rather than pursuing sensible solutions to prevent collisions, such as requiring speed-limiting technologies in trucks, the Trump administration would rather punish immigrants who have a safer driving record than U.S. citizens.

Immigrants with non-domiciled CDLs have invested significant resources to satisfy the training, skills, knowledge tests, and requirements applicable to all individuals seeking to hold CDLs. It is already illegal to issue CDLs to undocumented migrants, and Federal law requires commercial motor operators to be proficient in English, including highway traffic signs and signals.

Enforce the existing laws, but do not strip immigrants who are here legally of their livelihood, which will harm the U.S. economy and reduce public services. I thank Ms. Liu for joining us today and look forward to her explaining how she is fighting the Trump administration's illogical attempts to change the eligibility rules for CDL holders.

Mr. BRECHEEN. All right. I thank the Ranking Member.

Other Members of the committee are reminded opening statements may be submitted for the record.

[The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

MARCH 4, 2026

I find it disappointing that my Republican colleagues have called this hearing to discuss a topic solely in another committee's jurisdiction when we could be discussing how Kristi and Corey have weaponized the Department of Homeland Security (DHS) against the American people.

My colleagues must know that no State is legally allowed to issue non-domiciled commercial driver's licenses (CDLs) to undocumented migrants. Only lawful immi-

grants, proficient in English, can obtain commercial driver's licenses. This has been Federal law long before Trump stepped foot in the White House the first time. And despite the racist and nativist tropes blaming non-domiciled commercial drivers for truck crashes, the truth is they are underrepresented in fatal collisions, accounting for less than 1 percent.

If Republicans really cared about highway safety, they would consider recommendations grounded in crash data studies such as requiring side guards for 18-wheelers and automatic braking systems. The Department of Transportation's (DOT) new rule depriving asylum seekers and refugees of commercial licenses is nothing more than another cruel and spiteful plan, driven by white nationalism, to hurt immigrants trying to make a better life for themselves. But no mistake, it will also hurt all Americans.

Depriving immigrants of CDLs will disrupt the U.S. economy. DOT's rule would force 200,000 commercial drivers off the road, straining supply chains and causing lengthy delays in delivering food and goods. These drivers are the same ones who provide essential public services, including driving our children to school, operating snowplows during chilling blizzards, and running the mass transit system. Removing experienced truckers from the road makes our roads less safe, not more safe.

This hearing is a distraction from the chaos and corruption occurring at DHS daily. This subcommittee should be conducting oversight of DHS's occupation of American cities that resulted in the murder of U.S. citizens by masked law enforcement and the arrest of protesters exercising their First Amendment right. The crackdown in Minneapolis was so egregious that it was a relief to see Tom Homan—the father of family separation—replace “Commander at Large” and Nazi fashion aficionado Greg Bovino.

That's the same Tom “Bags of Cash” Homan who has lots of company, just not good company, when it comes to grifting off DHS. Contracts worth millions for planes, cars, and media campaigns have all been awarded to Trump megadonors or those with ties to senior DHS officials. What isn't being spent is billions in disaster aid the Trump administration is unlawfully withholding from State and local governments.

Although our communities are being denied flood assistance, they are being flooded with 10,000 unqualified immigration officers hired by DHS and pushed into the field without adequate training. But you won't find a job at the Department's cybersecurity agency even though it lost one-third of its total workforce since Trump took over, significantly weakening its ability to defend critical infrastructure from cyber attacks while we are at war with Iran.

There is so much chaos and corruption within DHS that there is no need for Republicans to conduct oversight of topics outside this committee's jurisdiction.

Mr. BRECHEEN. I am pleased to have a distinguished panel of witnesses before us today on this critical topic. Pursuant to committee rule VIII(C), I ask our witnesses to please rise and raise their right hands.

[Witnesses sworn.]

Mr. BRECHEEN. Let the record reflect that the witnesses have answered in the affirmative. Thank you. Please be seated.

I would now like to formally introduce our witnesses. Mr. Tim Tipton is the commissioner of my home State of the Oklahoma Department of Public Safety. He is a nationally-recognized expert on police training practices and with nearly 38 years of experience at the department.

Mr. Richard Del Toro, Jr. is the sheriff of St. Lucie County, Florida. Prior to his election as sheriff, Mr. Del Toro served his 26 years with the Port St. Lucie Police Department, retiring as chief of police. Foreign Affairs Chairman Mast was going to try to be here to do a special introduction, but he got held up in other activities.

Ms. Wendy Liu is an attorney at Public Citizen Litigation Group. I thank each of our distinguished witnesses for being here today.

I now recognize Commissioner Tipton for 5 minutes to summarize his opening statement.

**STATEMENT OF TIM TIPTON, COMMISSIONER, OKLAHOMA
DEPARTMENT OF PUBLIC SAFETY**

Mr. TIPTON. Thank you, Chairman Brecheen and Ranking Member Thanedar and esteemed Members of the subcommittee. I appreciate the opportunity to share with you the Oklahoma Highway Patrol's experience with the shocking amount of transnational freight being transported by illegal aliens.

The month after President Trump took office, ICE announced its Task Force Model Agreements. These agreements allowed State and local officers to become credentialed to enforce immigration laws during routine law enforcement encounters. OHP immediately joined and rapidly sent all 730 of its officers through the ICE credentialing process. With every Oklahoma trooper now having an ICE credential, we've been given a unique and first-hand view of the prolific problem of illegal aliens operating CMVs on our national interstate and defense highway system.

By way of a quick example, last September, OHP and ICE conducted a joint emphasis in Western Oklahoma along the Interstate 40 corridor. During this emphasis, OHP took 90 CMV operators into custody for immigration violations, aliens from all over Eastern Europe, Asia, and Africa. This means that in an approximate 24 hours of shift work on a random weekday in the middle of our heartland, roughly 50 percent of OHP CMV encounters resulted in the arrest of an illegal alien. In fact, since late summer of '25—2025—OHP has taken over 450 CMV operators into custody for immigration violations. Many of these drivers struggle with even basic English language proficiency and likely receive their licenses from an unscrupulous CDL mill.

Through this experience, OHP has learned of several concerning problems with the Federally-regulated system for issuance of CDLs. I will share an account of one OHP immigration arrest that highlights these problems. During a joint OHP-ICE emphasis, OHP encountered a driver operating an 80,000-pound semi-truck traveling from California to Missouri. As our trooper was performing a standard CMV inspection, the driver presented a Real ID-compliant CDL with the first name listed as "No name given." After discovering the driver was an illegal alien, our trooper used his ICE 287(g) credential to arrest him for immigration violations.

On many similar occasions, we've encountered illegal aliens operating with facially valid CDLs, CDLs with expiration dates far exceeding the alien's temporary immigration status, CDLs not being labeled non-domiciled as required by FMCSA regulations, and Real IDs being issued to illegal aliens, including Real IDs listing only a first or last name. OHP's experience corroborates the FMCSA's recent policy position that an employment authorization document, or an EAD, is an inadequate qualifier for an alien to operate in this highly regulated critical infrastructure industry.

FMCSA's recent rule-making on non-domiciled CDLs represents a practical and effective solution to many of these problems. However, challengers have already filed suit to upend FMCSA's new rules. I urge Congress to support this rule-making effort and to pass any legislation that may be necessary to respond to judicial challenges.

That leaves the concerns about Real IDs being issued to aliens with a tenuous immigration status. I'm surprised and concerned about the temporary aliens being granted Real IDs. As you are aware, the purpose of a Real ID is to serve as a gatekeeping function into Federal facilities, commercial airline travel, and even nuclear facilities. However, the act authorizes issuance of Real IDs to aliens with nothing more than temporary visas, pending applications for asylum, or temporary protected status, or even a deferred action status, which is merely a parole into the United States. In view of the gatekeeping function of Real IDs, I urge reconsideration of the qualifiers for aliens to receive these credentials.

Let us not forget that a CDL with a hazardous materials endorsement permits a driver to drive a liquid bomb to virtually any location in America. Nine-eleven should remind us how critical it is to safeguard our transportation network. A coordinated nationwide enforcement effort is critical to protecting our Nation not only from dangers to the motoring public of unqualified alien drivers, but also from potential terrorist threats.

Thank you again, Chairman Brecheen, Ranking Member Thanedar, and Members of the subcommittee for permitting me to share with you the experience of the Oklahoma Highway Patrol.

[The prepared statement of Mr. Tipton follows:]

PREPARED STATEMENT OF TIM TIPTON

Thank you Chairman Brecheen, Ranking Member Thanedar, and esteemed Members of the subcommittee. I appreciate the opportunity to share with you the Oklahoma Highway Patrol's (OHP) experience with the shocking amount of transnational freight being transported by illegal aliens.

The month after President Trump took office, ICE announced its Task Force Model agreements. These agreements allow State and local officers to become credentialed through ICE to enforce immigration laws during routine law enforcement encounters. OHP immediately joined and rapidly sent all 730 of its officers through the ICE credentialing process. With every Oklahoma trooper now having an ICE credential, we have been given a unique and first-hand view of the prolific problem of illegal aliens operating commercial motor vehicles (CMVs) on our National InterState and Defense Highway system.

By way of quick example, last September OHP and ICE conducted a joint emphasis in western Oklahoma along the I-40 corridor. During this emphasis, OHP took 90 CMV operators into custody for immigration violations—aliens from all over Eastern Europe, Asia, and Africa.¹ This means that in approximately 24 hours of shift work, on a random weekday in the middle of our heartland, roughly 50 percent of OHP's CMV encounters resulted in the arrest of an illegal alien.

In fact, since late summer 2025, OHP has taken over 450 CMV operators into custody for immigration violations. Many of these drivers struggle with even basic English language proficiency and likely received their licenses from unscrupulous CDL mills.² Through this experience, OHP has learned of several concerning problems with the federally-regulated system for issuance of Commercial Driver Licenses (CDLs). I will share an account of one OHP immigration arrest that highlights these problems.

During a joint OHP-ICE emphasis, OHP encountered a driver operating an 80,000-pound semi-truck traveling from California to Missouri. As our trooper was performing a standard CMV inspection, the driver presented a REAL ID-compliant CDL with the first name listed as "No Name Given." After discovering the driver

¹ Exhibit 1, Highlights from Joint OHP-ICE Emphasis in Beckham County, OK; Sept. 23–24, 2025.

² *Trump's Transportation Secretary Sean P. Duffy Moves to Shut Down Hundreds of CDL Mills Violating Federal Regulations*. (Feb. 18, 2026). <https://www.transportation.gov/briefing-room/trumps-transportation-secretary-sean-p-duffy-moves-shut-down-hundreds-cdl-mills>.

was an illegal alien, our trooper used his ICE 287(g) credential to arrest him for immigration violations.³ On many similar occasions, we have encountered:

1. Illegal aliens operating with facially valid CDLs,
2. CDLs with expiration dates far exceeding the alien's temporary immigration status,
3. CDLs not being labeled "Non-Domiciled" as required by FMCSA regulations, 44 C.F.R. § 383.153(c), and
4. REAL IDs being issued to illegal aliens, including REAL IDs listing only a first or last name.

OHP's experience corroborates the FMCSA's recent policy position that an Employment Authorization Document (EAD) is an inadequate qualifier for an alien to operate in this highly regulated critical infrastructure industry. FMCSA's recent rulemaking on Non-Domiciled CDLs⁵ represents a practical and effective solution to many of these problems.⁶ However, challengers have already filed suit to upend FMCSA's new rule.⁷ I urge Congress to support this rulemaking effort and to pass any legislation that may be necessary in response to judicial challenges.

That leaves the concerns about REAL IDs being issued to aliens with a tenuous immigration status. Though I am not an expert on REAL IDs, other high-ranking authorities share my surprise and concern about temporary aliens being granted REAL IDs. As you are aware, the purpose of a REAL ID is to serve a gatekeeping function into Federal facilities, commercial air travel, and even nuclear facilities.⁸ However, the Act authorizes issuance of REAL IDs to aliens with nothing more than temporary visas, pending applications for asylum or temporary protected status, or even a deferred action status, which is merely a parole into the United States. In view of the gatekeeping function of REAL IDs, I urge reconsideration of the qualifiers for aliens to receive these credentials.

Let us not forget that a CDL with a hazardous materials endorsement permits a driver to drive a liquid fuel bomb to virtually any location in America. Nine-eleven should remind us how critical it is to safeguard our transportation network. A coordinated nationwide enforcement effort is critical to protecting our Nation, not only from the dangers to the motoring public of unqualified alien drivers, but also from potential terrorist threats.⁹

Thank you again, Chairman Brecheen, Ranking Member Thanedar, and Members of the subcommittee for permitting me to share with you the experience of the Oklahoma Highway Patrol.

³Exhibit 2, *ICE Arrest Illegal Alien Driving an 18-Wheeler with New York Commercial Driver's License Issued to "No Name"* (Oct. 10, 2026). <https://www.dhs.gov/news/2025/10/10/ice-arrest-illegal-alien-driving-18-wheeler-new-york-commercial-drivers-license>.

⁵91 Fed. Reg. 7044 (Feb. 13, 2026).

⁶Non-Domiciled CDL 2026 Final Rule FAQs. <https://www.fmcsa.dot.gov/regulations/non-domiciled-cdl-2026-final-rule-faqs>.

⁷*Lujan v. Federal Motor Carrier Safety Administration*, No. 26–1032 (D.C. Cir. Feb. 12, 2026).

⁸Real ID Act of 2005, § 201, Title II of Division B of Public Law 109–13, codified at 48 U.S.C. § 30301 note.

⁹Maj. Staff of H.R. Subcomm. on Immigration Integrity, Security, and Enforcement of the Comm. on Judiciary, 118th Cong., *Terror at Our Door: How the Biden-Harris Administration's Open-Borders Policies Undermine National Security and Endanger Americans* (Aug. 5, 2024).

Exhibit 1
Joint OHP-ICE Emphasis
Beckham County, OK
Sept. 23-24, 2025



Results

- Vast majority of illegal aliens entered US illegally between 2020 and 2024 through our southern border
- Immigration violations included:
 - Illegal reentry after prior deportation
 - Final deportation order in place
 - Entry without inspection (undetected border crossing)
 - Visa overstay

Results

Among the illegal aliens detained, prior criminal histories included:

- Human Smuggling
- Drug Trafficking / Distribution
- Money Laundering
- Assault
- Driving Under the Influence
- Failure to Appear for Criminal Charges

Countries of Origin

Tajikistan	India	Montenegro	Uzbekistan	Georgia	Kyrgyzstan
Kazakhstan	China	Pakistan	Russia	Belarus	Ukraine
Turkey	Mauritania	Cuba	Guatemala	Mexico	Venezuela

Top CDL Issuing States

California – 44 CDL Driver's Taken Into Custody

New York – 14 CDL Driver's Taken Into Custody

Pennsylvania – 12 CDL Driver's Taken Into Custody

Illinois – 11 CDL Driver's Taken Into Custody

Release Date: October 10, 2025

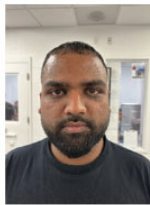
DHS is working with Department of Transportation, state and local partners to get illegal alien truck drivers off our highways

WASHINGTON — The U.S. Department of Homeland Security (DHS) today announced the arrest of an illegal alien, Anmol Anmol, who was issued a commercial driver's license (CDL) by the state of New York to "No Name Given Anmol."



On September 23, 2025, the Oklahoma Highway Patrol encountered Anmol during a routine inspection at a truck scale on I-40. Record checks conducted by ICE revealed Anmol is an illegal alien from India. ICE arrested him and placed him in removal proceedings.

He entered the U.S. illegally in 2023 and was released by the Biden administration into the country.



The arrest was part of a successful [three-day enforcement operation](https://links-) <https://links->

<https://www.ice.dhs.gov/news/2024/03/06/ice-targeted-threats-to-public-safety-along-i-40-in-oklahoma-us-immigration-and-customs-enforcement-ice-and-oklahoma-highway-patrol-operation-was-made-possible-by>

"Allowing illegal aliens to obtain commercial driver's licenses to operate 18-wheelers and transport hazardous materials on America's roads is reckless and incredibly dangerous to public safety. Thanks to the successful 287g partnership of ICE and Oklahoma Highway Patrol, Anmol Anmol is no longer posing a threat to drivers," said Assistant Secretary Tricia McLaughlin. "New York is not only failing to check if applicants applying to drive 18-wheelers

Commercial motor vehicles can weigh up to 80,000 pounds. When operated unsafely, they have the potential to cause devastating consequences in a matter of seconds. That is why strong, consistent, and reliable safety standards for commercial driver's licensing are essential to protecting the public. Florida has taken important steps to strengthen verification, improve coordination with Federal authorities, and ensure compliance with Federal standards. However, when these standards vary between States, those inconsistencies can create vulnerabilities that place our communities at risk.

My purpose in appearing before you today is not to assign blame, but to share the reality that I've witnessed as sheriff and to support efforts that enhance public safety, strengthen accountability, and prevent future tragedies. Highway safety is not a partisan issue. It is a public safety responsibility. The American people expect and deserve confidence that every individual operating a commercial motor vehicle on our roadways has met the highest standards of qualification, training, and verification. As sheriff, my oath is to protect life, and I'm here today to help ensure we do everything possible to uphold that responsibility.

Thank you for your time, and I look forward to answering your questions, sir.

[The prepared statement of Sheriff Del Toro follows:]

PREPARED STATEMENT OF RICHARD DEL TORO

MARCH 4, 2026

Chairman Brecheen, Ranking Member Thanedar, and Members of the subcommittee, I want to thank you for convening this important hearing on highway safety and the serious risks associated with non-domiciled commercial driver licensing. This dangerous problem requires attention, so I thank you for your attention.

I was elected sheriff of St. Lucie County in November 2024 after serving 25 years with the Port St. Lucie Police Department. Shortly after being sworn-in as sheriff in January 2025, the Florida Legislature held a special session to establish new laws to enable local law enforcement to work responsibly with the Trump administration as they enforce Federal laws prohibiting illegal immigration.

FLORIDA LEADING THE WAY

Thanks to the leadership of House Speaker Danny Perez, Senate President Ben Albritton and members of both chambers, Governor Ron DeSantis signed SB 2-C into law on February 13, 2025.

SB 2-C is a comprehensive piece of legislation. I would like to highlight only a few of the key sections.

- Requiring a county detention facility to provide, upon request from a Federal immigration agency, a list of all inmates booked into a county detention facility and any information regarding each inmate's immigration status.
- Banning sanctuary policies by ensuring a State entity, local governmental entity, or law enforcement agency may not prohibit or in any way restrict a law enforcement officer from executing or assisting in the execution of a lawful judicial warrant.
- Requiring a Florida law enforcement agency to use its best efforts to support the enforcement of Federal immigration law.
- And finally, requiring for purposes of proof of identity, that a driver license record or identification card record from another jurisdiction must comply with the Federal REAL ID Act.

In total, the legislation was a thorough and well-thought-out way for our State to assist the Federal Government with their duty to enforce our immigration laws. However, we can have all the best laws in our own home State, but if we are all not working together, tragedy can strike. That is certainly what occurred in my county on August 12, 2025, when an illegal immigrant operating a commercial motor vehicle caused a fatal crash on the Florida Turnpike.

On that afternoon, a semi-truck pulling a trailer attempted to cross the north-bound travel lanes near mile marker 171 in St. Lucie County in order to make an illegal U-turn through the center median. A minivan traveling lawfully in the left lane collided with the mid-section of the trailer and became lodged underneath the semi-truck. Two occupants of the minivan were pronounced deceased at the scene, and a third victim later died from injuries sustained in the crash.

Nothing during the investigation showed a need for the truck driver to make such a maneuver. During the investigation authorities quickly learned that the driver had previously entered the United States illegally in 2018 after crossing the Southern Border and had been issued a Notice to Appear in immigration court. At the time of the crash, he possessed a commercial driver's license issued by another State earlier in 2025. Based on the totality of the evidence, the driver was charged with 3 counts of vehicular homicide.

The issuance of non-domiciled Commercial Driver's Licenses (CDLs) to illegal aliens poses a grave threat to homeland security and public safety on our roadways. These licenses, granted by certain States to individuals lacking lawful permanent domicile or verified U.S. residency, enable unauthorized migrants to operate massive commercial vehicles, bypassing critical vetting processes.

For my community, this was not an abstract policy issue. This was a preventable and devastating tragedy.

NATIONAL SECURITY RISKS

Non-domiciled CDLs create vulnerabilities that have been continuously exploited by illegal aliens, allowing them access to the commercial trucking industry—a sector critical to national supply chains and infrastructure. Foreign nationals without U.S. driving records can obtain these licenses using minimal documentation, like Employment Authorization Documents (EADs), which do not verify foreign crash histories, DUIs, or other violations. In 2025, the Federal Motor Carrier Safety Administration (FMCSA) documented 17 fatal crashes involving such drivers, resulting in 30 deaths; these drivers lacked the consular screening applied to U.S. citizens. This loophole further endangers critical infrastructure, as commercial trucks routinely transport hazardous materials and goods across borders. States like California have issued thousands of these licenses to undocumented individuals, correlating with interdiction operations uncovering illegal activity, such as Indiana's Midway Blitz arresting 146 unauthorized truck drivers. Without Federal mandates, sanctuary policies undermine homeland security by prioritizing access over accountability. Without consistency, differing State policies undermine highway safety and national security.

PUBLIC SAFETY DATA

Fatal incidents underscore the dangers. As I previously mentioned, the tragedy that occurred in my county when an illegal alien with a non-domiciled CDL caused a Turnpike crash killing 3, was attributed to another State's lax issuance of the license. Indiana reported multiple fatalities from illegal aliens operating semi-trucks, prompting Governor Mike Braun to mandate revocations.

English proficiency gaps only exacerbate the risks; non-domiciled drivers often struggle with U.S. signage and instructions. Nationally, non-domiciled CDLs surged under prior administrations, with FMCSA estimating 200,000 affected by reforms—yet safety incidents persist.

H.R. 5688: NON-DOMICILED CDL INTEGRITY ACT

H.R. 5688, introduced by Rep. David Rouzer (R-NC) in October 2025, directly addresses these threats by tightening eligibility for non-domiciled CDLs. The bill limits issuance to foreign-domiciled individuals with lawful status, job-linked visas (e.g., H-2A/H-2B), and verified immigration via SAVE systems; Puerto Rican/U.S. territory applicants must prove citizenship. States must retain records for 2 years, aligning with U.S. Department of Transportation's safety push post-President Trump's Executive Order on trucking rules. With 15 cosponsors, H.R. 5688 responds to FMCSA identified crashes where improper vetting enabled ineligible drivers. Enactment would standardize protections, closing State-level gaps.

CLOSING

At the conclusion of my testimony, I have provided updates from Florida's Department of Highway Safety and Motor Vehicles regarding the overview of the process for issuing non-domiciled CDLs as well as changes to the Florida CDL issuance process resulting from new FMCSA rules.

I applaud this committee for taking a serious look at this public safety issue and would ask you to also focus your energy on the sources of this problem. Highway safety depends on strong, consistent standards that protect citizens. Together, we can keep commerce moving forward, but not at the expense of the safety of our communities.

Thank you.

OVERVIEW OF FLORIDA'S EXISTING PROCESSES FOR ISSUING NON-DOMICILED CDLS

- Florida only issues licenses to drivers who are in the country legally.
- Licenses issued to non-citizens with temporary legal presence (non-domiciled) are valid for a year, or the last date of the customer's legal status, whichever comes soonest.
- For each license issued to non-citizens, Florida verifies electronically with DHS/USCIS' SAVE system that the customer had legal presence in the United States.
- Florida scans and maintains all documents presented by the driver to establish their identity and legal status. Those documents are available in DAVID.
- All issuances involving drivers with temporary legal presence (non-domiciled) are conducted in person.
- If a non-citizen is only allowed to be in the United States on a temporary basis, we place the words "TEMPORARY" on the front of driver license. (Note: Due to Federal Motor Carrier Safety Administration (FMCSA) rule updates, Florida will also begin printing the words "non-domiciled" on the license moving forward.)
- The written CDL knowledge test was previously provided in Spanish and English with the prior approval of FMCSA. However, Florida recently changed its policy and all driver license testing, including Class E, must be taken in English only.
- The behind-the-wheel CDL skills test is provided in English only as required by FMCSA regulations. Skill testing in Florida is outsourced to third parties with oversight by the State.
- At the request of FMCSA, Florida paused all issuances of CDLs to non-domicile drivers on November 24, 2025, and plans to resume issuances after the new FMCSA rules become effective in mid-March.

CHANGES TO THE FLORIDA CDL ISSUANCE PROCESS IN FLORIDA RESULTING FROM NEW FMCSA RULES

- Only individuals in H-2A, H-2B, or E-2 nonimmigrant visa statuses and individuals domiciled in a U.S. territory (under specified conditions), are eligible for a non-domiciled CDL license. It is anticipated that the number of non-domiciled CDL license holders will decline sharply because of this restriction.
- As mentioned above, Florida will begin printing "non-domiciled" on the face of the CDL once we resume issuance.

Mr. BRECHEEN. Thank you, Sheriff.

Ms. Liu, for your opening statement.

STATEMENT OF WENDY LIU, ATTORNEY, PUBLIC CITIZEN LITIGATION GROUP

Ms. LIU. Good afternoon, Chairman Brecheen, Ranking Member Thanedar, Members of the subcommittee. Thank you for the opportunity to testify today.

I am Wendy Liu, an attorney with Public Citizen Litigation Group, the litigating arm of the nonprofit consumer advocacy organization Public Citizen, which was founded in 1971. The litigation group represents the petitioners challenging the rule recently issued by the Trump administration that would prohibit documented immigrants from holding commercial driver's licenses even though they have legal authorization from the Federal Government to work jobs in the United States.

As we all agree, highway safety is of critical importance. Trucking crashes on the Nation's roads cause serious injury and take

many lives, each one a tragedy for family and friends. For that reason, Public Citizen has for decades advocated for strong rules addressing the hours of service that truckers may drive each day or week and for meaningful truck driver training. Limitations on driving hours and requirements for training are proven measures to improve highway safety.

But barring people with lawful work authorization, who have obtained their commercial driver's licenses by completing the required training and passing the required tests, including tests administered in English, will not make our roads safer. Doing so will replace more experienced drivers with less experienced ones and potentially increase the number of fatigued drivers on the road. It will exacerbate a well-documented need for truck drivers in the industry. It will harm the economy by increasing costs during an affordability crisis and it will harm State and local governments and the people they serve who depend on these drivers for essential public services, including public transportation, school buses, highway and road maintenance, utility services, and disaster response.

Importantly, under current law, no undocumented person, no illegal alien can hold a commercial driver's license. Every DACA recipient, asylee, asylum seeker, person with temporary protected status, or refugee who holds a non-domiciled commercial driver's license has been issued a work permit by the Department of Homeland Security's U.S. Citizenship and Immigration Services authorizing that person to work in the United States. Every person issued a commercial driver's license in this country, noncitizens and citizens alike, must go through the exact same training and pass the exact same tests. Every truck driver with a commercial driver's license must demonstrate English proficiency. They must be able to read and speak English sufficiently to converse with the public, understand highway traffic signs and signals, and respond to official inquiries.

These requirements likely explain why the Trump administration has no data showing that noncitizens cause more crashes than U.S. citizens. Although the Department of Transportation has identified 17 examples of crashes in 2025 that it says likely involved a noncitizen, there are on average 4,000 fatal crashes every year. Seventeen is less than 1 percent of that number, meaning that over 99 percent of fatal crashes are caused by U.S. citizens and lawful permanent residents according to the Department of Transportation's own data.

Every fatal crash is a tragedy. But prohibiting documented immigrants from driving trucks and buses will not improve highway safety. It will harm our economy. It will disrupt and curtail essential public services provided by State and local governments, and it will destroy the livelihoods of thousands of individual drivers and their families who depend on these licenses to pay for groceries, utilities, and other basic expenses.

My organization has been inundated with emails and messages from people across the country who are terrified because losing their license would mean losing their sole or primary source of income and their ability to continue providing for themselves and their family. These are people who have lived in the United States for years or decades and who have built careers based on their abil-

ity to have a commercial driver's license. They include DACA recipients who have been living in the United States ever since they were small children, who have no memory of any other country, who have driven trucks safely for years, and who have met every single requirement that has been asked of them. They are workers, small business owners, dedicated family members, and contributors to the U.S. economy. All they ask for, as one DACA recipient put it, is the opportunity to continue working, to continue providing, and to continue living productively in the only country that they have ever known as home.

Thank you for the opportunity to testify today.
[The prepared statement of Ms. Liu follows:]

PREPARED STATEMENT OF WENDY LIU

MARCH 4, 2026

Dear Chairman Brecheen, Ranking Member Thanedar, Members of the subcommittee: Thank you for the opportunity to testify today. I am Wendy Liu, an attorney with Public Citizen Litigation Group. Public Citizen Litigation Group is the litigating arm of Public Citizen, a consumer advocacy organization with members in every State. We represent the petitioners challenging the rule recently issued by the Federal Motor Carrier Safety Administration that would prohibit documented immigrants, with legal authorization to work in the United States and legal authorization to be present in the United States, from holding commercial driver's licenses.

As we all agree, highway safety is of critical importance. Trucking crashes on the Nation's roads take many lives, each one a tragedy for family and friends. For that reason, Public Citizen has for decades advocated for strong rules addressing the hours of service that truckers may drive each day or week, and for meaningful truck-driver training. Limitations on driving hours and requirements for training are proven measures to improve highway safety.

But barring people with lawful work authorization, who have obtained their commercial driver's licenses by completing the required driver training and passing the required tests, including skills tests administered in English, will not make our roads safer. Doing so will replace more experienced drivers with less experienced ones and potentially increase the number of tired drivers on the road. It will exacerbate a well-documented truck-driver shortage, thereby harming our economy. And it will harm State and local governments, and the people they serve, who depend on these drivers for essential public services, including public transportation, school buses, highway and road maintenance, utility services, and disaster response.

We all need to understand that, under current law, no undocumented person—no “illegal alien”—can hold a commercial driver's license. Every DACA recipient, asylee, or refugee who holds a non-domiciled commercial driver's license has been issued an Employment Authorization Document, by the Department of Homeland Security's U.S. Citizenship and Immigration Services, authorizing that person to work in the United States. And every person issued a commercial driver's license in this country—noncitizens and citizens alike—must go through the exact same training and pass the exact same tests. And every person issued a commercial driver's license must demonstrate English proficiency and pass driving tests administered in English.

These requirements likely explain why the Department of Transportation has no data showing that noncitizens cause more crashes than U.S. citizens. And although the Federal Motor Carrier Safety Administration has identified 17 examples of crashes in 2025 that it says likely involved a noncitizen, there are on average 4,000 fatal crashes each year. Seventeen is less than 1 percent of that number.

Every fatal crash is a tragedy. But prohibiting noncitizens from driving trucks and buses will not improve highway safety. It will, however, destroy the livelihoods of thousands of individual drivers and their families, who depend on these licenses to pay for groceries, utilities, and other basic expenses. It will harm hundreds of thousands of people across the country, harm the economy, and harm the public.

I. NO EVIDENCE SUPPORTS THE ASSERTION THAT BARRING IMMIGRANTS FROM HOLDING COMMERCIAL DRIVER'S LICENSES WILL IMPROVE SAFETY.

No studies or empirical data show that noncitizens cause more crashes than citizens. The Federal Motor Carrier Safety Administration (FMCSA) has conceded that

it cannot “estimate quantitatively the risk associated with non-domiciled [commercial driver’s license] holders.”¹ To quote the agency: “There is not sufficient evidence . . . to reliably demonstrate a measurable empirical relationship between the Nation of domicile for a [commercial driver’s license] driver and safety outcomes in the United States such as changes in frequency and/or severity of crashes or changes in frequency of violations.”²

FMCSA has identified 17 examples of crashes that it says likely involved drivers with non-domiciled commercial driver’s licenses.³ To do so, FMCSA “review[ed] reports of fatal crashes that occurred in 2025 individually, cross-reference[d] driver information from these databases along with other available information, and reach[ed] out to the [State licensing agencies] for details about each driver to determine whether each crash was in scope”—that is, whether the driver had a non-domiciled commercial driver’s license—and then asked the Department of Homeland Security for information about the driver’s immigration category.⁴ In other words, FMCSA apparently perused a list of thousands of fatal crashes involving trucks in 2025, and identified only 17 with a “substantial likelihood” of involving a driver with a non-domiciled commercial driver’s license.⁵

The most recent publicly-available statistics show that there were approximately 4,000 fatal large truck and bus crashes involving drivers with commercial driver’s licenses in 2023.⁶ So, the 17 crashes that FMCSA has identified comprises less than 1 percent of crashes involving people with commercial driver’s licenses.

That no empirical evidence supports the notion that noncitizens are less safe is not surprising because the testing and training processes to obtain commercial driver’s licenses are identical for U.S. citizens and noncitizens alike. The standards for commercial driver’s licenses (for U.S. citizens and permanent residents) are identical to the standards for non-domiciled commercial driver’s licenses (for documented immigrants who are authorized to work in the United States). And the requirements to obtain commercial driver’s licenses are extensive: Applicants must demonstrate English-language proficiency;⁷ demonstrate 30 different vehicle inspection, control, and driving skills;⁸ demonstrate their knowledge in “20 general areas”;⁹ and consent to alcohol testing.¹⁰

Of course, every fatality or serious injury in a crash is a tragedy. But again, the evidence presented by FMCSA shows that taking commercial licenses away from non-citizens cannot be justified based on highway safety.

To the contrary, prohibiting documented immigrants from holding commercial driver’s licenses will harm highway safety.

According to FMCSA’s own estimates, restricting commercial driver’s licenses to U.S. citizens, permanent residents, and people with H-2A, H-2B, and E-2 visas will force 194,000 current commercial drivers to exit the freight market.¹¹ As the American Trucking Association has reported, though, the industry was short by 80,000 drivers in 2021,¹² with a predicted doubling to 160,000 drivers by 2030.¹³ Prohibiting documented immigrants from holding commercial driver’s licenses will eliminate roughly 5 percent of commercial drivers, exacerbating this shortage.

¹ FMCSA, Final Rule, 91 Fed. Reg. 7044, 7099 (Feb. 2026).

² FMCSA, Interim Final Rule, 90 Fed. Reg. 46509, 46520 (Sept. 2025).

³ 91 Fed. Reg. 7065.

⁴ 91 Fed. Reg. 7065 & n.35.

⁵ 91 Fed. Reg. 7065.

⁶ FMCSA, Crash Statistics, https://ai.fmcsa.dot.gov/CrashStatistics?tab=Driver&type=&report_id=36&crash_type_id=1&datasource_id=2&time_period_id=2&report_date=2023&vehicle_type=1&State=AllStates&domicile=ALL&measure_id=1&operation_id=null (Driver License Status Crash Statistics). FMCSA statistics for calendar year 2025 state that there have been 3,996 fatal crashes involving large trucks and buses, but these statistics do not provide breakdowns by CDL status. FMCSA, Crash Statistics, https://ai.fmcsa.dot.gov/CrashStatistics?tab=Summary&type=&report_id=1&crash_typesource_id=4&data_id=1&time_period_id=2&report_date=0&vehicle_type=2&State=NAT&domicile=ALL&measure_id=1&operation_id=null.

⁷ See 49 C.F.R. § 383.133(c)(5); id. § 391.11(b)(2).

⁸ 49 C.F.R. § 383.113.

⁹ 49 C.F.R. § 383.111.

¹⁰ 49 C.F.R. § 383.72.

¹¹ 91 Fed. Reg. 7096.

¹² Press Release, Am. Trucking Ass’n, *ATA Chief Economist Pegs Driver Shortage at Historic High* (Oct. 25, 2021), <https://www.trucking.org/news-insights/ata-chief-economist-pegs-driver-shortage-historic-high>.

¹³ Hugh Cameron, *America’s Trucking Industry is in Deep Trouble*, Newsweek (Oct. 13, 2025), <https://www.newsweek.com/us-trucking-industry-deep-trouble-10861497>.

A depleted workforce will harm road safety. Drivers will have to drive for longer hours or more frequent hours, increasing driver fatigue and decreasing safety.¹⁴ Driver fatigue is a well-documented “[commercial motor vehicle] safety problem,” with “[s]tudies show[ing] that driver fatigue is a factor in up to as many as 13 percent of truck crashes.”¹⁵ In addition, losing experienced drivers may put less-experienced drivers on the road, but data shows that less-experienced drivers are involved in a higher rate of crashes.¹⁶

II. PROHIBITING DOCUMENTED IMMIGRANTS FROM HOLDING COMMERCIAL DRIVER’S LICENSES WILL DESTROY THE LIVELIHOODS OF THOUSANDS, HARM THE ECONOMY, AND REDUCE ESSENTIAL PUBLIC SERVICES.

After FMCSA issued a rule that would prohibit most categories of noncitizens who are legally authorized to work in the United States from holding commercial driver’s licenses, more than 8,000 members of the public submitted comments. Nearly 90 percent of those comments opposed the rule.¹⁷ The comments made several points.

First, the new prohibition will destroy the livelihoods of thousands of people across the country. Individual drivers would face losing their licenses, their employment, their ability to pay for groceries and other basic expenses, and their access to employer-provided benefits like health insurance.¹⁸ Thousands of drivers have explained that they will default on loans and be unable to cover basic expenses.¹⁹ Owner-operators similarly have explained that “th[e] rule places [their] livelihood and business at immediate risk.”²⁰ These harms would extend to the drivers’ families, and to the employers and communities that depend on their work.

The prohibition will also harm the economy: 194,000 (or 25 percent of) motor carriers in this country will be impacted by the restriction.²¹ The change thus will exacerbate a critical shortage of truck drivers and disrupt supply chains. With a depleted trucking workforce, delivery of goods and materials will be delayed, and increased rates for freight operations will result.²² For example, a California-based broker who helps coordinate shipping across the State has reportedly said that “the cost of a single freight trip from New Jersey to Texas has gone up by more than 35 percent because of a national shortage of immigrant drivers.”²³

As described in the attached comment letter from local governments throughout the country, local governments will also suffer in several ways. To start, they will lose the money that they have invested in recruiting and training drivers to operate commercial motor vehicles used for public services. For example, Martin Luther

¹⁴ See, e.g., Christine Brittle & Julie Van Keuren, Am. Pub. Transp. Ass’n, *Impact of CDL Under-the-Hood Testing Requirement on Public Transit Agencies’ Ability to Hire Bus Operators* 3 (2024), <https://www.apta.com/wp-content/uploads/APTA-Impact-of-CDL-Under-the-Hood-Testing-Requirement-Nov-2024.pdf>; see also FMCSA, *CMV Driving Tips Driver Fatigue*, <https://www.fmcsa.dot.gov/safety/driver-safety/cmv-driving-tips-driver-fatigue>.

¹⁵ Advocates for Highway & Auto Safety, *Large Trucks Fact Sheet* (Sept. 2022), <https://saferoads.org/wp-content/uploads/2022/09/Large-Truck-Fact-Sheet-FINAL-9-16-22.pdf> (citing FMCSA, “Large Truck Crash Causation Study Summary Tables,” 2007.FMCSA_2004_19608–3971).

¹⁶ Nat’l Surface Transp. Safety Ctr. for Excellence, *Commercial Motor Vehicle Driver Risk Based on Age and Driving Experience* 37 (2020), <https://vtechworks.lib.vt.edu/server/api/core/bitstreams/a5800006-4b00-4854-bd5c-1f3e76f5d5c1/content>.

¹⁷ Alex Lockie, *FMCSA issues Final Rule banning non-domiciled CDLs almost entirely*, Overdrive (Feb. 11, 2026), <https://www.overdriveonline.com/business/article/15816996/fmcsa-issues-final-rule-banning-nondomiciled-cdl-almost-entirely>.

¹⁸ See, e.g., Teamsters Cal. Comment 2, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>; Asylum Seeker Advocacy Project Comment 3–5, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>; see also Asylum Seeker Advocacy Project and Nat’l Employment Law Project Amicus Brief, *Jorge Rivera Lujan v. FMCSA*, Dkt. No. 25–1215 (D.C. Cir. Oct. 30, 2025).

¹⁹ See, e.g., Singh Comment, FMCSA–2025–0622–2028, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>; Drozdek Comment, FMCSA–2025–0622–1037, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>; Ponyrko Comment, FMCSA–2025–0622–0532, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>; Andreiev Comment, FMCSA–2025–0622–0231, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>.

²⁰ Anonymous Comment, FMCSA–2025–0622–0743, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>; see also Cervantes Comment, FMCSA–2025–0622–1215, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>.

²¹ 91 Fed. Reg. 7100.

²² Local Gov’ts Comment at 5–6, FMCSA–2025–0622–7894, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>.

²³ A. Echelman, *California must let immigrant truck drivers keep their licenses, judge rules*, Reuters (Feb. 26, 2026), <https://apnews.com/article/general-news-california-donald-trump-donald-trump-es-transportation-16821336aaf6b8fa2f6699c295b5f9e5>.

King, Jr. County in Washington explained that it stands to lose 50 bus drivers and an additional 4 recent trainees, which represent an investment of over \$800,000 in training costs. The need to replace these drivers will increase costs to local governments and potentially force them to redirect funding from other critical services.²⁴

In addition, State and local governments' ability to provide a wide range of essential public services will be impaired. "Public and private employers—including State and local governments—depend on commercial drivers to drive the buses that bring children to school, to run the mass transit systems that transport people to work, to operate the construction vehicles that maintain and repair public roads, to drive the trucks that transport food and goods to businesses, and to provide many other indispensable services."²⁵ In addition, State and local governments rely on these drivers for essential seasonal services, such as roadway clearance during inclement weather and natural disaster response—which ensures safe access to roads for emergency services.²⁶ For example, "a local government facing a shortage of snow-plow operators is unlikely to be able to pre-treat or treat roadways as early or as frequently, resulting in more hazardous conditions. This will increase the number of crashes and their consequences."²⁷

CONCLUSION

Prohibiting documented immigrants who are authorized to work in the United States from holding commercial driver's licenses would harm highway safety, destroy the livelihoods of thousands of people, harm the economy, and disrupt and reduce essential Government services across the country. Thank you for the opportunity to testify on this important topic.

EXHIBIT A

November 28, 2025.

Federal Motor Carrier Safety Administration,
U.S. Department of Transportation, 1200 New Jersey Avenue, SE Washington, DC
20590.

SUBMITTED VIA REGULATIONS.GOV

RE: Docket No. FMCSA–2025–0622

DEAR DOCKET CLERK: The below-signed local governments and individual local government leaders ("Local Government Signatories")¹ offer the following comments and questions regarding the U.S. Department of Transportation's (DOT) Interim Final Rule (IFR) entitled "Restoring Integrity to the Issuance of Non-Domiciled Drivers Licenses (CDL)," published in the Federal Register at 90 Fed. Reg. 46509 (Sept. 29, 2025). The Local Government Signatories' comments focus on Sections V(C), V(D), VI(A), VI(B), and IX(A) of the IFR, specifically, the Federal Motor Carrier Safety Administration's (FMCSA's) failure to consider the IFR's on-the-ground harms or appropriately tailor the rule to the harm it seeks to address.

A number of critical local government services depend upon licensed commercial motor vehicle drivers, including school buses, road maintenance and repair, utility service, disaster response, and infrastructure construction. Drivers employed by the Local Government Signatories who provide these services are required to have valid commercial driver's licenses ("CDLs") to operate the necessary commercial motor vehicles. To appropriately provide such services, the Local Government Signatories depend on access to a sufficient pool of licensed, commercial drivers whose licensing status is both stable and predictable. Even prior to the IFR, local governments faced substantial shortages of qualified CDL drivers.

²⁴ Local Gov'ts Comment at 5–6.

²⁵ 19 State Attorneys Gen. Comment at 2, FMCSA–2025–0622–7571, available at <https://www.regulations.gov/docket/FMCSA-2025-0622/comments>.

²⁶ Local Gov'ts Comment at 8.

²⁷ Local Gov'ts Comment at 8.

¹ Local Government Signatories hail from across the country, and their jurisdictions differ in size, demographics, and policy priorities. Local Government Signatories also differ in the way in which they provide transportation-related services—including public transportation, school buses, and critical safety-related services like highway maintenance and snow plowing—to their communities. Some provide these services directly; others provide them indirectly, as funders or members of public authorities; yet all rely on these services as part of a broader network of public services. Notwithstanding these variations, all local governments share a fundamental interest in providing effective and reliable public services to their constituents and keeping their communities safe, including by ensuring road safety. That is especially true for local governments like these Signatories, who often act as first responders to vehicular accidents and have unique interests in protecting their residents.

By issuing the IFR, FMCSA immediately altered a program that had been in place for nearly 15 years, without input from those most impacted by the changes. The IFR failed to account for the way in which it would directly and substantially impact local governments' ability to provide essential services, thereby reducing affordability, harming families who depend on school busing and other services, and impairing public safety. By FMCSA's own estimates, of the 200,000 non-domiciled CDL holders in the country, 194,000 of them will exit the freight market because they lose their CDLs as a result of the IFR.² That means approximately 5 percent of all active CDL holders, based on 2024 numbers, risk losing their licenses.³ Such individuals will no longer be able to perform their essential jobs. Local governments, such as the Signatories, that rely on these commercial drivers to provide essential services will be left understaffed. The depleted pool of potential CDL candidates resulting from the IFR will make it even harder to replace these drivers and drive up costs for public and private entities employing CDL drivers or using their services.

The Local Government Signatories and the essential services they provide will suffer needless tangible harm despite the purely speculative safety benefits of the IFR. By FMCSA's own acknowledgement, there is no evidence that the IFR will result in any safety benefits, because there is no evidence that the immigration status of a non-domiciled CDL holder, or even the domiciled or non-domiciled status of a CDL holder, has an impact on road safety.⁴ FMCSA therefore implemented a new regulation without any demonstrated need, in contravention of Department of Transportation policy.⁵ Moreover, given the significant adverse impacts and minimal benefits, the IFR is inconsistent with a recent Department of Transportation order requiring the use of "sound economic principles and analysis supported by rigorous cost-benefit requirements and data-driven decisions," the avoidance of adverse impacts to families and communities including a reduction in transportation services, and the administration of statutes in a manner that enhances safety and access to jobs.⁶

The Local Government Signatories strongly agree with the importance of ensuring that "only individuals who have been determined by relevant State licensing agencies—in accordance with Federal standards—to be qualified to operate large commercial vehicles are allowed to drive such vehicles on the Nation's roadways."⁷ The Local Government Signatories recognize FMCSA's interest in ensuring that all State licensing agencies adhere to these requirements. The IFR in its present form, however, does not address those compliance issues. The IFR also does not show any impacts to safety specifically associated with the domiciled or non-domiciled status of a CDL holder, nor does it account for the real harms that would result from reducing the availability of qualified CDL holders performing a variety of safety-critical and essential public services.

The Local Government Signatories respectfully request that FMCSA withdraw the IFR given that there is no data to support its causal benefit to road safety. In the alternative, before issuing any final rule, FMCSA should collect data to better study and understand the underlying drivers of road safety, after which the agency can revise the IFR, accounting for public comments, as required by the Administrative Procedure Act. FMCSA can take less burdensome measures while it carefully and expeditiously considers these issues. Through collaboration and data collection, those tasked with implementing changes to CDL eligibility can do so in a manner that promotes wide-spread compliance, enhances the safety of commercial vehicle operations, and is workable for those local governments that rely on commercial drivers to provide critical services. That approach is also more likely to improve road safety and prevent fatal crashes.

The Local Government Signatories appreciate the opportunity to provide comments on the IFR. It is especially critical that FMCSA seriously consider the IFR's on-the-ground impacts before deciding whether to move forward with issuing a final rule. Given these impacts and the lack of evidence that the IFR will result in any safety benefits, the Local Government Signatories urge FMCSA to withdraw the IFR. But should FMCSA decide to proceed, the recent stay of the IFR indicates sig-

² *Restoring Integrity to the Issuance of Non-Domiciled Commercial Drivers Licenses*, 90 Fed. Reg. 46509, 46519 (Sept. 29, 2025).

³ *Id.* at 46520.

⁴ *Id.*

⁵ DOT Order 2100.6B, "Policies and Procedures for Rulemaking" § 6(a) (Mar. 10, 2025).

⁶ DOT Order 2100.7, "Ensuring Reliance Upon Sound Economic Analysis in Department of Transportation Policies, Programs, and Activities" § 5 (Jan. 29, 2025).

⁷ 90 Fed. Reg. at 46511.

nificant changes are necessary before FMCSA publishes a final rule.⁸ The Local Government Signatories look forward to continued collaboration and engagement on these important issues.

I. FMCSA MUST ACCOUNT FOR THE IFR'S REAL-WORLD IMPACTS AND THE SUBSTANTIAL RELIANCE INTERESTS THE IFR WOULD DISRUPT.

Fewer licensed commercial drivers and a smaller pool of potential drivers will translate directly into disrupted and curtailed government services. Accordingly, the IFR will not only impact those who rely on these services, but harm those local governments that rely on the availability of CDL holders to provide these services and who now will be forced to expend additional resources to respond to this sudden disruption. The Administrative Procedure Act requires agencies to “assess whether there were reliance interests [in their previous policies], determine whether [those interests] were significant, and weigh any such interests against competing policy concerns.”⁹ Although the IFR lacks supporting data of any causal safety benefits in the first place, should FMCSA choose to proceed, FMCSA must consider the following impacts and reliance interests before finalizing the rule.

Core Local Government Services.—Local governments rely on workers licensed to operate commercial motor vehicles for a wide range of critical services. These include: public transportation; school buses; highway and road maintenance and repair; response to inclement weather; gas, electricity, and other utility service; and disaster response, mitigation, and recovery. In addition, the construction of necessary infrastructure (e.g., roads, electrical transmission and generation, airports, housing, ports, water, sewer, data centers) depends on having CDL holders on-site to aid in construction, to supply materials, and to haul fill. Those services will suffer directly because the IFR reduces the availability of CDL holders.

For example, one Signatory reports it already has extreme difficulty hiring and retaining CDL drivers. Fourteen of its 53 positions that require a CDL (26 percent) are currently open and have been for an average of 3 months. These unfilled jobs undermine the jurisdiction's ability to provide government services such as trash clean-up and emergency response. The IFR will further reduce the already limited number of CDL holders in the job market and thus make it harder for the Signatory to deliver these important services to its people.

Similarly, the IFR will impede local governments and associated entities in their ability to prepare for and recover from natural disasters, like Hurricane Helene in North Carolina, the Guadalupe River floods in Texas, tornado outbreaks in the South, or the Los Angeles wildfires. Disaster response heavily relies on the timely receipt of equipment and workers. Thinning forests; protecting coastlines; supplying food, fuel, and water to residents who have lost their homes; clearing flood zones; and ensuring road access for other emergency responders involve heavy hauling, which requires heavy trucks and commercially-licensed drivers. During the Guadalupe flood response, for example, local tow truck drivers became essential for “clearing the way for emergency crews, recovering submerged vehicles and delivering life-saving supplies.”¹⁰ Commercially-licensed drivers are also utilized “when electric utilities send trucks, equipment, and staff to restore energy infrastructure after a hurricane.”¹¹ And when serious thunder or winter storms knock out the electricity, commercial trucks play a crucial role in clearing debris and getting the power back on for thousands of people.¹² With a diminished workforce of licensed commercial

⁸*Lujan v. Fed. Motor Carrier Safety Admin.*, 25–1215, 2025 U.S. App. LEXIS 29835 (D.C. Cir. Nov. 13, 2025).

⁹*Dep't of Homeland Sec. v. Regents of the Univ. of Cal.*, 591 U.S. 1, 33 (2020).

¹⁰Alicia Neaves, *The Unseen First Responders: Tow Crews Fuel Hope After Hill Country Floods*, KENS5 (July 10, 2025 at 10:23 PM CDT), <https://www.kens5.com/article/news/State/texas-news/texas-flood/texas-floods-first-responders-tow-crews-fuel-hope-hill-country/273-a2f3-f29b-b69f-4734-830a-48633149e274>.

¹¹See U.S. Dep't of Transp. Fed. Highway Admin., *Resources for Commercial Vehicles Involved in Emergency Response 1* (2021), <https://ops.fhwa.dot.gov/publications/fhwahop21009/fhwahop21009.pdf>.

¹²*National Grid Restores Power to More Than 57,900 Customers in Mohawk Valley and Northern New York After Damaging Thunderstorms*, National Grid (June 22, 2025 at 6 o'clock PM), <https://www.nationalgridus.com/News/2025/06/National-Grid-Restores-Power-to-More-Than-57,900-Customers-in-Mohawk-Valley-and-Northern-New-York-After-Damaging-Thunderstorms/> (severe thunderstorms in northern New York impacted 94,300 electricity customers and crews were mobilized to clear debris and repair widespread damage and downed power lines); Edgar Sandoval, Sophie Kasakove, & Maggie Astor, *Winter Storm Disrupts U.S. With Power Outages and Icy Roads*, N.Y. Times (Feb. 03, 2022), <https://www.nytimes.com/live/2022/02/03/us/win->

drivers, local governments may no longer be able to rely on drivers to aid in disaster response.

Transit, Motorcoach, and School Bus Services.—Without sufficient drivers, transit systems, which are already facing substantial driver shortages and serious fiscal constraints, will be forced to further cut back on services to families, whether by limiting hours or frequency of service or suspending certain service routes.¹³ Driver shortage impacts are not limited to large, urban transit systems, but also impact rural communities, where motorcoaches and school buses can play a role in bridging service gaps.¹⁴ Fewer school bus operators similarly raise the likelihood of reduced or less reliable service or entire cuts to bus routes, impacting students, parents, and teachers, and reducing access to critical school resources, such as school meals and extracurricular programs.¹⁵ These changes impact the reliance interests not only of the people who depend on these services, but also the local governments who have designed the bus routes and made certain planning decisions with the assumption that there would not be substantial changes to their commercial driver workforce without reason.

These consequences are not theoretical.—The Nation has experienced recent driver workforce shortages that illustrate the impact of insufficient drivers on local government services. For example, a 2022 survey from the American Public Transportation Association found that 96 percent of transit agencies faced workforce shortages, with 84 percent of agencies reporting impacts on service.¹⁶ These impacts hit bus operations most severely, with 94 percent of agencies reporting that bus operator positions were the most or second-most challenging to fill.¹⁷ Due to these workforce shortages, public transit agencies reported cutting, delaying, and canceling transit service.¹⁸ One-third of agencies stated that these impacts to their services were having a negative effect on the reliability of their service.¹⁹

The IFR will only further exacerbate these shortages and ensuing reliability issues. This unreliability then disrupts the lives of people who depend on these services to get to their jobs, school, health care appointments, and visit friends and family. Such disruption also plainly runs counter to a DOT order that requires, to the extent practicable, administration of DOT policies to maximize benefits including economic opportunities, such as “increased access to jobs, health care facilities . . . commercial activity, or any actions or project components that will . . . enable families and communities] to participate more fully in our economy.”²⁰ Decreased and unreliable transit service will make it far more difficult for the people who rely on these services to access job opportunities, commercial centers, and other economic activities.

Economic Impacts.—Local governments may face broader economic effects due to the IFR. For example, governments typically spend money to recruit and train employees. Funds already spent on drivers who are stripped of their licenses by the IFR cannot be recouped. For example, under the IFR, Martin Luther King, Jr. County in Washington stands to lose 50 active, non-domiciled bus drivers and an additional 4 recent trainees, which represent an investment of over \$800,000 in training costs.²¹ The need to replace these drivers, thereby spending additional funds on recruitment and training, further compounds these costs. Applicable laws,

ter-storm-snow-ice?bcrFallback=bcrFallback (300,000 homes and business lost power following a winter storm).

¹³ See, e.g., Matthew Dickens, Am. Pub. Transp. Ass’n, *Policy Brief: Workforce Shortages Impacting Public Transportation Recovery* 3 (2022), <https://www.apta.com/wp-content/uploads/APTA-SURVEY-BRIEF-Workforce-Shortages-March-2022.pdf> (showing 71 percent of 117 agencies delayed or cut services due to staffing shortages); Laura Bliss, *There’s a Bus Driver Shortage. And No Wonder*, Bloomberg (June 28, 2018, at 8 o’clock AM ET), <https://www.bloomberg.com/news/articles/2018-06-28/there-s-a-bus-driver-shortage-and-no-wonder> (noting significant shortages in Seattle, New Jersey, Denver, Los Angeles, Toledo, Gainesville, and New Hampshire, many of them leading to delays and cuts in service).

¹⁴ U.S. Dep’t of Transp. Climate Change Center, *Climate Strategies that Work: InterCity Buses* 3 (2025), <https://www.transportation.gov/sites/dot.gov/files/2024-10/Intercity%20Buses%20PDF%20%282%29.pdf> (bus services “connect rural residents to major urban centers, offering connections to essential services and economic opportunities”).

¹⁵ See Cindy Long, *School Bus Driver Shortage Persists*, neaToday (Dec. 14, 2023), <https://www.nea.org/nea-today/all-news-articles/school-bus-driver-shortage-persists>.

¹⁶ Am. Pub. Transp. Ass’n, *Transit Workforce Shortage* 1 (2023), <https://www.apta.com/wp-content/uploads/APTA-Workforce-Shortage-Synthesis-Report-03.2023.pdf>.

¹⁷ Dickens, *supra* note 13, at 2.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ DOT Order 2100.7, “Ensuring Reliance Upon Sound Economic Analysis in Department of Transportation Policies, Programs, and Activities” § 5(d) (Jan. 29, 2025).

²¹ Emergency Mot. for Stay Pending Judicial Review 37, Lujan, 2025 U.S. App. LEXIS 29835, Dkt. No. 2142094.

regulations, or policies often impose substantial training requirements, lengthening the time and increasing the cost of replacing drivers.²² Likewise, with a limited pool of licensed drivers, localities may need to address critical needs by relying on increased overtime or temporarily relocating workers, which increases the cost of services.²³

Moreover, because most local governments operate on fixed budgets, they are limited in their ability to address the effects of the IFR through increased expenditures.²⁴ They may not be able to, for example, raise salaries, offer recruitment bonuses, or support additional overtime pay, forcing cuts to critical services. When local governments reached their budgets for the year and allocated funding, they relied on the availability of their current pool of commercial drivers and could not know to account for significant losses to that pool and the need to train replacement drivers. Furthermore, if local governments are forced to expend additional resources on addressing commercial driver shortages, they may also be forced to redirect funding away from their other critical services.

Trucking and Supply Chain Impacts.—Local governments also depend on the transportation of goods into their communities to perform many of their vital functions. The Nation's supply chain for these goods depends in large part on truck drivers, as became evident in recent years when the country experienced truck driver shortages.²⁵ The IFR will almost certainly disrupt supply chains, which will further impede local governments' ability to deliver vital services. Without an adequate trucking workforce, local governments will struggle with shortages of materials to support construction projects, increased port congestion, and delays in procurement of critical goods and projects like housing or electrical infrastructure.²⁶ More than just impacting the delivery of goods, driver shortages can also lead to increased rates for freight operations and higher prices, which will particularly affect cash-strapped local governments and their residents who are already stressed by the cost of goods and services.²⁷

With nearly 200,000 current non-domiciled CDL holders exiting the freight market as a result of the IFR,²⁸ supply chains will almost certainly be disrupted on a scale similar to the workforce shortages experienced in the aftermath of the pandemic. In 2021, the American Trucking Association reported that the industry was short by 80,000 drivers, an all-time high for the industry.²⁹ The American Trucking

²² See Am. Pub. Transp. Ass'n, *supra* note 16, at 2, 18–22; Bob Costello & Alan Karickhoff, Am. Trucking Ass'n, *Truck Driver Shortage Analysis* 4 (2019), <https://www.trucking.org/sites/default/files/2020-01/ATAs%20Driver%20Shortage%20Report%202019%20with%20cover.pdf>.

²³ See, e.g., Christine Brittle & Julie Van Keuren, Am. Pub. Transp. Ass'n, *Impact of CDL Under-the-Hood Testing Requirement on Public Transit Agencies' Ability to Hire Bus Operators* 3 (2024), <https://www.apta.com/wp-content/uploads/APTA-Impact-of-CDL-Under-the-Hood-Testing-Requirement-Nov-2024.pdf> (transit agencies report that worker shortages increase the amount of overtime the agencies pay); Mark Heinz, 'Logistical Nightmare': Short on Plow Drivers & Hammered By Weather, WYDOT Had Harrowing Winter, *Cowboy State Daily* (May 6, 2023), <https://cowboystatedaily.com/2023/05/06/a-logistical-nightmare-short-on-plow-drivers-and-hammered-by-weather-wydot-had-a-harrowing-winter/> (plow operator shortages caused extra work and wear and tear on equipment that put the Wyoming Department of Transportation \$9.7 million over its expected budget).

²⁴ Jed Herrmann & Teryn Zmuda, *Tough Challenges for Counties in a New Era of Fiscal Federalism*, *Governing* (Aug. 15, 2025), <https://www.governing.com/management-and-administration/tough-challenges-for-counties-in-a-new-era-of-fiscal-federalism>.

²⁵ Hugh Cameron, *America Doesn't Have Enough Truck Drivers*, *Newsweek* (July 10, 2025, at 02:01 PM ET), <https://www.newsweek.com/america-trucking-shortage-logistics-supply-chain-2097123>; Madeleine Ngo & Ana Swanson, *The Biggest Kink in America's Supply Chain: Not Enough Truckers*, *N.Y. Times* (Nov. 9, 2021), <https://www.nytimes.com/2021/11/09/us/politics/trucker-shortage-supply-chain.html>; Costello & Karickhoff, *supra* note 22, at 1; Catie Edmonson, *What Does a Trucker Look Like? It's Changing, Amid a Big Shortage*, *N.Y. Times* (July 28, 2018), <https://www.nytimes.com/2018/07/28/us/politics/trump-truck-driver-shortage.html>.

²⁶ Peter S. Goodman, *The Real Reason America Doesn't Have Enough Truck Drivers*, *N.Y. Times* (Feb. 9, 2022), <https://www.nytimes.com/2022/02/09/business/truck-driver-shortage.html> ("[A] shortage of truck drivers is frequently cited as an explanation for shortages of many other things—from construction supplies to electronics to clothing."); Jack Kelly, *There Is A Massive Trucker Shortage Causing Supply Chain Disruptions and High Inflation*, *Forbes* (Jan. 12, 2022, at 11:51 AM ET), <https://www.forbes.com/sites/jackkelly/2022/01/12/there-is-a-massive-trucker-shortage-causing-supply-chain-disruptions-and-high-inflation/>; Ngo & Swanson, *supra* note 25.

²⁷ Edmonson, *supra* note 25.

²⁸ 90 Fed. Reg. at 46519.

²⁹ Press Release, Am. Trucking Ass'n, *ATA Chief Economist Pegs Driver Shortage at Historic High* (Oct. 25, 2021), <https://www.trucking.org/news-insights/ata-chief-economist-pegs-driver-shortage-historic-high>.

Association further estimated that shortage could double to 160,000 drivers in 2030.³⁰ Already, 69 percent of freight businesses are struggling to meet demand as a result of these shortages,³¹ and “to keep up with demand over the next decade, trucking will need to recruit nearly 1 million new drivers.”³² The IFR will instead narrow the available pool of drivers and seriously impact the interests of local governments who rely on the reliable, cost-effective delivery of these goods. For the same reasons, FMCSA’s claim that motor carriers will be able to adjust their hiring and limit the economic impact on the freight market³³ is based on unfounded assumptions: The experience of freight businesses demonstrates that there is not a pool of potential CDL holders who are not affected by the IFR that could easily take the place of the drivers who stand to lose their credentials as a result of this rule.

II. THE IFR WILL HAVE ADVERSE IMPACTS ON SAFETY, WHILE FAILING TO ADDRESS THE SAFETY RISKS FMCSA IDENTIFIED AND SOUGHT TO MITIGATE.

The Local Government Signatories acknowledge and support the importance of FMCSA’s goal to enhance the integrity of commercial licensing and the safety of commercial motor vehicle operations. The IFR, however, does not address any lapses in compliance with commercial licensing requirements by CDL-issuing entities, but rather is a blanket ban on certain classes of non-domiciled drivers holding CDLs. Broadly stripping CDLs from those classes of drivers does not correlate with improved safety outcomes. As the IFR itself acknowledges, there is insufficient evidence “to reliably demonstrate a measurable empirical relationship between the Nation of domicile for a [commercial driver’s license] driver and safety outcomes.”³⁴ By contrast, the failure to appropriately tailor the IFR will result in a significant reduction in the availability of commercial drivers, which will translate into increased risk of harm to the public.

A. The IFR Imposes New Burdens That Will Harm Road Safety.

Local governments rely on employees with CDLs to provide critical services designed to improve the safety of public roads. By reducing the pool of eligible commercial drivers available to support these safety services, the IFR will result in fewer safety services and increased risks of harm. Accordingly, the Local Government Signatories urge FMCSA to consider the increased risk of harm to the public from the diminishment of local government services that promote safety.

Maintenance of local roads, in particular, is critical for overall roadway safety because although “local roads are less traveled than State highways, they have a much higher rate of fatal and serious injury crashes.”³⁵ Local governments provide services such as regular repair and maintenance of roads and improvement of road design to enhance safety.

Local government safety services also include essential seasonal services, such as clearing road ways of snow and ice and natural disaster response. Snow- and ice-clearing services ensure safe and reliable access to roads for emergency services and the public alike, which further promotes safety. By way of illustration, a local government facing a shortage of snowplow operators is unlikely to be able to pre-treat or treat road ways as early or as frequently, resulting in more hazardous conditions. This will increase the number of crashes and their consequences. In some cases, they may be forced to close roads entirely and for a longer time until they can be plowed.³⁶ Doing so risks stranding people at home and delaying emergency response services from reaching people in need.³⁷ Every minute counts for health, fire, and police emergencies, and less snow and ice removal capacity will increase those minutes at the cost of human lives. And, snow and ice control is already very expensive. Winter road maintenance accounts for roughly over 24 percent of State DOT budgets for highway and traffic services.³⁸ Each year, State and local agencies spend

³⁰Id.

³¹Hugh Cameron, *America’s Trucking Industry is in Deep Trouble*, *Newsweek* (Oct. 13, 2025, at 5:40 AM ET), <https://www.newsweek.com/us-trucking-industry-deep-trouble-10861497>.

³²Press Release, Am. Trucking Ass’n, *supra* note 29.

³³90 Fed. Reg. at 46520.

³⁴Id.

³⁵Fed. Highway Admin., U.S. Dep’t of Transp., FHWA-SA-21-033, *Local Road Safety Plans*, https://highways.dot.gov/sites/fhwa.dot.gov/files/Local%20Road%20Safety%20Plans_508.pdf.

³⁶Heinz, *supra* note 23.

³⁷See Michelle Bandur, *It’s a Hiring Problem’: Tahoe Basin Resident Fear Snow Plow Driver Shortage Will Leave Them Stranded at Home*, *KCRA3* (Nov. 12, 2024, at 7:12 PM ET), <https://www.kcra.com/article/tahoe-basin-snow-plow-driver-shortage/62888030>.

³⁸U.S. Dep’t of Transp. Fed. Highway Admin., *How Do Weather Events Affect Roads?*, <https://ops.fhwa.dot.gov/weather/roadimpact.htm>.

more than \$4.6 billion on snow and ice control operations.³⁹ Driver shortages will likely further drive up these costs and add to the burden on local governments to maintain these critical services.⁴⁰ A smaller pool of commercially-licensed drivers therefore risks community safety by limiting local governments' efforts to mitigate natural disasters in advance and respond to them when they strike.

Federal Highway Administration (FHWA) data show that the risks and impacts of snow and ice are already large.⁴¹ On average (based on 2019–2023 data), freezing precipitation each year causes 219,942 crashes, injures 34,206 people, and kills 407 people.⁴² Reductions in the availability of CDL drivers to apply deicers, plow snow, and manage debris will further increase these crashes, injuries, and fatalities. Weather also has a major impact on road mobility. Travel time delay on high-capacity roads can increase by 11 to 50 percent depending on the severity of the weather event.⁴³ Heavy snow can cause freeway free-flow speed to decrease by 35 to 40 percent and road capacity to reduce by 30 percent.⁴⁴ Light snow can decrease flow rates by 5 to 10 percent.⁴⁵ The decreased availability of CDL drivers to manage these road conditions will further exacerbate delays and costs for public, private and commercial persons and entities. The causality is clear, as opposed to the purely speculative safety benefits claims by FMCSA for the IFR.⁴⁶

Reducing the pool of eligible commercial drivers will directly impact the safety of residents in the Local Government Signatories' jurisdictions. The IFR decreases the number of drivers available to support these services, resulting in fewer safety efforts and increased risk of harm. Furthermore, a depleted work force increases risk by requiring drivers to work longer or more frequently, which decreases safety due to driver fatigue. Longer shifts can also contribute to driver burnout, further exacerbating work force shortages.⁴⁷ Moreover, losing experienced CDL drivers may put new CDL drivers on the road, when local governments are able to find replacements at all. But newly-trained drivers are involved in more accidents, on average, than their more experienced colleagues.⁴⁸ The rate of preventable crashes is also significantly higher on average for drivers with less commercial driving experience.⁴⁹ Driving experience, as compared to age, is a greater indicator of crash rates and crash involvement.⁵⁰ Replacing a non-domiciled CDL driver with any driver who has just received their CDL or who has yet to even receive one will decrease safety and increase the incidence of crashes and moving violations. Not only does the IFR lack a persuasive safety justification, it will actively contribute to decreased safety on the roads.

Pursuant to the Administrative Procedure Act and for the purpose of discharging its statutory duties, FMCSA must consider the implications for roadway safety that may arise from limiting the availability of commercial driver's license holders to perform these safety-critical functions.

³⁹Id.

⁴⁰See, e.g., Brittle & Keuren, supra note 23 (transit agencies report that worker shortages increase the amount of overtime the agencies pay); Heinz, supra note 23 (plow operator shortages caused extra work and wear and tear on equipment that put the Wyoming Department of Transportation \$9.7 million over its expected budget).

⁴¹*How Do Weather Events Affect Roads?*, supra note 38.

⁴²Id.

⁴³Id.

⁴⁴U.S. Dep't of Transp. Fed. Highway Admin., *Empirical Studies on Traffic Flow in Inclement Weather* 2–8, 2–11 (2006), <https://ops.fhwa.dot.gov/publications/weatherempirical/weatherempirical.pdf>.

⁴⁵Id. at 2–3.

⁴⁶According to FHWA, each year trucking companies or CVOs lose an estimated 32.6 billion vehicle hours due to weather-related congestion in 281 of the Nation's metropolitan areas. *How Do Weather Events Affect Roads?*, supra note 38. Adverse weather conditions affect freight traffic 4.6 percent of the time at a national average. Daniel Krechmer et. al., U.S. Dep't of Transp. Fed. Highway Admin., *Weather Delay Costs to Trucking* 3 (2012), <https://rosap.ntl.bts.gov/view/dot/3384>. Nearly 12 percent of total estimated truck delay is due to weather in the 20 cities with the greatest volume of truck traffic. *How Do Weather Events Affect Roads?*, supra note 38. The cost of weather-related delay to the freight industry was estimated at \$8.659 billion or 1.6 percent of the total estimated freight market of \$574 billion when the study was conducted in 2012. Krechmer, supra note 46, at 3.

⁴⁷Brittle & Keuren, supra note 23.

⁴⁸Decl. of David Eldred, Chief Administrative Officer (“CAO”) for the Metro Transit Dep't of Martin Luther King, Jr. Cnty., Wash. 16, Lujan, 2025 U.S. App. LEXIS 29835, Dkt. No. 2142094; Naomi Dunn, Susan Soccolich, & Jeffrey Hickman, Nat'l Surface Transp. Safety Center for Excellence, *Commercial Motor Vehicle Driver Risk Based on Age and Driving Experience*, 37 (2020), <https://vtechworks.lib.vt.edu/server/api/core/bitstreams/a5800006-4b00-4854-bd5c-1f3e76f5d5c1/content>.

⁴⁹Dunn, Soccolich, & Hickman, supra note 48, at 21, 23, 37.

⁵⁰Id. at 37, 38.

B. The IFR Does Not Address the Problems that FMCSA has Identified.

FMCSA has not demonstrated that there is any link between the problem it has identified and its chosen solution. In the IFR, FMCSA “uncovered systematic procedural and computer programming errors, significant problems with staff training and quality assurance, and policies that lack sufficient management controls in the issuance of non-domiciled CLPs and CDLs by multiple SDLAs,” and “identified at least five fatal crashes involving non-domiciled CDL holders.”⁵¹ But restricting eligibility for CDLs addresses none of these problems.

First, restrictions on eligibility for non-domiciled CDLs will not help address any of the deficiencies in States’ administrative processes identified by FMCSA. The eligibility restrictions cannot address procedural or programming errors, will not address gaps in training or quality assurance, and do nothing to improve management controls. The IFR does not include any regulatory changes that would address those problems or any issue relating to States’ administration of CDL licensing. To the contrary, FMCSA’s indictment of State practices suggests that any claimed safety benefits from the IFR will fail to materialize. Moreover, FMCSA does not explain why States’ failure to enforce existing standards demonstrates that the standards themselves must change. The IFR provides no reason to think that States’ errors relating to programming, training, quality assurance, and management controls would not apply equally to a State’s handling of both domiciled and non-domiciled CDLs.

Nor does the occurrence of 5 fatal crashes justify FMCSA’s revision of the standards for CDL holders. The IFR fails to draw a connection between the immigration status of the CDL holders involved in the fatal crashes it cites and the fact that those crashes occurred. FMCSA admits that it has no evidence to demonstrate any “relationship between the Nation of domicile for a CDL driver and safety outcomes in the United States.”⁵² Without such evidence, FMCSA cannot rule out the possibility that holders of non-domiciled CDLs are safer, on average, than their domiciled counterparts. There are vastly more fatal crashes associated with domiciled CDLs, but that does not justify restricting their ability to hold a CDL just based on their domiciled status.

That problem also undercuts FMCSA’s cost-benefit analysis. FMCSA claims that the IFR would have positive net benefits if it results in 0.085 fewer fatal crashes per year, or in other words, if it prevents 1.3 percent of the 5 fatal crashes involving non-domiciled CDL holders this year.⁵³ But FMCSA assumes that those crashes would not have occurred, or at least not all would have occurred, if the non-domiciled CDL holders had not been driving. That presupposes that: (1) the domiciled CDL holders who replaced those non-domiciled CDL holders could be expected to practice safer driving habits and avoid a greater number of crashes; (2) the fatalities were in any way correlated with the driver’s domicile; or (3) the trips that resulted in those five crashes would have been eliminated, instead of shifted to domiciled CDL holders. The first two premises are obviously incorrect, as seen from the many fatal crashes caused by U.S.-domiciled CDL holders. As noted above, newer CDL drivers have more accidents than those with experience, so replacing existing non-domiciled CDL drivers with new CDL drivers will cause more accidents.⁵⁴ Again, there is no data to support any conclusions that domiciled versus non-domiciled CDL drivers are safer or less likely to be involved in an accident. The third presupposition is plausible, but not reflected in FMCSA’s analysis, because elimination of these trips would necessarily and significantly impact the freight market or government services. FMCSA’s analysis significantly undercounts the real risk of accidents involving domiciled CDL holders or the costs of disruption to the freight market and is therefore fundamentally flawed.

The agency should redo its cost-benefit analysis to determine the actual market disruption and the number of additional crashes that would result from replacing non-domiciled CDL holders with additional domiciled CDL holders on the roadways. FMCSA cannot premise its cost-benefit conclusions on flawed assumptions without evidence that the benefits it assumes actually would occur.

The IFR also ignores that driving history is readily available for current holders of non-domiciled CDLs. Applicants who have been driving commercial motor vehicles in the United States pursuant to existing standards have a demonstrated history of either safe or dangerous driving, which is as easily available to State licensing authorities as the history of a domiciled-CDL holder. Nonetheless, FMCSA prevents CDL renewals for every holder of a non-domiciled CDL, without regard for

⁵¹90 Fed. Reg. at 46512.

⁵²Id. at 46520.

⁵³Id. at 46521.

⁵⁴Dunn, Soccolich, & Hickman, *supra* note 48, at 37.

their past driving history. FMCSA has no reason to forbid nondomiciled CDL holders with a demonstrated history of safe driving on U.S. roads from renewing their CDLs indefinitely. As drafted, the IFR forces the Local Government Signatories to use the services of untested seasonal workers or novices rather than long-time, proven employees.

At bottom, the IFR depends on the existence of a correlation between domicile status and safety that is unsupported by the record. That makes the burdens FMCSA imposes indefensible and unjustifiable.

CONCLUSION

In summary, the Local Government Signatories ask FMCSA to consider the harms to a number of critical government services that rely on commercially-licensed drivers and the safety implications of those effects on safety-critical local government services. We urge FMCSA to withdraw or materially revise the IFR to account for these harms and to adopt regulatory policy that more closely aligns to the best available safety data and evidence.

The Local Government Signatories further strongly urge FMCSA to consider collecting additional data to better understand the problem facing it. The IFR's cherry-picking of 5 incidents in a single year out of likely thousands⁵⁵ suggests that, despite FMCSA's extensive data collection, it does not have sufficient data to link domicile status to the safety and fitness of CDL holders. FMCSA could have required States, employers, or other entities to report data about crashes to determine what factors actually jeopardize roadway safety and to analyze if any correlation exists. Data collection is a natural next step. If, on the other hand, FMCSA already has data that it can use to better understand how a CDL holder's domicile status impacts road safety, then it should disclose and rely on that data instead of speculating.

We look forward to working with you to address these concerns and appreciate the opportunity to provide these comments.

Respectfully submitted,

LOCAL GOVERNMENTS AND
LOCAL GOVERNMENT LEADERS (LISTED IN APPENDIX A).

APPENDIX A—LIST OF SIGNATORIES

Local Governments

City of Albany, New York
Albany City Attorney's Office, New York
City of Alexandria, Virginia
City of Cambridge, Massachusetts
Montgomery County, Maryland
City of New York, New York
Portland City Attorney's Office, Oregon

Local Government Leaders

Celina Benitez, Mayor, City of Mount Rainier, Maryland
Jesse Brown, Councilmember, City of Indianapolis, Indiana
Chelsea Byers, Mayor, City of West Hollywood, California
Chris Canales, Councilmember, City of El Paso, Texas
Michael Chameides, Supervisor, County of Columbia, New York
John Clark, Mayor, Town of Ridgway, Colorado
Alison Coombs, Councilmember, City of Aurora, Colorado
Christine Corrado, Councilmember, Township of Brighton, New York
Nikki Fortunato Bas, Supervisor, Alameda County, California
Brenda Gadd, Councilmember, Metropolitan Nashville and Davidson County, Tennessee
Caroline Torosis, Mayor Pro Tempore, City of Santa Monica, California
Terry Vo, Councilmember, Metropolitan Nashville and Davidson County, Tennessee
Ginny Welsch, Councilmember, Metropolitan Nashville and Davidson County, Tennessee
Robin Wilt, Councilmember, Township of Brighton, New York

⁵⁵ In 2022, 6050 large trucks and buses were involved in fatal crashes. There is little reason to think that number has changed so drastically since then that 5 represents a significant fraction. See U.S. Dept. of Transp. Fed. Highway Admin., *Large Truck and Bus Crash Facts 2022*, <https://www.fmcsa.dot.gov/safety/data-and-statistics/large-truck-and-bus-crash-facts-2022-1> (last updated Oct. 10, 2025).

Mr. BRECHEEN. Thank you, Ms. Liu.

I am now going to—instead of going through ranking order, I want to recognize Representative Fong given a time limitation on his part. Representative Fong, you are now given 5 minutes. I think you may have a special guest, also, as a part of your opening statement.

Mr. FONG. Thank you, Mr. Chair.

This is a very important hearing that we are having and it is very personal to me. I have the honor of introducing—I know they have to catch a flight later this afternoon, but we have, I think the Chair read the story of Dalilah Coleman, who was in a horrific car accident with someone who was here illegally, who obtained an illegal CDL in California. But Dalilah here is now 7 years old. She is in the audience here with her father Marcus and her mother Ileana, who I think they just got engaged at the White House last week, if you saw the video. So they are from Bakersfield, California, my home town. So I just wanted to make sure to recognize them and put a face to this issue and the families of this issue as well.

Mr. BRECHEEN. Will the gentleman just yield quickly? Thank you all for taking the time to be here. We are so grateful to see her in such good health.

Please continue.

Mr. FONG. So I want to applaud the Coleman family. They have taken a preventable tragedy and horrific situation that has affected them and made it their cause to make our roadways safer.

It is worth noting again, and I will reread the details that the Chair mentioned in his opening statement, in June 2024, in San Bernardino County, California, 5-year-old Dalilah Coleman and her stepfather Michael were seriously injured in a multi-vehicle pile-up caused by an illegal immigrant driving a commercial 18-wheeler who sped through a construction zone and failed to stop for traffic. Dalilah suffered life-long injuries, including cerebral palsy, developmental delays, and loss of speech, and she has now worked very hard to relearn how to walk. The driver who illegally entered the United States in October 2022, was released under the Biden administration and held a California-issued CDL.

This preventable tragedy forever altered Dalilah's bright future. I had the chance to meet with Dalilah and her family to discuss Dalilah's Law, the legislation that they are working to introduce and to pass, that would require States to limit trucking licenses to U.S. citizens and lawful permanent residents and certain work visa holders and, No. 2, revoke all trucking licenses currently issued to illegal migrants as a condition of receiving funding from the Department of Transportation.

I did want to ask Mr. Tipton, what is your assessment on the role States have in preventing future tragedies by non-domiciled CDL drivers?

Mr. TIPTON. So I think it's a multifaceted role that the States can play. One is working with ICE and these 287(g) task force models which allow for State and local law enforcement to be able to verify immigration status. The problem that we run into on roadside is that the person that we're talking to may have a facially-valid CDL end date. When you run that CDL through our law enforcement

network system, it comes back as valid. But then when we check on the immigration status, they're not here legally.

Now, they may have originally crossed the border. I'll tell you my experience. I've interviewed many of these folks as we've taken them into custody. They've—under the former administration, they would cross the border, be detained, be released, and given, you know, an employment authorization document at that time. So now that they've got this document in hand, they can then go to a truck driving training school, one of these CDL mills, get a certification, in many instances obviously not be able to pass the certification because they can't speak English efficiently to be able to pass, and then go get a CDL.

So on its face value, it looks like they're valid. But unless you have the authority and the ability to work with ICE and verify their immigration status, you don't realize that they're here illegally. So I think working—that's step one. States have to work with the Federal Government in order to be able to take adequate enforcement.

Mr. FONG. So that leads to my next question and it refers to sanctuary State policies. In California, unfortunately, we are a sanctuary State. I opposed it when it was moving through the State legislature. So I think what you have outlined is when a CDL is issued in one State, that driver is allowed to operate across all 50 States. So if California applies a weaker CDL standard, that creates a public safety risk for the other States. Is that correct?

Mr. TIPTON. Absolutely, across the board. You know, we—and, of course, I live in a State that we call it the crossroads of America. I-35, it runs from Mexico to Canada, I-40 East and West Coast, and then I-44, and those all interchange in Oklahoma City. So the amount of nationwide over-the-road trucking that comes through our State is a massive number. So we see it routinely that other States that don't apply the same type of standard, yes, those drivers are going to be coming right through Oklahoma.

Mr. FONG. Thank you. I appreciate the Chair's flexibility. Thank you. Thank you, Dalilah and the Coleman family, for being here. You are all inspiration to us. Thank you.

Mr. BRECHEEN. The gentleman yields.

I now recognize Representative Thanedar for his 5 minutes of questioning.

Mr. THANEDAR. Thank you, Chairman.

Truckers move nearly three-quarters of the country's freight, making them an indispensable part of U.S. supply chain. Without truckers, there would be no food on grocery store shelves, products at big box stores, or fuel at gas stations. Nearly 20 percent of truck drivers in the United States are immigrants, just as they make up 20 percent of overall U.S. work force. They often do the demanding and dirty jobs no one else will.

These drivers have invested significant time and resources into their careers as commercial drivers, and many of them have accumulated decades of experience. But now the Trump administration is unlawfully attempting to strip some of these immigrants of their commercial licenses and their livelihood. This will not only create undue hardship on their families, but it will also further harm the U.S. economy.

President Trump's economy is not the greatest ever in history as he claims. Much like his tariffs, the President's immigration drag-net is fueling affordability crisis.

Ms. Liu, can you please explain how the Department of Transportation's actions to restrict immigrants' eligibility for commercial driver's licenses will harm the U.S. economy?

Ms. LIU. Thank you for your question. Prohibiting documented immigrants from having commercial driver's licenses will increase costs in the middle of an affordability crisis. Trucks are the main way goods are moved across this country. Approximately 73 percent of freight by weight is moved along America's highways, from consumer products to food to construction materials.

There is a well-documented need for truck drivers in this country. Industry has reportedly estimated a shortage of tens of thousands of truck drivers. The Trump administration's exclusion of documented immigrants from the truck driver work force would force 200,000 experienced drivers out of the market, shrinking the existing work force by 5 percent. That will disrupt supply chains, delay the delivery of goods and materials, and increase rates for freight operations. Already news reports say that the cost of a single freight trip from New Jersey to Texas has gone up by more than 35 percent because of a national shortage of immigrant truck drivers.

Mr. THANEDAR. Thank you. Thank you so much.

Mr. Chair, I seek unanimous consent to add to the record a letter from Teamsters California opposing DOT's rule prohibiting most noncitizens from obtaining or renewing their CDLs.

Mr. BRECHEEN. Without objection, so ordered.

[The information follows:]

STATEMENT OF THE AFL-CIO

WEDNESDAY, MARCH 4, 2026

The AFL-CIO is a federation of 64 affiliated unions representing more than 15 million workers across all sectors of our economy. Our members work in every State in the Nation and they come from every region of the world. Like the workforce as a whole, our membership consists of people with all types of immigration status. Together, we strive to ensure that every person who works in this country receives decent pay, good benefits, safe working conditions, and fair treatment on the job.

Workers with commercial drivers licenses (CDLs) make our country run and provide a wide range of important services. They carry children to and from school. They drive millions of people to and from work on buses. They ensure our communities are clean through sanitation and recycling pickup. They support our Nation's utility infrastructure, manufacturing plants and airports. And they carry commercial freight across U.S. highways and along our roads and city streets so that we can get the things we need to live and support our families.

Unfortunately, the Department of Transportation (DOT) has twice tried to prohibit nearly 200,000 workers with lawful work authorization, including many union members, from renewing their CDLs and will prohibit thousands more from obtaining new licenses. This will be devastating for lawful immigrant drivers all around the country, many of whom, in reliance on the prior rules, invested thousands of dollars into training for careers requiring a CDL. It will also create needless disruptions in public services in our communities and critical supply chains that make our economy work.

DOT's first attempt at issuing this rule failed because the U.S. Court of Appeals for the D.C. Circuit found that it was likely procedurally flawed. The court also found that the rule was likely unlawful because while DOT premised its rule on safety, its own data indicated that the CDL holders excluded by the rule (immigrant drivers) were involved in fatal crashes at a lower rate than CDL holders who are not excluded, meaning the rule would worsen, and not improve, safety.

But DOT has continued to pursue this unlawful agenda. The agency began using their annual program review process to demand that States immediately cease issuing non-domiciled CDLs, in essence achieving what Federal courts said they could not do.¹ And, despite thousands of comments opposing the rule, including comments from the AFL-CIO, AFSCME, AFT, ATU, IBEW, Teamsters California, and USW, on February 13, 2026, DOT issued nearly the identical rule that had been previously stayed, which has again been challenged in the U.S. Court of Appeals for the D.C. Circuit.

Throughout this process, DOT has cherry-picked, from the tens of thousands of fatal accidents per year, a handful of examples caused by people with a single characteristic of having noncitizen status. But there is no evidence showing a correlation between immigration status and unsafe driving, a fact that DOT admitted in their initial rule issuance that “[t]here is not sufficient evidence, derived from well-designed, rigorous, quantitative analyses, to reliably demonstrate a measurable empirical relationship between the Nation of domicile for a CDL driver and safety outcomes in the United States such as changes in frequency and/or severity of crashes or changes in frequency of violations.”

We call on Congress to hold DOT accountable and to demand that it not issue rules that discriminate arbitrarily. Instead, DOT should focus on lifting standards for all workers and making our roads safer.

Mr. THANEDAR. In addition to the vital role truckers play in the U.S. supply chain and economy, they also play a crucial role in providing public services to our communities. They drive the school buses that take our kids to school, operate plows to clear snow during blizzards, and run the mass transit system commuters rely on to get to work, just to name a few.

Ms. LIU, 19 attorney generals oppose Trump administration’s efforts to take commercial driver’s licenses away from immigrants because of the negative impact on public services in their States. Several local governments and government leaders who support the on-going litigation shared similar concerns. Can you please walk us through how the Department of Transportation’s rule would reduce and degrade essential public services?

Ms. LIU. Thank you for your question. Prohibiting documented immigrants from having CDLs will disrupt and curtail essential public services. These governments depend on drivers to drive buses for schools, mass transit systems to transport people to work, to operate construction vehicles to maintain and repair roads. With fewer drivers, these services will be disrupted and public safety will be harmed. For example, a shortage of snowplow operators means that a local government will not be able to treat the roads, resulting in more hazardous driving conditions and increasing crashes. Thank you for your time.

Mr. THANEDAR. Thank you, Ms. Liu.

I am out of time, so I yield back.

Mr. BRECHEEN. Thank you. The gentleman yields.

I now recognize Representative Van Epps for his 5 minutes of questioning.

Mr. VAN EPPS. Thank you, Mr. Chairman, for holding this immensely important hearing and to our witnesses for joining us.

Highway safety impacts Americans every day. States like California that refuse to enforce driver’s license standards are putting every driver and passenger on the road in danger. When even one unqualified driver is handed a commercial driver’s license, the danger does not stop at a State line. It puts every highway and every

¹The full list of States that have received a preliminary determination of substantial non-compliance for their issuance of non-domiciled CDLs is available here.

family on the road at risk. The reality is this is not about a single reckless driver. It is about tens of thousands operating nationwide.

Last year in my home State of Tennessee, the Biden administration granted a non-English speaking illegal alien work authorization, allowing him to obtain a commercial driver's license. This man went on to cause a multi-vehicle crash killing 1 and injuring 2 others. These senseless deaths must stop.

I am extremely proud of what the Tennessee Highway Patrol has accomplished working with DHS to get dangerous illegal aliens off our roads and keep our communities safe. But this issue has to be fixed across the board. Whether it be fraud or sheer negligence, we cannot tolerate sanctuary cities giving licenses to unsafe drivers.

Sheriff Del Toro, we have heard about the tragic vehicle incident in St. Lucie County, Florida, involving an illegal alien from India carrying a non-domiciled CDL killing 3 people. While we recognize this remains an active and on-going investigation, can you share any further details with us and how this incident has impacted your county?

Sheriff DEL TORO. So it's impacted our county in a very tragic way by the loss of 3 lives. It was an illegal U-turn in the middle of our Florida turnpike and really for no reason. There was no emergency that was ahead. It was just an illegal U-turn where a completely unsafe maneuver caused 3 people who were traveling close to 80 miles an hour to go underneath the back of that truck and lose their lives. So it's impacted our community in a big way.

It was a national story, obviously, because of the fact of the non-domicile CDL issue by an illegal immigrant that came over the border, I believe in 2018, was issued a notice to appear for that violation, and then, as the Chairman stated, had failed a test in the State of Washington, I think, I believe 10 times before obtaining it in California. So it shed a big light on things.

I think one of the things that we have to do as public servants and elected officials is identify problems and come up with ways to solve those problems. I believe the Chairman mentioned there was 200,000 CDLs issued to illegal immigrants and we all agree that illegal immigrants by the law are not allowed to obtain these non-domiciled CDLs. So what can we do to solve that problem?

I think Florida has taken a big step toward that and I'd like to just share with you a few key components to some changes that they've made regarding non-domiciled CDLs.

Mr. VAN EPPS. Please.

Sheriff DEL TORO. So Florida only issues licenses to drivers who are in the country legally. Licenses issued to noncitizens with temporary legal presence, non-domiciled, are valid for a year or the last date of the customer's legal status, whichever comes soonest. For each license issued to noncitizens, Florida verifies electronically with DHS and the SAVE system that the customer had legal presence in the United States. We then scan and maintain all documents presented by the driver to establish their identity and legal status and these documents are available in our DAVID system.

All issuance involving drivers with temporary legal presence non-domiciled are conducted in person. If a noncitizen is only allowed to be in the United States on a temporary basis, we place the words "Temporary" on the front of that driver's license and that is

due to Federal Motor Vehicle Carrier Safety Administration Rules updates and Florida will also begin printing the words “Non-domiciled” on the license moving forward.

The written CDL knowledge test was previously provided in Spanish and English with prior approval from the FMCSA. However, Florida recently changed its policy that all driver’s license testing includes Class C—or Class E, correct, must be taken in English only. The behind-the-wheel CDL skills test is also provided in English as required by FMCSA regulations. At the request of FMCSA, Florida paused all issuance of CDLs to non-domiciled drivers on November 24, 2025, and plans to resume issuances after the new FMCSA rules become effective in mid-March, this month.

So this isn’t to hurt anybody that’s here legally in our country. It’s just a way to vet it out, increase our standards, which I think is our responsibility as elected officials to protect the public and enhance roadway safety.

Mr. VAN EPPS. Thanks, Sheriff, and thanks for being here today.

Mr. Chairman, I am out of time. Yield back.

Mr. BRECHEEN. The gentleman yields.

I now recognize Representative Strong for his 5 minutes of questioning.

Mr. STRONG. Thank you, Chairman Brecheen. I thank each of our witnesses for being here today for the work that you do to keep America safe.

This hearing is about a simple issue. When Americans share the road with a commercial vehicle, they should be confident that people behind the wheel are properly vetted, lawfully authorized, and qualified to operate a commercial vehicle. I speak first-hand. I held a commercial driver’s license with a passenger endorsement because my family owned a fleet of 45-foot Prevost buses that traveled throughout this country for more than 40 years without a chargeable accident.

Last year, you would think the last thing you would want is someone behind the wheel of a commercial vehicle that doesn’t understand the laws of the land, don’t understand turning radiuses, don’t understand stopping distances, and they have got to respect the laws of the land. That is assimilation to the United States of America.

Under the previous administration, enforcement gaps allowed fraudulent documents and stolen identities to slip through the cracks, leaving States to deal with drivers who never should have been behind the wheel of a commercial vehicle. In my home State of Alabama, joint enforcement actions recently removed dozens of unsafe truck drivers from the highways, including individuals with no valid license at all. Unfortunately, not all States share the same sense of urgency in taking action.

Commissioner Tipton, in your testimony you confirmed that States are encountering fake documents, identity fraud, and completely invalid license being used to obtain or attempt to obtain CDLs. Alabama’s experience shows that targeted coordination between State law enforcement and Federal partners is crucial to identifying and removing unsafe commercial drivers from the roads. You have described a similar effort in Oklahoma. How essential is that kind of strong routine coordination between State

law enforcement and Federal partners to effective CDL oversight and highway safety?

Mr. TIPTON. Thank you for the question. Again, it goes to every area of State coordination with the Federal Government at the issuance, at the certification of schools who put on this training, and the ability to ensure that the training is of quality and that the people who pass that training do understand the rules of the road and can read road signs and all the things that you just explained.

On the enforcement side of it, we would not be able to do this work if it wouldn't be for the partnership that we have with the Federal Government. I'll tell you what we're seeing now. We've ran, I believe, 5 special emphasis at our ports of entry over the past 9 months—or one of our—so we did one out west that I spoke of earlier. We then went to the eastern side of the State on I-40 at the Oklahoma-Arkansas border. Within minutes of us setting up and starting our operation, my intel analysts were seeing social media posts all the way out to the North and South Carolina coast telling people Oklahoma's doing it again. Go around Oklahoma. Don't go through Oklahoma if you're driving a truck and you're not here legally because they knew that we were working with ICE.

So now we're combating it to where they're going to either divert around our State or they're going to hold in another State until we're not out working. So I believe it's incumbent upon us to work in a coordinated effort across multiple States at the same time, same type of operations if you really want to get a true enforcement and make some true action on this.

Mr. STRONG. The greatest compliment your State can get is that they are enforcing the laws.

Sheriff Del Toro, when your deputies stop a commercial vehicle and discover licensing or identity issues that doesn't just raise paperwork concerns, it creates a real safety risk on the roads. Is that a true statement?

Sheriff DEL TORO. Yes, sir.

Mr. STRONG. One theme we have heard today is that verification matters, whether it is verifying identity, legal eligibility, or basic qualifications before someone is trusted with a serious responsibility. The House has twice passed the SAVE America Act, which focuses on requiring voter ID to ensure only U.S. citizens participate in Federal elections. I was proud to vote in favor of that legislation.

Sheriff Del Toro, from a public safety standpoint, do you agree that the same common-sense principles apply here, that verifying identity and eligibility before granting access whether to a ballot or an 80,000-pound commercial vehicle is far safer than trying to fix the problem after the fact?

Sheriff DEL TORO. Yes, sir.

Mr. STRONG. Mr. Chairman, my time has expired. I yield back.

Mr. BRECHEEN. The gentleman yields.

I now recognize myself for my 5 minutes of questioning.

I want to say how excited I am that the Trump administration has taken this issue very seriously and, on February 13, 2026, how the Department of Transportation did issue a final rule that will restrict the issuance of non-domiciled CDLs to foreign drivers and

it will raise the eligibility standards to prevent these unqualified drivers and these bad actors. We are not talking about those that are here legally. We are talking about those that are in violation of FMCSA Federal guidelines.

The CDL issuance is not to be taken lightly. Again, you can weaponize, especially with the hazmat endorsement, you can weaponize an 80,000-pound rig. For those in the trucking industry, for those of us that had to learn to drive a semi and downshift, and now that the innovation of automatic transmissions are out there, it is making the type of driver that is sitting in a semi not as educated on downshifting and how far you have to pace off of someone in front of you. If you are a truck driver, you know exactly what I am talking about.

So there is a heightened safety element that has to be adhered to. The fact that we are hearing about these CDL mills that may be lacking not only basic instruction to make sure people can read in English the road signs and know that there is a sign that says your speed in a work zone, and they would otherwise if they didn't—the ability to read, that would only see a number flashing at them. There are some real critical elements that being able to read in English is going to create havoc if we don't understand this. It is much, much, much far and surpassing of that.

What can we be doing? Any of the witnesses. I am going to zero in with you, Mr. Tipton, because you have been paying attention to other States, like Oklahoma. What can we be doing on a Federal level outside of what the President, his administration has been doing? I know that Representative Rouzer has a measure that could be codified. What else can we be doing on the Federal level?

Mr. TIPTON. Again, as I mentioned earlier, you know, I think that already suits have been filed against the new upcoming rules that FMCSA is going to implement this month. I think it's such a critical area that an employee authorization document is not sufficient to be able to then turn around and go get a CDL. It does not—and it's obvious that the crackdown on the CDL mills, the schools that are supposedly safely training these folks, when I encounter—when our troopers encounter someone who has supposedly passed a test, has their CDL, and obviously can't read and speak English and understand the rules of the road, those schools have to be shut down.

Mr. BRECHEEN. Absolutely.

Mr. TIPTON. I'll tell you, and this is in my experience with what I've seen in interviewing these people who are driving these trucks as we take them into custody, I believe there's been coordinated effort to bring people to the Southern Border under the last administration, get them through the border, get them an EAD issued.

Mr. BRECHEEN. Yes.

Mr. TIPTON. They go to the school and get this certificate and then go to a State.

Mr. BRECHEEN. Eight hundred and seventy thousand new CDLs issued under Biden's first year. The fact that we know 50 percent of those who have obtained a CDL in the State of New York are fraudulently—they are illegally here, they are not in compliance, 50 percent of what New York has issued. Seventeen thousand peo-

ple with CDLs have been granted them in violation of Federal statute in the State of California.

What else can we be doing on the State levels? What I am excited about is the opportunity for Governors, State lawmakers to have heard this hearing, understand what the Trump administration is doing. These thousands of commercial truck drivers, as you said, they are getting on social media saying bypass Oklahoma, bypass Indiana. They are taking this thing seriously because they are working with ICE.

What would be your message? Because you are going to have the sanctuary-type States that are going to—and I am grateful to the administration saying you are going to do this in violation? Get ready. Federal highway funds could be your loss. That is the right thing to do. The Federal law has to be followed because national security is at risk here as well.

What would be your comments to any State Governor in a red State that would be willing to bring ICE in? Let them work with their OHP, their highway patrolmen, like you all did, and making sure that they were—an education, but making sure the database of who is here illegally, that if 20 States were doing this, what could that do to expedite getting these people caught and off the road?

Mr. TIPTON. It could be done in such a short amount of time because they're moving every day across the country. I think Oklahoma is a model example of when State and local law enforcement work with ICE. There's not chaos, there's not all of this uproar.

Oklahoma, across the year 2025, we ranked in the top 3 month-to-month on how many illegal criminal aliens we removed from our State, from the country. We ranked in the top 3. You don't see all the chaos and it's due to that cooperation.

So for the safety of everybody involved, both the motoring public on the CMV issue, the potential terrorist-type threat, you know, you and I come from a State, we understand what truck bombs can do and for the safety of everybody involved, the cooperation with ICE is critical and can be done in a calm, legitimate, legal way.

Mr. BRECHEEN. With that, my time has expired.

I want to just because we have had—I think we have come in under time, is there anyone else? Representative Thanedar, Representative Van Epps, would you have an additional question that you would like to ask given our panelists are still here and either one of you?

Mr. VAN EPPS. I will ask one more, Mr. Chairman—

Mr. BRECHEEN. Go ahead.

Mr. VAN EPPS [continuing]. If that is OK. Just to follow up on that last point to Commissioner Tipton and Sheriff. Commercial drivers have access to ports, energy facilities, military bases, and hazardous materials routes. How does your State conduct enhanced vetting for sensitive cargo?

Sheriff DEL TORO. I can't speak to how they vet out cargo at ports. I've never worked down near one. But I can tell you, though, as far as the vetting of drivers, that needs to happen and that's why it's so important that Florida's taken the step to vet these drivers that are getting these non-domiciled CDLs are done in person. They verify with our Federal partners. We're no longer work-

ing in silos and I'm sure they're doing that as well with cargo as well. So I think it's just an important thing to recognize the changes we've made in Florida.

Moving forward, I think we need to see more of that, especially with—can I just touch real quick on the Real ID—

Mr. VAN EPPS. Please.

Sheriff DEL TORO [continuing]. And the 2005 act? Where the States still have the right to issue licensing, but in order to meet Federal standards, they have to meet certain standards to be recognized federally to get on a commercial aircraft, transporting hazardous materials. That's why I think it's so important just that simple act itself could really help in raising the standards up for these States where they can still do the license issuing, but they have to meet some Federal standards, which could include in-person vetting, their immigration status, working with the States, working with our Federal partners to ensure that—to ensure safer roadways.

Mr. VAN EPPS. Thank you.

Sheriff DEL TORO. Thank you, sir.

Mr. BRECHEEN. Following the theme of allowing additional questioning, Representative Thanedar, are you recognized.

Mr. THANEDAR. Thank you, Chair.

Is it true that the standards for commercial driver's licenses for U.S. citizens and permanent residents are identical to the standards for non-domiciled commercial driver's licenses, that is documented immigrants who are authorized to work in the United States?

Sheriff DEL TORO. Can you repeat the question, sir?

Mr. THANEDAR. It is just a yes-or-no question. Are the standards the same as they are for the U.S. citizens drivers or permanent residents?

Sheriff DEL TORO. Yes, correct.

Mr. THANEDAR. Yes, OK. Is it also true that the requirements to obtain a commercial driver's license are extensive in that applicants must demonstrate English language proficiency, demonstrate 30 different vehicle inspections, control, and driving skills, and demonstrate their knowledge in 20 general areas, and consent to alcohol testing?

Sheriff DEL TORO. I can only speak for the State of Florida, but that's correct in the State of Florida.

Mr. THANEDAR. All right. Given the standards and requirements are the same across the board, can you please explain to me how the Department of Transportation's rules restricting commercial driver's licenses to people with H-2A, H-2B, and E-2 visas and stripping it from refugees, asylees, and DACA recipients improves highway safety?

Sheriff DEL TORO. Because there's obviously gaps in these standards because people that are here illegally have obtained these licenses as well. So I'm not trying to shed any negative light on anybody here that's here legally obtaining these or differences between whether you're a citizen, permanent resident. Those standards, I think, are the same in the State of Florida. But the one thing we're not seeing in the State of Florida is licenses being issued to illegal immigrants because of our vetting process. I think that's where we

can close the gap federally from State to State to improve highway safety.

Mr. THANEDAR. Ms. Liu, what is your answer to that?

Ms. LIU. Thank you for the question. That's right. The standards are identical for U.S. Citizens, lawful permanent residents, documented immigrants alike. Regardless of citizenship or immigration status, all drivers must demonstrate English language proficiency, demonstrate 30 different vehicle inspection, control, and driving skills, demonstrate their knowledge in 20 different areas.

It would not improve highway safety to prohibit documented immigrants from holding these licenses. In fact, forcing 200,000 drivers out of the market and depleting the work force by 5 percent will make our roads less safe by replacing experienced drivers with less experienced ones and increasing driver fatigue for the drivers remaining on the road.

Moreover, there is no data, the Trump administration has no data showing that noncitizens cause more crashes than U.S. citizens. They have conceded that there is no empirical relationship between a person's nation of domicile and safety outcomes. According to the Trump administration's own data, there are approximately 4,000 crashes on average in a year, of which 17 were caused by a documented immigrant. That means more than 99 percent of crashes are caused by U.S. citizens and lawful permanent residents.

If the concern is that States are improperly issuing licenses to people who do not, in fact, already meet the existing requirements about training, English, testing, then the solution is to tighten the administrative steps to make sure that licenses are going to people who, in fact, do satisfy all of the requirements. But excluding documented immigrants from being truck drivers altogether would harm highway safety, destroy the livelihoods of thousands, increase costs during an affordability crisis, and disrupt essential public services.

Mr. THANEDAR. Thank you so much. So it looks like we can look at the statistical data. We can look at total number of commercial drivers. We can see what percent of them are the immigrants that this law is trying to change. If you look at all of the, you know, fatal accidents that happen, what percent of those are committed by the immigrants? From what you're telling me, it seems like, you know, most of—99 percent of the collisions, accidents are as a result of—by U.S. citizen drivers or permanent resident drivers. Is that true?

Ms. LIU. Thank you for the question. The Trump administration has identified 17 examples, as I said, of documented immigrants who've caused fatal crashes. But there are over 4,000 in a year, so that's less than 1 percent, meaning the other—the vast majority is caused by U.S. citizens and lawful permanent residents.

Mr. THANEDAR. Thank you.

Mr. BRECHEEN. The gentleman's time has expired. He yields.

So I just want to follow up and this is more than anecdotal, again going to the theme of allowing additional time for question.

This is a tragic example. Sheriff Del Toro, is the individual who made the U-turn, he was here illegally. He failed his commercial driver's license 10 times in a matter of 2 months. Then yet goes

to the State of California, obtains his commercial driver's license, and immediately within a very short-term time frame leads to the tragic end that you know of in your county.

Sheriff DEL TORO. Correct.

Mr. BRECHEEN. So if someone is not willing to concede that the lack of speaking English, the lack of skill is evident. Really zeroing in on California and Pennsylvania and New York, New York, who is failing 50 percent of their CDL non-domiciled we know are here illegally, our attention needs to be really be focused there. Again, carrot and stick, Federal highway transportation funding, I am so grateful to an administration who means what they say and is willing to follow suit when there is a lack of adherence.

Mr. Tipton in Oklahoma, I find it interesting that when you all began to lead on this issue, we were not just talking about limited to the border of with Mexico shared by the United States. These are the individuals you all found that were operating with these commercial truck drivers: India, Uzbekistan, Georgia, Kyrgyzstan, China, Pakistan, Russia, Belarus, Ukraine, Turkey, Cuba, Guatemala, Venezuela. Is that accurate?

Mr. TIPTON. Yes, sir. It was from around the globe.

Mr. BRECHEEN. It is not just the national security element. It is also if you are willing to skirt the law, it tells you something about your character. If you are willing to compromise in one area, you will compromise in another area. So I am grateful.

I see in the audience another person from Oklahoma who made me heightenly aware. Cole Stevens, thank you for making me heightenly aware of what we are also seeing potentially of insurance that is being moved around. It is not just CDL mills that they are gaming and how you can actually obtain a CDL. It is also the potential of when you go to a weigh station, which I have had to do, to present your insurance verification. Did you all see in the time period that you were there of insurance being moved around on one vehicle or another?

Mr. TIPTON. Absolutely.

Mr. BRECHEEN. Can you explain that? Can you expound upon that?

Mr. TIPTON. It's—I don't know how else to explain it other than it looks like a well-organized method of circumventing, whether it be insurance, you know, how they got the job, how they were brought into the country.

Mr. BRECHEEN. OK.

Mr. TIPTON. So it's a well-organized—and let me also say this, I'll use this as an example. While one of my troopers is out with a truck doing an inspection at a weigh station on one of our emphasis, at the same time another trooper has a van, a passenger van, stopped with, I believe, 8 people inside of it, none of whom could speak English. None of them had their—any type of identification on them. The driver in the semi that was stopped behind them had all of the passports of the folks that were in the van. We've found people who have active investigations and warrants for human smuggling, drug trafficking, money laundering, assault, driving under the influence, and failure to appear in court. So this is an even larger public safety issue when we let unvetted, untrained, unskilled people in these, operate these vehicles.

Mr. BRECHEEN. I would just say this and I am going to land the plane. This is not just public safety. It is not just national security. It is also for those in the trucking industry understand how expensive insurance is. It is also those that would game the system, that would undermine legal process of being legally operational and find foreign actors to work with them, whether it is to modify their logs, their time logs, to make insurance, to obtain insurance fraudulently, moving insurance from one vehicle to another, therefore undercutting someone, a U.S. citizen, someone who has been established for years, trying to operate legally, now they are having to compete with that full measure of someone operating underhanded and under the table. There is a full can of worms here that is yet to be fully explored.

I am grateful to you, witnesses, for helping us get a greater look. I am grateful to President Trump mentioning this to his State of the Union address. This is something that has to be uncovered to a greater level.

I want to thank our witnesses for your testimony, Members for their questions. Members of the committee may have some additional questions for the witnesses. We would ask the witnesses to respond to these in writing. Pursuant to committee rule VII(E), the hearing record will be open for 10 days.

Without objection, this committee stands adjourned.

[Whereupon, at 3:58 p.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS FROM HONORABLE AL GREEN FOR WENDY LIU

Question 1. The interim final rule issued by the Department of Transportation's (DOT) Federal Motor Carrier Safety Administration (FMCSA) on September 29, 2025, would strip asylum seekers, refugees, and DACA recipients of their commercial driver's licenses despite being legally present and authorized to work in the United States. This issue is being framed by my colleagues on the right as a "safety" concern, seemingly implying that non-citizens, who are lawfully present in the United States, are somehow a threat simply because of their immigration status. One's immigration status alone is not a valid safety concern, and it is not coincidental that the groups affected by the September rule are the same ones being targeted by President Trump's deportation efforts.

Ms. Liu, is there any data to support the argument that documented immigrants cause more crashes than U.S. citizens or permanent residents?

Answer. No. The Trump administration's Federal Motor Carrier Safety Administration (FMCSA) stated in February that it cannot "estimate quantitatively the risk associated with non-domiciled [commercial driver's license] holders."¹ This statement mirrors its earlier concession that "[t]here is not sufficient evidence . . . to reliably demonstrate a measurable empirical relationship between the Nation of domicile for a [commercial driver's license] driver and safety outcomes in the United States such as changes in frequency and/or severity of crashes or changes in frequency of violations."²

Question 2. Is the data that the Department of Transportation cites to justify excluding documented immigrants from obtaining licenses adequate?

Answer. No. As noted above, FMCSA has conceded that it has no empirical data showing that documented immigrants cause more crashes than other drivers.³ And, as explained in my written testimony, of the approximately 4,000 fatal large truck and bus crashes on average in a year,⁴ the Trump administration's own data identifies only 17 that were likely caused by a documented immigrant.⁵

Question 3. Are all Non-Domiciled CDL applicants required to provide documentation demonstrating lawful presence and authorization to work in the United States?

Answer. Yes. The regulation in effect before the Trump administration's rule required every non-domiciled commercial driver's license (CDL) applicant to present an unexpired Employment Authorization Document, issued by the Department of Homeland Security's U.S. Citizenship and Immigration Services, authorizing that person to work in the United States, or an unexpired foreign passport and approved I-94 form.⁶

Question 4. Are these applicants required to pass the same knowledge and skills examinations as any other CDL applicant to demonstrate competency behind the wheel?

¹ FMCSA, Final Rule, 91 Fed. Reg. 7044, 7099 (Feb. 2026).

² FMCSA, Interim Final Rule, 90 Fed. Reg. 46509, 46520 (Sept. 2025).

³ See 91 Fed. Reg. 7099; 90 Fed. Reg. 46520.

⁴ FMCSA, Crash Statistics, https://ai.fmcsa.dot.gov/CrashStatistics?tab=Driver&type=&report_id=36&crash_type_id=1&datasource_id=2&time_period_id=2&report_date=2023&vehicle_type=1&State=AllStates&domicile=ALL&measure_id=1&operation_id=null (Driver License Status Crash Statistics). FMCSA statistics for calendar year 2025 state that there have been 3,996 fatal crashes involving large trucks and buses, but these statistics do not provide breakdowns by CDL status. FMCSA, Crash Statistics, https://ai.fmcsa.dot.gov/CrashStatistics?tab=Summary&type=&report_id=1&crash_type_id=4&datasource_id=1&time_period_id=2&report_date=0&vehicle_type=2&State=NAT&domicile=ALL&measure_id=1&operation_id=null.

⁵ 91 Fed. Reg. 7065.

⁶ 49 C.F.R. § 383.71(f)(2)(i) (2021).

Answer. Yes. Non-domiciled CDL applicants must pass the same knowledge and skills examinations as all other CDL applicants.⁷ And the knowledge and skills requirements to obtain commercial driver's licenses are extensive: Applicants must demonstrate English language proficiency,⁸ demonstrate 30 different vehicle, inspection, control, and driving skills,⁹ demonstrate their knowledge in 20 different areas,¹⁰ and consent to alcohol testing.¹¹

Question 5. If States were to issue these licenses improperly, are there Federal mechanisms in place to establish corrective action plans with the State to ensure compliance?

Answer. Yes. FMCSA can conduct program reviews of each State's CDL program¹² to ensure that the State is in substantial compliance with the Federal minimum standards.¹³ States can then take corrective action to correct deficiencies.¹⁴



⁷ See 49 C.F.R. § 383.73(f)(2).

⁸ See 49 C.F.R. § 383.133(c)(5); id. § 391.11(b)(2).

⁹ 49 C.F.R. § 383.113.

¹⁰ 49 C.F.R. § 383.111.

¹¹ 49 C.F.R. § 383.72.

¹² 49 C.F.R. § 384.307.

¹³ See 49 C.F.R. § 384.301(a); 49 U.S.C. § 31311.

¹⁴ 49 C.F.R. § 384.307.