

12 CSR 10-24.330 Delegation of Authority to Third-Party Testers to Conduct Skills Tests of Applicants for Commercial Drivers Licenses

PURPOSE: This rule establishes the authority of third-party testers to administer skills tests to commercial motor vehicle drivers.

PUBLISHER'S NOTE: The secretary of state has determined that publication of the entire text of the material that is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

- (1) The director shall authorize any third-party tester certified by the director to administer skills tests to commercial motor vehicle operator applicants in accordance with the laws of this state and 49 CFR 383.75, including but not limited to maintaining a security bond and submitting test results electronically to the Department of Revenue. Any third-party tester that is a governmental entity shall not be required to maintain the security bond.
- (2) The third-party tester shall administer to each applicant a skills test approved by the director, which is the same as the skills tests administered to the applicants by the Missouri State Highway Patrol.
- (3) The third-party tester shall enter into a written contract with the director governing the conducting of skills tests by third-party examiners employed by the third-party tester.
- (4) The third-party tester shall provide documentation to the applicant, on a form prescribed by the director, showing that the applicant has successfully completed the skills tests required by that applicant.
- (5) The third-party tester shall provide information and documentation to the director regarding any person who takes the skills test for another or who in any way falsifies any information in any test given by the third-party examiner.
- (6) The director shall prescribe all forms which the third-party tester shall provide and use in administering the skills tests.
- (7) The third-party tester shall abide by all third-party tester/examiner requirements and any changes which may occur to these requirements as prescribed by the director.

(8) 49 CFR 383.75 is incorporated by reference and made a part of this rule as published by the Code of Federal Regulations, and is available at www.ecfr.gov or by request at Harry S Truman State Office Building, 301 W. High Street, Jefferson City, MO 65101, dated May 17, 2023. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: section 302.700, RSMo Supp. 2023, and section 302.765, RSMo 2016.* Emergency rule filed June 20, 1990, effective June 30, 1990, expired Oct. 27, 1990. Emergency rule filed Oct. 26, 1990, effective Nov. 5, 1990, expired March 4, 1991. Original rule filed June 20, 1990, effective Dec. 31, 1990. Amended: Filed Feb. 17, 2015, effective Aug. 30, 2015. Amended: Filed July 17, 2023, effective Feb. 29, 2024.

*Original authority: 302.700, RSMo 1989, amended 1991, 1995, 2003, 2004, 2012, 2013, 2014, 2018, and 302.765, RSMo 1989, amended 1993, 1995.