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senatorjudyward.com

Senate of Pennsylvania

**SENATOR
JUDY WARD
30TH DISTRICT**

January 6, 2026

The Honorable Sean Duffy, Secretary
U.S. Department of Transportation
1200 New Jersey Ave., SE
Washington, DC 20590

The Honorable Kristi Noem, Secretary
Office of the Executive Secretary
MS 0525 Department of Homeland Security
2707 Martin Luther King Jr Ave., SE
Washington, DC 20528-0525

Dear Secretary Duffy and Secretary Noem,

I write to follow-up on the fact-finding mission of the Pennsylvania Senate Transportation Committee at a public hearing on December 9, 2025, entitled “Commercial Vehicle Safety and Nondomiciled CDLs”.

Enclosed are findings and recommendations from the hearing, including, and not limited to, the Commonwealth agencies and the Pennsylvania Motor Truck Association. The hearing information is available online at <https://transportation.pasenategop.com/>.

A strong Federal partnership with the Commonwealth is essential on this issue. We must act in coordination to ensure the safety, security and integrity of our interconnected transportation systems. Feel free to contact my office with any questions. I look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Judy Ward".

Senator Judy Ward
30th Senatorial District

Enclosure

Hon. Sean Duffy and Hon. Kristi Noem

January 6, 2026

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cc: Honorable Donald J. Trump, His Excellency the President of the United States
Pennsylvania Congressional Delegation
Honorable Josh Shapiro, Governor of Pennsylvania
Pennsylvania Senate Transportation Committee
Pennsylvania House Transportation Committee
Honorable Michael Carroll, Secretary of Transportation
Honorable Dr. Carrie Rowe, Secretary of Education
Lt. Col. George Bivens, Acting Commissioner of the State Police
Rebecca Oyler, Pennsylvania Motor Truck Association

Enclosure

Section 1. Findings from Pennsylvania Department of Transportation (PennDOT):

- Following new federal regulations issued by the U.S. Department of Transportation (USDOT), effective Monday, September 29, 2025 – and as directed by the USDOT – PennDOT paused the issuance of all non-domiciled Commercial Learner’s Permit (CLP) and Commercial Driver’s License (CDL) products until further notice. Although federal regulations are not in effect due to a subsequent stay granted by the U.S. Court of Appeals for the District of Columbia in November, PennDOT's pause remains in effect.
- Under federal and state laws, a non-domiciled CDL can be issued to a lawfully present driver who is legally authorized to work or reside temporarily in the United States.
- All CDL applicants must: (1) Complete an application for a CLP; (2) Provide required proof of identity and residency documentation; (3) Complete applicable knowledge tests; (4) Complete Entry-Level Driver Training (ELDT), if applicable, from a provider on the federal Training Provider Registry (TPR); and (5) Successfully complete skills testing.
- Non-domiciled CDL holders receive the same ELDT from CDL training providers on the federal TPR approved by the Federal Motor Carrier Safety Administration (FMCSA) and meet the same requirements as any applicant seeking a CDL.
- The proof of identity documents differ from those required of a U.S. citizen or lawful permanent resident. Valid immigration documentation, such as an unexpired Employment Authorization Document or an unexpired foreign passport accompanied by an approved I-94 Arrival/Departure Record, is required to be presented by the applicant, per federal regulations. The immigration documents provided are further verified through use of the federal Systematic Alien Verification for Entitlements (SAVE) system.
- Current federal law does not require PennDOT to retain copies of immigration documents nor to conduct a SAVE verification, however, PennDOT goes above and beyond federal requirements with these actions.
- For non-permanent or temporary residents, the expiration date of the CDL coincides with the date of their approved length of stay or work authorization in the SAVE system.
- Non-permanent residents have a “temporary” indicator on their driver record, which systematically results in the word “non-domiciled” appearing on their CDL product, as required by federal regulations and state law.

Section 2. Findings from Pennsylvania State Police (PSP):

- As part of the roadside inspection process, the driver’s CDL is obtained and documented on the inspection report. Computer queries are made of the CDL to ensure it is not under suspension nor disqualification, as well as no active criminal warrants. These queries are made through multiple systems, including the Commonwealth Law Enforcement Assistance Network, National Law Enforcement Telecommunications System, National Crime Information Center, and the Commercial Driver License Information System.
- Once the computer checks of the driver’s CDL are made, motor carrier inspectors and police officers also use information from the CDL to determine whether the driver has the proper license class and commercial endorsements for the commercial vehicle they are

driving, as well as determine if the driver is in compliance with any commercial or medical restrictions listed on the CDL.

- Commercial vehicle drivers who do not have a valid CDL for the vehicle being driven, or who are in violation of commercial or medical restrictions, are cited under the appropriate sections of Chapter 16 of the Pennsylvania Vehicle Code and are placed out-of-service until the issue is resolved. (*Note, More findings on out-of-service violations are in Section 4.*)

Section 3. Findings from Pennsylvania Department of Education (PDE):

- A private licensed school is any entity that offers postsecondary instruction, at a fee, to prepare individuals for entry-level employment. These schools must undergo a comprehensive approval process by the Commonwealth that reviews curriculum, instructor qualifications, financial stability, student consumer protections and compliance with state regulations.
- In Pennsylvania, CDL training providers are required to be licensed by the State Board of Private Licensed Schools, unless they qualify for an exemption. Only after receiving school licensure may a provider lawfully advertise or offer CDL training programs here in the Commonwealth. Once licensed, CDL training providers may register with the federal TPR to provide instruction on ELDT. Federal registration alone does not grant CDL training providers permission to operate in Pennsylvania; school licensure and program approval through the State Board of Private Licensed Schools must occur first.
- Of the 1,273 Pennsylvania entities listed on the federal TPR, only 40 are currently licensed through the State Board of Private Licensed Schools, and the remainder are either exempt or unlicensed.
- This issue persists because FMCSA does not require evidence of licensure nor exemption in order for CDL training providers to appear on the federal TPR. FMCSA does not require a physical or mailing address, phone number, email address, website, business information, nor an individual's personal information, which make it extremely difficult to locate a CDL training provider on the federal TPR.
- Once a CDL training provider is on the federal TPR, only FMCSA has the authority to remove that provider. The only recourse for PDE is to identify non-compliant, unlicensed CDL training providers and request that they be removed from the federal TPR. In the interim, FMCSA has been reticent to remove unlicensed providers even with significant documentation allowing CDL training providers to remain on the federal TPR, despite cease and desist orders from the State Board of Private Licensed Schools.
- PDE maintains routine coordination with FMSCA to share enforcement outcomes, cease and desist orders and investigative findings. However, under current law and federal process, PDE cannot directly remove providers from the federal TPR and cannot compel immediate federal action, even after a case is fully adjudicated.
- While FMSCA has recently promoted the removal of nearly 3,000 CDL training providers from the federal TPR and the placement of an additional 4,000 providers on notice for non-compliance, these providers were either inactive or not abiding by federal regulations. These removals did not consider any state non-compliance issues.

Section 4. Findings from Pennsylvania Motor Truck Association (PMTA):

- During the COVID-19 pandemic, freight demand reached unprecedented levels. At the same time, many experienced drivers retired early, which created a historic imbalance, a record freight demand and a shrinking pool of qualified drivers.
- The result from the pandemic was a rapid influx of new drivers, new trucking companies and new CDL training providers. The sheer volume of new participants exposed weaknesses in training, quality, identity and lawful presence verification, state-to-state consistency and federal-state data coordination.
- Federal rules require states to verify lawful presence, however, they fail to specify which documents must be accepted, how to validate them or how to respond when lawful presence changes. Consequently, each state filled those gaps differently.
- In 2022, FMCSA implemented ELDT regulations, which did not set a minimum number of behind-the-wheel hours, define national standards for instructor qualifications nor did it require state approval before a CDL training provider joined the federal TPR. As a result, Pennsylvania has two parallel training environments: (1) A high-quality licensed CDL school environment overseen by PDE, and (2) An unlicensed, unregulated CDL training provider list that self-certifies to the Federal Government and may offer minimal hands-on training.
- There are higher crash risks when poorly trained or improperly licensed CDL drivers enter the workforce. There are also higher insurance premiums and litigation exposures for all carriers – even for the safest on the road. When high-profile incidents occur, similar to the arrest of Akhror Bozorov, these impacts fall hardest on small and mid-sized carriers that lack the resources to perform extensive verification and provide extensive remedial training. (*Note, Mr. Bozorov's nondomiciled CDL was also a REAL ID.*)
- In 2025, PITT OHIO hired an individual from another country who stated three and a half years of commercial driving experience on the application. Before allowing him into PITT OHIO's driving academy, an internal review revealed that he had only five months of experience. If PITT OHIO did not conduct this deeper investigation, he could have been placed on the road without the experience required, based solely on a CDL from PennDOT with a six-year term (and not a traditional four-year term).
- Carriers rely on PennDOT to ensure that the CDL cannot outlast the driver's legal authorization to work in the United States without accurate and consistent safeguards.
- There is not a shortage of people who want to become drivers. Instead, there is a shortage of qualified, job-ready drivers entering the workforce. Over the past several years, there has been rapid growth in CDL training providers, and some do not provide the depth or quality of training needed for real world operations.
- PITT OHIO routinely encounters applicants whose primary training experience came from simulators. As such, it is common for PITT OHIO to meet newly licensed CDL drivers who struggle with basic control, backing maneuvers or situational awareness, despite having recently passed a skills test.
- There is a role for non-domiciled CDL holders since trucking is a supply-and-demand industry, however, the industry is not seeing enough qualified applicants. To illustrate, PITT OHIO receives approximately 7,000 applicants per year, and they may only hire around 200.

- To help with the truck driver shortage, the Senate of Pennsylvania adopted [S.R. 258](#) (Rothman) in 2024, urging the U.S. Congress to pursue legislative remedies that would allow individuals 18, 19 and 20 years of age with a CDL to participate in interstate commerce activities.
- A CDL must be a reliable, trustworthy credential. Employers need assurance that the CDL drivers entering the system, domiciled or non-domiciled, meet the same high standards that responsible carriers already maintain.
- The Federal Government issued a memo in 2016 removing English proficiency from the out-of-service criteria, meaning a CDL driver could be cited and not taken off the road. This was exasperated during COVID when there were new CDL drivers entering the workforce. The Trump Administration recently reinitiated the out-of-service criteria, which is published every year on April 1 by the Commercial Vehicle Safety Alliance.
- If a CDL driver is pulled over and fails to pass the English proficiency test, then they are placed in out-of-service; however, anyone can sign the bottom of the form to return to service. Only the State Departments of Transportation, such as PennDOT, have the authority to revoke the license, and there is no standard to determine whether they can speak English proficiently to be placed back into service.

Section 5. Recommendations:

The Pennsylvania Senate Transportation Committee recommends development of a comprehensive action plan to address these loopholes related to non-domiciled CDLs in order to ensure the safety and security of our transportation systems, including implementation of the following recommendations from the testimony collected at the public hearing.

CDL Training:

- Strengthen federal oversight of CDL training providers.
- Prevent CDL training providers from advertising on the federal TPR, unless there is: (1) Proof of in-state licensure, and/or (2) Approval from the state agency with oversight.
- Authorize states to: (1) Remove unqualified, unlicensed CDL training providers from the federal TPR, including enforcement of cease and desist orders, (2) Impose penalties for non-compliance, and (3) Shutdown CDL training providers for failing to adhere to federal and/or state requirements.
- Enhance federal ELDT regulations to provide more behind-the-wheel training in the curriculum, and standardize instruction for CDL training providers with a uniform, state-approved ELDT curriculum that aligns with federal standards.
- Improve detailed feedback following a CDL skills test, such as an examiner comment sheet, to increase transparency and fairness in the CDL skills testing process.
- Improve whistleblower protections and the reporting of violations to strengthen federal and state enforcement of CDL training providers.

- Develop clear, enforceable rules for contractual CDL training programs offered by employers and overseen by PDE.

CDL Testing and Issuance:

- Strengthen interstate record-keeping and data-sharing by standardizing state verification processes and systems, such as SAVE, to support CDL issuance with confidence.
- Require the CDL knowledge test to be administered in English only, similar to the CDL skills test and the CDL hazardous materials endorsement.
- Ensure proper verification and credentialing of the person or entity responsible for signing the out-of-service form to restore the CDL driver following a violation from a roadside inspection.
- Establish a new penalty structure for out-of-service violations.
- Clearly articulate when a CDL must expire for non-permanent or temporary residents in alignment with immigration documentation.
- Enhance penalties for fraudulent documents related to obtaining a CLP and a CDL.
- Evaluate CDL applicants holding a standard driver's license for a longer period of time, such as one year, before applying (with reasonable exceptions).
- Improve collaboration with small-sized and mid-sized carriers that lack the resources to perform verifications and provide remedial trainings when investigations are warranted by the carriers.
- Enhance opportunities to attract and retain qualified CDL drivers, including evaluation of U.S. citizens 18, 19 and 20 years of age with a CDL to participate in interstate commerce.
- Invest in safety infrastructure, such as truck parking.