

Written Testimony of the Pennsylvania Department of Transportation
Michael B. Carroll, Secretary of Transportation

Senate Transportation Committee
Public Hearing on Commercial Vehicle Safety and Non-Domiciled CDL Holders
Tuesday, December 9, 2025

Chairs Ward and Flynn, and members of the Senate Transportation Committee, I am Mike Carroll, Secretary of the Pennsylvania Department of Transportation (PennDOT). Joining me today is Kara Templeton, Deputy Secretary for Driver and Vehicle Services. Thank you for the opportunity to discuss this topic and provide an overview of the Commercial Driver's License (CDL) process for non-domiciled CDL holders.

Over the past several weeks, national attention has focused on non-domiciled CDL holders, with narratives ranging from safety to legal presence. It is important to keep the focus of this hearing and the narratives that abound rooted in fact.

The paramount focus of this hearing is safety—a goal central to PennDOT's mission. National media outlets and the Federal Motor Carrier Safety Administration (FMCSA) have depicted non-domiciled CDL holders as unsafe or less safe than other CDL operators. However, non-domiciled CDL holders receive the same training from schools approved by the FMCSA and meet the same requirements as any applicant seeking a CDL.

A CDL is required for any person driving a commercial motor vehicle. The process for obtaining a CDL is dictated in substantial part by federal regulations. FMCSA establishes the standards states must meet, while states develop and administer the application process, administer testing, and issue commercial products to meet federal requirements. All CDL applicants must: complete an application for a commercial learner's permit; provide required proof of identity and residency documentation; complete applicable knowledge tests; complete Entry-Level Driver Training, if applicable, from a provider on the FMCSA's Training Provider Registry; and successfully complete skills testing.

Section 1608 of the Vehicle Code allows residents of other countries to receive a nonresident CDL with the word "non-domiciled" on its face. 75 Pa. C.S. § 1608. A non-domiciled CDL is issued to a lawfully present driver who is legally authorized to work or reside temporarily in the United States. These drivers are typically foreign nationals holding an unexpired foreign passport and an approved I-94 Arrival/Departure Record or an unexpired Employment Authorization Document (EAD).

There are some key differences in the issuance process for a non-domiciled CDL compared to the process for citizens and permanent residents. First, the proof of identity documents required differ from those required of a U.S. citizen or lawful permanent resident. Valid immigration documentation, such as an unexpired EAD 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 these documents nor to conduct a SAVE verification, but PennDOT goes above and beyond federal requirements by checking the SAVE database for every applicant that applies for a non-domiciled CDL and maintaining a policy of retaining the documents presented. The SAVE system provides current information about an applicant's lawful presence and is maintained by the Department of Homeland Security (DHS). Additionally, for non-permanent residents, the expiration date of the CDL coincides with the date of their approved length of stay or work authorization as reflected in the DHS 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 state law and federal regulations.

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 driver products until further notice. Although the federal regulations are not currently 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.

The challenge PennDOT faces in serving its customers at Driver License Centers is significant and is magnified by the navigation of complex state and federal laws that must be conducted in real time to issue all driver license products, including non-domiciled CDLs. Rest assured, PennDOT takes its responsibility to issue products accurately and in accordance with all applicable regulations seriously. Thank you, again, Chairs Ward and Flynn and members of the Senate Transportation Committee, for allowing PennDOT to provide this testimony.