

CDL Requirements

FIN-INS-01



About This Policy

Effective Date:

01-01-2004

Last Updated:

07-28-2011

Responsible University Office:

Office of Insurance, Loss Control & Claims (INLOCC)

Responsible University Administrator:

Vice President and Chief Financial Officer

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Scope

Policy Statement

Reason For Policy

Procedure

Definitions

Sanctions

History

[Back to top](#)

Scope

This is applicable to any University-employed operator of a vehicle when a commercial drivers license (CDL) is required by law.

[Back to top](#)

Policy Statement

Any University employee who operates a commercial motor vehicle, or who is required by state law to have a commercial drivers license (CDL) to perform his/her job duties, shall adhere to the provisions of this policy.

[Back to top](#)

Reason For Policy

Any person who operates a commercial motor vehicle, or who is required by state law to have a commercial drivers license to perform his/her job duties, is covered by the Department of Transportation, the Federal Highway Administration and the Federal Transit Administration drug and alcohol testing requirements and by INLOCC policy. This includes, but is not limited to:

- Full time, regularly employed drivers, operators, **mechanics or dispatchers** of commercial motor vehicles,
- Full time employees who are intermittent or occasional drivers, operators, **mechanics or dispatchers** of commercial motor vehicles,
- Temporary employees, or casual drivers, operators, **mechanics or dispatchers** of commercial motor vehicles,
- Students and volunteers who drive commercial motor vehicles.

Procedure

Any University department that has an employee meeting the above definition (Reason for Policy) *must* contact **Mel Lane**, 812-855-6341 to discuss the enrollment procedure into this program. The department must be knowledgeable of CDL requirements including when testing is required.

Our program consists of:

- Pre-employment testing
- Random drug and alcohol tests
- Post accident testing (if the accident involves injury or either vehicle needs towed from the scene because of damages)
- Training

Definitions

COMMERCIAL DRIVERS LICENSE: See **IC 9-24-1-6**.

Commercial driver's license; necessity; exception

Sec. 6.

- Except as provided in subsection (b), an individual must hold a valid Indiana commercial driver's license issued by the bureau under this article to drive a **commercial motor vehicle** after March 31, 1992, upon an Indiana highway.
- Subsection (a) does not apply to an individual if the individual:
 - holds a valid driver's license of any type;
 - is enrolled in a commercial motor vehicle training course approved by the bureau; and
 - is operating a commercial motor vehicle under the direct supervision of a licensed commercial motor vehicle driver.

COMMERCIAL MOTOR VEHICLE: Indiana code has definitions for "commercial motor vehicle" (**IC 9-13-2-31**) and "commercial vehicle" (**IC 9-13-2-31.5**) and either or both may be considered applicable to this policy.

IC 9-13-2-31

Commercial motor vehicle

Sec. 31.

- "Commercial motor vehicle" means, except as provided in subsection (b), a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:
 - has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a gross vehicle weight rating of more than ten thousand (10,000) pounds;
 - has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds;
 - is designed to transport at least sixteen (16) passengers, including the driver; or
 - is:
 - of any size;
 - used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act; and
 - required to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F).
- The bureau of motor vehicles may, by rule, broaden the definition of commercial motor vehicle under subsection (a) to include vehicles with a gross declared weight greater than eleven thousand (11,000) pounds but less than twenty-six thousand one (26,001) pounds.

IC 9-13-2-31.5

Commercial vehicle

Sec. 31.5. "Commercial vehicle", for purposes of IC 9-18-2-4.5, means a motor vehicle or combination of motor vehicles used in commerce to transport property if the motor vehicle:

- has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a gross vehicle weight rating of more than ten thousand (10,000) pounds;
- has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds; or
- meets both of the following requirements:
 - The motor vehicle has a gross vehicle weight rating of at least seven thousand (7,000) pounds, but less than twenty-six thousand one (26,001) pounds.
 - The motor vehicle is owned by a registered carrier holding a valid Indiana fuel tax permit under IC 6-6-4.1.

Sanctions

Any driver who is required to but does not fully participate in this program is subject to the University's progressive disciplinary procedures and is barred from driving any vehicle that requires a CDL license until they are in compliance with this policy.

If any University department fails to meet the provisions of this policy the issue will be taken to their chain of command for action.

[Back to top ↗](#)

History

This policy was established on January 1, 2004.