

Chapter 5, Section C:

Requirements and Procedures for Issuing Initial CDL

Revised September 4, 2008

Requirements for the initial, first time New Mexico CDL

- a. Applicant must be a resident of New Mexico.
- b. Applicant must have at least a valid New Mexico driver's license and a current New Mexico instructional permit for the class of commercial driver's license requested.
- c. Applicant must be 21 or older to drive interstate.
- d. An applicant who is 18-20 years old may apply for a CDL with a "K" restriction, limiting the driver to intrastate commerce only. However, to transport hazardous materials that require a vehicle placard, the driver must be at least 21 whether driving in state or interstate.
- e. Applicant must not be subject to any suspension, cancellation, revocation or disqualification in any state.
- f. Applicant must have a current DOT Medical Examination Certification (Long Form) and/or Medical Waiver issued by the Federal Motor Carrier Safety Administration (FMCSA).
- g. Governmental employees are exempt from providing proof that they are medically qualified, because they are considered medically qualified through their government agencies. Make sure they are entitled to the exception by either their employee ID card or paycheck from the governmental agency.
- h. If an applicant has a medical condition requiring a waiver, applicant must present the medical waiver (waiver must be from the Regional Director - Motor Carrier if it is a federal waiver or from the MVD Director if it is a New Mexico waiver). NOTE: An applicant, who has obtained a waiver from the New Mexico Director of the Motor Vehicle Division, will be limited to intrastate driving only.
- i. Must have a physical address, not just a Post Office Box number.
- j. Applicants from out-of-state with an existing commercial license, requesting a CDL with a hazmat endorsement must retake the written test and go through the background/fingerprint check. If the applicant is requesting a CDL with a school bus endorsement and his existing out of state license was issued before September 2005 then the driver must retake our written test.
- k. Applicants going from a New Mexico CDL permit to a CDL must surrender their driver license, their permit and their road skills test.

Note: If the driver is surrendering an out-of-state CDL, have him fill out the Driver License Surrender Form ([MVD-10231](#)) attesting that he is applying for a CDL in the state of New Mexico.

Procedures for issuing initial CDL

When issuing a first time or renewal CDL, you must enter the applicant's name as it appears on the official documents accepted for identification (birth certificate, passport, etc). Neither nicknames nor any other alternate names can be used.

If an applicant insists that he does not go by the name on his official documents, inform him that MVD can accept and use only the applicant's legal name in our records and on New Mexico licenses and IDs. We are required to do so by statute, specifically by Sections 66-5-9 and 66-5-15 NMSA 1978. Before we could accept and use a different name, the applicant would need to have his name changed legally and return to the field office with complete documentation (i.e. court order) of the change.

Every applicant for an initial CDL must provide the following documents:

- Proof of Social Security Number (SSN);
- Proof of identity and U.S. citizenship (or) lawful permanent residence in the U.S.;
- DOT Medical Examination Certification and/or Medical Waiver issued by FMCSA (or) NM Commercial Driver Green Waiver Card (or) if medically exempt, proof of qualification such as a vehicle certification form for a government employee; and
- Two (2) proofs of physical residency showing a New Mexico address.

Additional information clarifying each of these requirements is provided in [Chapter 6 Section C](#).

The clerk must ensure that the name of applicant when entered on the system is correct anytime that a commercial license is being issued. Clerks are not allowed to enter made-up data. To do so may cause you to be subject to disciplinary action.

Query applicants driving record as follows:

- a. New Mexico driver record system
- b. PDPS
- c. CDLIS

Clerk must wait for a valid status from all inquiries before process may be continued. If an invalid status is encountered through PDPS, provide applicant with a printout of the information so that applicant may contact state and clear up status. If information from inquiry does not match driver exactly proceed as follows:

- a. If name, date of birth and social security number match, this is considered "a match" – do not process license.
- b. If name and date of birth match, but not social security number, and the name is a very common name, the height and weight and eye color do not match, this is considered a "no match" – license may be processed.
- c. If name and date of birth match, but no social is presented in response information, the name is not a common name, height, weight and eye color match this is considered "a match" – do not process license.
- d. If name matches, but not date of birth or social security number, this is considered "no match" – license may be processed.

For more about the PDPS query responses and actions, please refer to [Chapter 12: PDPS \(Problem Driver Pointer System\)](#).

Note: Sometimes it is a judgment call. We need to be reasonable, yet we must comply with federal law and be careful not to license someone who is not eligible to be licensed.

If the driver is an existing CDL holder CDLIS should return a hit, showing at least his current license. If CDLIS comes up with 0 for an existing CDL holder, contact the CDL unit at (505) 827-1036 before issuing the license. The CDL unit can quickly check to see why the license is not coming up as a hit. **This is a very important step to ensure that the driver is not holding a fraudulent license.**

If the vehicle the driver will be driving has air brakes then he must take and pass the air brake written test and take the skills test in a vehicle with air brakes. If none of the vehicles he will drive are equipped with air brakes then the license will carry the "L" restriction. Also, if the applicant does not take his road skill test in a vehicle equipped with air brakes then the license will carry the "L" restriction. The "L" restriction can only be removed when the driver passes a road skill test, given by a CDL examiner, in a commercial vehicle equipped with air brakes. When the driver brings back a passed road skill test then the airbrake restriction can be removed. The applicant must pay the renewal fee when removing the "L" restriction.

All CDL knowledge tests are administered on the kiosk machine. The driver's scores can be accessed through the kiosk by any MVD office.

If an applicant fails any of the knowledge CDL tests, he must wait one week before retaking exam again. If the applicant fails any knowledge test 3 times he will need to wait one year before retaking the exam.

Provide the [public list of examiners](#) to all CDL applicant's requiring a skills test, other than school bus applicants or New Mexico Department of transportation (NMDOT) applicants.

All applicants must obtain a CDL learner's permit before a skills test can be administered. An applicant with a class A license who wants to add a passenger endorsement to his class A must receive a class B permit with a "P" endorsement before he can take the skills test in a passenger vehicle.