



## **DEPARTMENT OF TRANSPORTATION**

### **Federal Motor Carrier Safety Administration**

#### **49 CFR Parts 383 and 384**

**[Docket No. FMCSA-2025-0111]**

**RIN 2126-AC85**

#### **Removal of Self-Reporting Requirement**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** FMCSA amends the regulations requiring commercial driver's license (CDL) holders to self-report motor vehicle violations to their State of domicile. With the implementation of the exclusive electronic exchange (EEE) of violations between State Drivers Licensing Agencies (SDLAs) in 2024, self-reporting is no longer necessary. This action supports the Administration's deregulatory efforts.

**DATES:** Effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

Petitions for reconsideration of this final rule must be submitted to the FMCSA Administrator no later than [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Mr. Bryan Price, Acting Chief, Commercial Drivers License Division, DOT, FMCSA, 1200 New Jersey Avenue S.E., Washington, D.C., 20590; (202) 680-4831; [bryan.price@dot.gov](mailto:bryan.price@dot.gov). If you have questions on viewing or submitting material to the docket, call Dockets Operations at (202) 366-9826.

**SUPPLEMENTARY INFORMATION:**

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## **I. Availability of Rulemaking Documents**

To view any documents mentioned as being available in the docket, go to <https://www.regulations.gov/docket/FMCSA-2025-0111/document> and choose the document to review. To view comments, click this final rule, then click “Document Comments.” If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in room W58-213 of the DOT West Building, 1200 New Jersey Avenue S.E., Washington, D.C. 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

## **II. Abbreviations**

CDL	Commercial driver’s license
CFR	Code of Federal Regulations
CMV	Commercial motor vehicle
CMVSA	Commercial Motor Vehicle Safety Act of 1986
DOT	Department of Transportation
EEE	Exclusive Electronic Exchange
FHWA	Federal Highway Administration

FMCSA	Federal Motor Carrier Safety Administration
FMCSR	Federal Motor Carrier Safety Regulations
FR	Federal Register
MCSIA	Motor Carrier Safety Improvement Act of 1999
NEPA	National Environmental Policy Act
NPRM	Notice of proposed rulemaking
OMB	Office of Management and Budget
PIA	Privacy Impact Assessment
PII	Personally Identifiable Information
PTA	Privacy Threshold Assessment
SDLA	State Drivers Licensing Agency
UMRA	Unfunded Mandates Reform Act of 1995
U.S.C.	United States Code

### **III. Legal Basis**

Congress enacted the Commercial Motor Vehicle Safety Act (CMVSA) of 1986 (Pub. L. No. 99-570, Title XII, 100 Stat. 3207–170, 49 U.S.C. chapter 313) to improve highway safety by ensuring that drivers of large trucks and buses are qualified to operate those vehicles and to remove unsafe and unqualified drivers from the highways. To achieve these goals, the CMVSA established the CDL program and required States to ensure that drivers convicted of certain serious traffic violations are prohibited from operating a commercial motor vehicle (CMV). One of the CMVSA’s CDL program requirements was that States report CDL holders’ out-of-State traffic convictions to their licensing States within 10 days of the conviction (CMVSA sec.12009(a)(9), codified at 49 U.S.C. § 31311(a)).

The CMVSA also established a requirement for CDL holders to report these same out-of-State traffic convictions to their licensing States within 30 days of the conviction (CMVSA sec. 12003(a)(1), codified at 49 U.S.C. § 31303(a)). Congress authorized the Secretary to issue regulations to implement these provisions (CMVSA sec. 12018(a), codified at 49 U.S.C. § 31317). The Federal Highway Administration (FHWA), FMCSA’s predecessor, subsequently issued regulations, including 49 CFR 383.31(a), which implemented the requirement that CDL holders report out-of-State traffic convictions to

their licensing States (52 FR 20574, June 1, 1987). FHWA did not issue regulations implementing the States' reporting requirement at that time.

On July 5, 1994, Congress recodified title 49 of the U.S.C. (Pub. L. No. 103-272, 108 Stat. 745 (the 1994 Recodification Act)). Among other things, the 1994 Recodification Act clarifies who had the obligation to report CDL holders' out-of-State violations: the State or the driver.

The 1994 Recodification Act added language making it explicit that States must report an out-of-State CDL holder's traffic conviction to the licensing State within 10 days of the conviction (108 Stat. 1024, 49 U.S.C. § 31311(a)(9)). However, Congress did not repeal the requirement that individual CDL holders report the same information within 30 days of conviction. The Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Pub. L. No. 106-159, 113 Stat. 1748) amended numerous provisions of title 49 U.S.C. related to the licensing and sanctioning of CMV drivers required to hold a CDL and directed the Secretary to amend regulations to correct specific weaknesses in the CDL program. One such provision directed the Secretary to develop a uniform system for the State-to-State electronic transmission of out-of-State CDL holders' traffic conviction information. FMCSA subsequently issued regulations implementing MCSIA and other statutory requirements, including CMVSA section 12009(a)(9). Those regulations included 49 CFR 384.209, which requires States to report out-of-State CDL holders' traffic convictions to their licensing States as a minimum requirement of maintaining a certified CDL program (67 FR 49742, July 31, 2002).

The FMCSA Administrator has been delegated authority under 49 CFR 1.87(e)(1) to carry out the CMVSA functions vested in the Secretary.

#### **IV. Discussion of Proposed Rulemaking and Comments**

##### **A. Proposed Rulemaking**

On May 30, 2025, FMCSA published in the *Federal Register* (Docket No. FMCSA–2025–0111, 90 FR 22902) an NPRM titled “Removal of Self-Reporting Requirement.” The NPRM proposed removing the requirement that CDL holders self-report motor vehicle violations to their State of domicile. With the implementation of the EEE of violations between SDLAs in 2024, self-reporting is no longer necessary.

B. Comments and Responses

FMCSA solicited comments concerning the NPRM for 60 days ending on July 29, 2025. By that date, eight comments were received. One of these comments was withdrawn, as it was submitted to the wrong docket. The remaining comments were from two individuals and five organizations: the American Trucking Associations (ATA), Energy Marketers of America (EMA), the National Association of Pupil Transport (NAPT), the Owner-Operator Independent Driver Association (OOIDA), and Veolia North America.

*Comments:*

All of the commenters, except NAPT, expressed support for the proposal. Their support noted reporting redundancies (with the EEE Federal mandate in place as of April 26, 2013, 78 FR 24684) and focused on the fact that States have established systems for EEE of driver history record information via the Commercial Driver’s License Information System. Commenters stated that the existing requirement for CDL holders to also self-report is therefore not necessary.

NAPT said that their members did not believe that the mandate was being applied consistently across States, and that several States do, in fact, continue to rely on self-reporting. NAPT requested a clear and consistent direction for what to do if the self-reporting requirement were eliminated from the FMCSR, but a driver’s State of domicile still requires the report. It also requested the creation of a resource that would list all of the States still requiring driver reports.

*FMCSA Response:*

FMCSA appreciates that commenters took the time to share their support of this rulemaking. As no commenter asked for any modifications or clarifications, FMCSA did not change the substance of the final rule from what was proposed in the NPRM.

FMCSA agrees with the comment from NAPT that having the information on which States continue to require drivers to notify their SDLAs of convictions outside of their State of domicile would be helpful. However, FMCSA will not be compiling this list. The Agency advises CDL holders to continue to check and comply with the requirements of their State of domicile. Nothing in this rule absolves a CDL holder from having to comply with a State requirement if that requirement exists.

**V. Changes from the NPRM**

There are no substantive changes made from the NPRM in this final rule, but this rule does finalize an additional deletion of the phrase “State official and” as a conforming change, as it is no longer necessary.

**VI. International Impacts**

Motor carriers and drivers are subject to the laws and regulations of the countries in which they operate, unless an international agreement states otherwise. Foreign-domiciled drivers and motor carriers operating in the United States must comply with all applicable U.S. Federal regulations. Drivers and carriers should be aware of the regulatory differences between nations.

**VII. Section-by-Section Analysis**

This section-by-section analysis describes the changes to the regulatory text in numerical order. This rule makes changes to 49 CFR 383.31, Notification of convictions for driver violations. It removes current paragraph (a), which requires CDL holders who are convicted of certain motor vehicle violations to notify the SDLA in their State of domicile of the violation. As discussed above, this notification now happens at the

State/SDLA level, therefore it is redundant to require the CDL holder to also make the notification. Current paragraph (b) is redesignated as paragraph (a), but the last sentence is deleted, and a phrase is removed as a conforming change. Paragraph (c) is redesignated as paragraph (b) and is revised to refer only to employer notifications. Current paragraph (d) is removed, as it is no longer necessary.

This rule also makes a minor change to section 384.409, to remove a sentence referencing section 383.31(a).

## **VIII. Regulatory Analyses**

### **A. Executive Order (E.O.) 12866 (Regulatory Planning and Review) and DOT Rulemaking Procedures**

FMCSA has considered the impact of this final rule under E.O. 12866 (58 FR 51735, Oct. 4, 1993), Regulatory Planning and Review, and DOT's Rulemaking Procedures, 49 CFR part 5, subpart B. The Office of Information and Regulatory Affairs within the Office of Management and Budget (OMB) determined that this final rulemaking is not a significant regulatory action under section 3(f) of E.O. 12866, and has not reviewed it under that E.O.

FMCSA removes the redundant requirement that a CDL holder notify their State of domicile when they are convicted of certain motor vehicle violations. States have been fulfilling this task exclusively using electronic reporting requirements since 2024. FMCSA has determined that it is not necessary to continue to have a regulatory back-up mechanism in place. This final rule would not result in additional costs on regulated entities, but would result in cost savings for CDL holders, who would no longer be required to notify their SDLA of certain convictions. CDL holders currently submit this information to their State of domicile, and not to FMCSA. As such, FMCSA does not capture the information needed to quantify the reduction in reporting burden. This final

rule would not impact safety because the reporting requirement is redundant, and the notification will continue to occur at the State (SDLA) level.

**B. E.O. 14192 (Unleashing Prosperity Through Deregulation)**

E.O. 14192, Unleashing Prosperity Through Deregulation, was issued on January 31, 2025 (90 FR 9065, Jan. 31, 2025). E.O. 14192 requires that, for every one new regulation issued by an Agency, at least 10 prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process. Implementation guidance addressing the requirements of E.O. 14192 (Memorandum M-25-20) was issued by OMB on March 26, 2025. This final rule is expected to have total costs of less than zero, and therefore is an E.O. 14192 deregulatory action. FMCSA is unable to quantify the cost savings that would result from this rulemaking.

**C. Congressional Review Act**

This rule is not a *major rule* as defined under the Congressional Review Act (5 U.S.C. §§ 801–808).<sup>1</sup>

**D. Regulatory Flexibility Act (Small Entities)**

The Regulatory Flexibility Act (5 U.S.C. § 601 *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996,<sup>2</sup> requires Federal agencies to consider the effects of the regulatory action on small business and other small entities and to minimize any significant economic impact. The term *small entities* comprises small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000 (5 U.S.C. § 601(6)). Accordingly, DOT policy requires an analysis of the

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<sup>1</sup> A *major rule* means any rule that OMB finds has resulted in or is likely to result in (a) an annual effect on the economy of \$100 million or more; (b) a major increase in costs or prices for consumers, individual industries, geographic regions, Federal, State, or local government agencies; or (c) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets (5 U.S.C. § 804(2)).

<sup>2</sup> Pub. L. No. 104-121, 110 Stat. 857, (Mar. 29, 1996).

impact of all regulations on small entities, and mandates that agencies strive to lessen any adverse effects on these businesses. No regulatory flexibility analysis is required, however, if the head of an agency or an appropriate designee certifies that the rule will not have a significant economic impact on a substantial number of small entities.

This rule will impact drivers. Drivers are not considered small entities because they do not meet the definition of a small entity in 5 U.S.C. § 601. Specifically, drivers are considered neither a small business under 5 U.S.C. § 601(3), nor are they considered a small organization under 5 U.S.C. § 601(4). Drivers are also not small governmental entities under 5 U.S.C. 601(5). Therefore, this rulemaking will not impact a substantial number of small entities. Consequently, I certify that the action will not have a significant economic impact on a substantial number of small entities.

#### **E. Assistance for Small Entities**

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. No. 104–121, 110 Stat. 857), FMCSA wants to assist small entities in understanding this final rule so they can better evaluate its effects on themselves and participate in the rulemaking initiative. If the final rule will affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please consult the person listed under FOR FURTHER INFORMATION CONTACT.

Small businesses may send comments on the actions of Federal employees who enforce or otherwise determine compliance with Federal regulations to the Small Business Administration’s Small Business and Agriculture Regulatory Enforcement Ombudsman (Office of the National Ombudsman, see <https://www.sba.gov/about-sba/oversight-advocacy/office-national-ombudsman>) and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small businesses. If you wish to comment on actions by

employees of FMCSA, call 1-888-REG-FAIR (1-888-734-3247). DOT has a policy regarding the rights of small entities to fairness in regulatory enforcement and an explicit policy against retaliation for exercising these rights.

**F. Unfunded Mandates Reform Act of 1995**

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. §§ 1531–1538) (UMRA) requires Federal agencies to assess the effects of their discretionary regulatory actions. The Act addresses actions that may result in the expenditure by a State, local, or Tribal government, in the aggregate, or by the private sector of \$206 million (which is the value equivalent of \$100 million in 1995, adjusted for inflation to 2024 levels) or more in any one year. Though this final rule would not result in such an expenditure, and the analytical requirements of UMRA do not apply as a result, the Agency discusses the effects of this rule elsewhere in this preamble.

**G. Paperwork Reduction Act**

This final rule contains no new information collection requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. §§ 3501–3520). The currently approved information collection titled “Commercial Driver Licensing and Test Standards” (OMB approval number 2126-0011) includes burden estimates for the State-to-State reporting but does not include a specific burden estimate for driver reporting to their SDLA. As such, there is no need to revise the already approved collection.

**H. E.O. 13132 (Federalism)**

A rule has implications for federalism under section 1(a) of E.O. 13132 if it has “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.”

FMCSA has determined that this rule will not have substantial direct costs on or for States, nor will it limit the policymaking discretion of States. Nothing in this document

preempts any State law or regulation. Therefore, this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Impact Statement.

#### **I. Privacy**

The Consolidated Appropriations Act, 2005,<sup>3</sup> requires the Agency to assess the privacy impact of a regulation that will affect the privacy of individuals. This rule will not require the collection of personally identifiable information (PII).

The Privacy Act (5 U.S.C. § 552a) applies only to Federal agencies and any non-Federal agency that receives records contained in a system of records from a Federal agency for use in a matching program.

The E-Government Act of 2002,<sup>4</sup> requires Federal agencies to conduct a PIA for new or substantially changed technology that collects, maintains, or disseminates information in an identifiable form.

In addition, the Agency submitted a Privacy Threshold Assessment (PTA) to evaluate the risks and effects the rulemaking might have on collecting, storing, and sharing PII. The PTA has been submitted to FMCSA's Privacy Officer for review and preliminary adjudication and will be submitted to DOT's Privacy Officer for review and final adjudication.

#### **J. E.O. 13175 (Indian Tribal Governments)**

This rule does not have Tribal implications under E.O. 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

#### **K. National Environmental Policy Act of 1969**

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<sup>3</sup> Pub. L. No. 108-447, 118 Stat. 2809, 3268, note following 5 U.S.C. 552a (Dec. 4, 2014).

<sup>4</sup> Pub. L. No. 107-347, sec. 208, 116 Stat. 2899, 2921 (Dec. 17, 2002).

FMCSA analyzed this rule pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. § 4321 *et seq.*) and determined this action is categorically excluded from further analysis and documentation in an environmental assessment or environmental impact statement under FMCSA Order 5610.1D,<sup>5</sup> Subpart B, paragraph (e)(6)(b). The Categorical Exclusion (CE) in paragraph (6)(b) relates to regulations which are editorial or procedural, such as those updating addresses or establishing application procedures, and procedures for acting on petitions for waivers, exemptions and reconsiderations, including technical or other minor amendments to existing FMCSA regulations.

### **List of Subjects**

#### **49 CFR Part 383**

Administrative practice and procedure, Alcohol abuse, Drug abuse, Drug testing, Highway safety, Motor carriers, Penalties, Safety, Transportation.

#### **49 CFR Part 384**

Administrative practice and procedure, Alcohol abuse, Drug abuse, Highway safety, Motor carriers.

Accordingly, FMCSA amends 49 CFR parts 383 and 384 as follows:

### **PART 383—COMMERCIAL DRIVER’S LICENSE STANDARDS;**

#### **REQUIREMENTS AND PENALTIES**

1. The authority citation for part 383 continues to read as follows:

**Authority:** 49 U.S.C. 521, 31136, 31301 *et seq.*, and 31502; secs. 214 and 215 of Pub. L. 106-159, 113 Stat. 1748, 1766, 1767; sec. 1012(b) of Pub. L. 107–56, 115 Stat. 272, 397, sec. 4140 of Pub. L. 109-59, 119 Stat. 1144, 1746; sec. 32934 of Pub. L. 112-

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<sup>5</sup> Available at: <https://www.transportation.gov/mission/dots-procedures-considering-environmental-impacts>.

141, 126 Stat. 405, 830; secs, 5401 and 7208m Pub. L. 114-94, 129 Stat. 1312, 1546, 1593 (49 U.S.C. 31305(d)), sec. 23019 of Pub. L. 117-58, 135 Stat. 429, 777; and 49 CFR 1.87.

**§ 383.31 [Amended]**

2. Amend § 383.31 by:
  - a. Removing paragraph (a);
  - b. Redesignating paragraphs (b) and (c) as (a) and (b), respectively;
  - c. Amending newly redesignated paragraph (a) by removing the last sentence;
  - d. Amending newly redesignated paragraph (b) by removing the phrase “State official and;” and
  - e. Removing paragraph (d).

**PART 384—STATE COMPLIANCE WITH COMMERCIAL DRIVER’S LICENSE PROGRAM**

3. The authority citation for part 384 continues to read as follows:

**Authority:** 49 U.S.C. 31136, 31301, *et seq.*, and 31502; secs. 103 and 215 of Pub. L. 106-159, 113 Stat. 1748, 1753, 1767; sec. 32934 of Pub. L. 112-141, 126 Stat. 405, 830; sec. 5524 of Pub. L. 114-94, 129 Stat. 1312, 1560; and 49 CFR 1.87.

**§ 384.409 [Amended]**

4. Amend § 384.409 by removing the second sentence.

Issued under authority delegated in 49 CFR 1.87.

**Derek Barrs,**  
*Administrator.*

[FR Doc. 2026-12449 Filed: 6/18/2026 8:45 am; Publication Date: 6/22/2026]