

Existing law provides that third-party testers administering skills tests have a contract or license with DPS&C, containing at minimum provisions which:

- (1) Allow DPS&C to conduct random examinations, inspections, and audits without prior notice;
- (2) Require DPS&C to conduct onsite inspections at least annually;
- (3) Require that all third-party examiners meet the same qualification and training standards as DPS&C examiners to the extent necessary to conduct skills tests;
- (4) Require that, at least on an annual basis, designated DPS&C employees take the tests actually administered by the third party as if said employee were a test applicant, or that the DPS&C test a sample of drivers who were examined by the third party to compare pass/fail results; and
- (5) Reserve unto DPS&C the right to take prompt and appropriate remedial action against the third-party testers in the event that the third party fails to comply with state or federal standards for the commercial driver's license testing program or with any other terms of the third-party contract.

New law provides that the existing law minimum qualifications shall only apply to third-party testers administering skills test for Class "D" or "E" driver's licenses and have a contract or license by DPS&C.

New law provides that third-party testers that administer skills tests for Class "A", "B", or "C" driver's licenses have a contract with DPS&C, containing at minimum, provisions which comply with 49 C.F.R. 383.75. Also provides that the third-party tester must initiate and maintain a surety bond in the amount of \$10,000.

Effective August 1, 2012.

(Amends R.S. 32:408.1(2)(intro. para.), (3), and (4); Adds R.S. 32:408.1(5)).