



Occupational Licensing Industry News

OLIN 2019-06

Employer Testing Program (ETP) Changes

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Issue Date: April 12, 2019

New Information

To comply with state and federal regulations, the Department of Motor Vehicles (DMV) has identified additional requirements for Employer Testing Program (ETP) participants.

Procedures

Effective January 1, 2020, when utilizing the Employer Testing Program Examiner Driver Testing Log (DL 819 ETP, REV. 10/2017) form to track commercial driver license (CDL) applicant skills tests, ETP examiners will use one line for each segment of the skills test administered. Examiners will write the segment type abbreviated as “VI” for vehicle inspection, “BCS” for basic control skills, and “RT” for road test in the right margin.

EMPLOYER TESTING PROGRAM EXAMINER DRIVER TESTING LOG					
EXAMINER NAME		EXAMINER DRIVER LICENSE NUMBER	CHECK CLASS OF LICENSE <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> B15 <input type="checkbox"/> B16	ENDORSEMENTS <input type="checkbox"/> TH <input type="checkbox"/> P <input type="checkbox"/> N <input type="checkbox"/> X	
ADDRESS			TELEPHONE NUMBER ()		
CITY		STATE	ZIP CODE		
DRIVER NAME	DRIVER'S DL #	EMPLOYER'S NAME	DATE OF DRIVING TEST	PASSED	FAILED
IMA Driver	X1234567	A1 ETP Company	January 24, 2019	<input checked="" type="checkbox"/>	<input type="checkbox"/> VI
IMA Driver	X1234567	A1 ETP Company	January 24, 2019	<input checked="" type="checkbox"/>	<input type="checkbox"/> BCS
IMA Driver	X1234567	A1 ETP Company	January 24, 2019	<input checked="" type="checkbox"/>	<input type="checkbox"/> RT
				<input type="checkbox"/>	<input type="checkbox"/>

ETP examiners are required to conduct 10 vehicle inspections, 10 basic control skills, and 10 road tests (10-10-10) for 10 different applicants within a calendar year.

NOTE: DMV will rescind an examiner’s certification to administer CDL tests when the 10-10-10 requirement is not met. An examiner with a rescinded certification may reapply for examiner certification using the Employer Testing Program Refresher Training Request—Examiner (DL 818 ETP, REV. 10/2017) form.

No later than July 12, 2019, all employer participants are required to submit:

- Proof of a \$100,000 Employer Testing Program Surety Bond and an Employer Testing Program Agreement (DL 520B ETP, REV. 10/2017).
— Governmental employers are exempt from the bond requirement.
- An Employee Testing Program Agreement (DL 520B ETP) and the Employer Testing Program Surety Bond are required when renewing on or after July 12, 2019.

Procedures, *continued*

- Completed forms by mail to:
Department of Motor Vehicles
Occupational Licensing, ETP Unit
PO Box 932342, MS L224
Sacramento, CA 94232-3450

Additionally, the revised DL 520B ETP **must** be resubmitted upon each renewal and the DL 524 ETP **must** be updated when changes occur and prior to expiration of the bond.

New and Revised Forms

Forms were revised to assist with the ETP application process. Recycle and replace prior versions of ETP forms included in this memo.

The following new and revised forms are available at dmv.ca.gov:

<i>ETP Form</i>	<i>Description</i>
Certificate of Driving Skill (DL 170 ETP, REV. 10/2017)	<ul style="list-style-type: none">• Adds three driver restriction (42, 60, and 61) check boxes to the form. —The examiner no longer needs to handwrite those restrictions, if they apply, as directed in the OLIN 2015-08 New CDL Testing and CLP Standards memo.
Employer Testing Program Application for Employer Number (DL 520 ETP, REV. 11/2018)	<ul style="list-style-type: none">• Changes Name of Employer field to Principal Names and DBA (Doing Business As).• Adds an area for a contact email address.• Adds a disclosure explaining the ETP suspension for individuals identified as having a delinquent state tax obligation.
Employer Testing Program Agreement (DL 520B ETP, REV. 10/2017)	<ul style="list-style-type: none">• Consolidates specific examiner requirements by directing the reader to the Employer Certification and Responsibilities (<i>California Code of Regulations</i> [CCR] §25.22). This form adds the following employer requirements to:<ul style="list-style-type: none">—Obtain/maintain a surety bond.—Provide all driver skills test scores to DMV.—Allow covert testing by a DMV employee of a skills test examiner.—Allow co-scoring of a driver during a skills test by a DMV employee with an employer’s examiner.—Document/retain specified records for specified periods as a condition for participation in ETP.—Acknowledge authorization to cancel, suspend, or revoke the agreement if an ETP participant violates the referenced <i>California Vehicle Code</i> or CCR sections.

New and Revised Forms, *continued*

<i>ETP Form</i>	<i>Description</i>
(NEW) Employer Testing Program Surety Bond (DL 524 ETP, NEW 01/2018)	<ul style="list-style-type: none"> Requires participating employers to initiate and maintain a \$100,000 surety bond to cover the cost of retesting drivers in the event the employing company, or one or more of their examiners, is found to be involved in fraudulent activities related to conducting skills testing of CDL applicants. <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>NOTE: A governmental employer is not required to maintain a surety bond.</p> </div>
Employer Testing Program Commercial DPE Maneuver Checklist (DL 807 ETP, REV. 10/2017)	<ul style="list-style-type: none"> Removes the maneuver waiver request and updates the required maneuvers. Includes all components of the Commercial Driving Performance Evaluation (DPE) road test maneuvers in a drive test route.
Employer Testing Program Examiner Certification Application (DL 811 ETP, REV. 10/2017)	<ul style="list-style-type: none"> Renames form from Employer Testing Program Examiner Application to Employer Testing Program Examiner Certification Application. Adds a disclosure explaining the ETP suspension for individuals identified as having a delinquent state tax obligation.
Employer Testing Program Refresher Training Request – Examiner (DL 818 ETP, REV. 10/2017)	<ul style="list-style-type: none"> Requires an examiner to use this form to request DMV conducted refresher training.
Request for Live Scan Service (DMV 8016, REV. 10/2017)	<ul style="list-style-type: none"> Requires that the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) boxes in section 20 must be checked for an ETP Examiner nationwide background check (See sample below). —A felony conviction within the past 10 years or any conviction involving fraudulent activity will result in the refusal or revocation of the Examiner’s certification.

Request for Live Scan Service (DMV 8016, REV. 10/2017) Form

14. CALIFORNIA DRIVER LICENSE/IDENTIFICATION NUMBER	15. NO BILLING NUMBER—APPLICANT PAYS	16. MISCELLANEOUS NUMBER
17. HOME ADDRESS AND TELEPHONE NUMBER	STREET	CITY STATE ZIP CODE TELEPHONE NUMBER
18. YOUR NUMBER (OCA NUMBER—AGENCY IDENTIFYING NUMBER) OLAD	19. IF RESUBMISSION, LIST ORIGINAL ATI NUMBER	20. LEVEL OF SERVICE <input checked="" type="checkbox"/> DOJ <input checked="" type="checkbox"/> FBI-BPA/ETP CHECK
LIVE SCAN OPERATOR COMPLETES		

Background

Changes were made to ETP procedures and forms to comply with new state and federal regulations. A supplemental memo providing additional information related to other required changes will follow.

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Distribution

Notification that this memo is available at dmv.ca.gov was made via California DMV's Automated Email Alert System in April 2019, to the following:

- Employer Testing Program

References

California Vehicle Code §§1678, 1685, 9250.8(a)(b), 9250.8, 9250.13(a)(1), and 9250.13(a)(2)

California Code of Regulations, Title 13, Division 1, Chapter 1, Article 2.1

Code of Federal Regulations §§383.75, 383.225, and 384.228

Contact

Questions regarding this memo may be directed to the Occupational Licensing ETP Unit at (916) 229-3154.