



Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 3.04 Enforcement – Third Party Testing
(R.S. 32:408 & 408.1)

Section: 2. Driver's License Laws

Effective Date: 11/07/1994

Definitions:

- **Third Party Tester:** a third party tester can be another state, an employer, a private driver training facility or other private institutions, or a department, agency or instrumentality of a local government.
- **Third Party Examiner or Agent:** a person employed by or sub-contracted to a third party tester who has been qualified to administer the on-the-road skills test to applicants for commercial driver's licenses.

General:

- Any third party, third party examiner/agent or departmental employee authorized to administer test to applicants for commercial driver's licenses who falsifies information regarding test results or an applicant's qualification, who in any way participates in, aids or abets the fraudulent testing or issuance of a commercial driver's license or endorsement thereon, or who fails to comply with the third party agreement shall be liable for civil penalties of not less than five hundred nor more than five thousand dollars per act. The assessment of civil penalties will be based upon the aggravating or mitigating factors on a case by case basis.
- Any third party, third party agent or department employee receiving sanctions as determined by the department shall forfeit his authorized third party testing status, agreement, or contract and shall not qualify for such status henceforth.
- The department may void any and all transactions and any commercial driver's licenses issued as a result of an act of fraudulent testing, issued in connection with falsified documentation or issued in connection with violations of the third party testers agreement. Section II Policy/Procedure Statement #3.4, Page 2
- Third Party Testers, their agents or departmental employee receiving sanctions, as determined by the department, shall be sent notice by certified mail of the department's intended actions and rights for administrative hearing. A request for a hearing must be made in writing within thirty (30) days from the date of the official notice. The request is to be mailed to: OFFICE OF MOTOR VEHICLES, CDL SECTION, P.O. BOX 64886, BATON ROUGE, LA. 70896-4886.
- Upon receipt of a hearing request, appropriate personnel in the CDL unit will have the documentary evidence certified. Said evidence along with the hearing request and/or subpoena request(s) and fees, shall be forwarded to the Administrative Hearing Section of the department's Legal Section for scheduling. The Office of Motor Vehicles Field Administrator will select the appropriate (CDL) personnel to present the departments evidence at the hearing.