

LEGISLATIVE PROPOSAL

Pennsylvania National Guard
Civilian Driver's License Waiver Program

Submitted to:

The Adjutant General
Commonwealth of Pennsylvania

Sponsored by:

Major Marc Speciale, Administrative Officer
337 Engineer Battalion
Pennsylvania Army National Guard

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1 Executive Summary

This proposal recommends the establishment of a Pennsylvania National Guard Civilian Driver's License (CL) Waiver Program to address critical readiness challenges facing our Guard units. The program would enable Pennsylvania National Guard service members who receive military driver training and certification to obtain civilian driver's licenses (Class C) through an expedited waiver process, bypassing certain testing requirements while maintaining public safety standards.

1.1 Problem Statement

Pennsylvania National Guard company commanders face significant mission readiness challenges due to soldiers' inability to operate vehicles off-base. Many soldiers, particularly those from urban areas, join the Guard without civilian driver's licenses. While commanders can approve military-only licenses, these do not permit off-base vehicle operation, creating a critical bottleneck in training, deployment readiness, and unit effectiveness.

1.2 Proposed Solution

Establish a legislative framework—modeled after Pennsylvania's successful Military CDL Waiver Program (Acts 133 of 2008 and 131 of 2020)—that allows qualified Pennsylvania National Guard members to obtain civilian driver's licenses through:

- Waiver of standard written knowledge testing
- Simplified on-base skills testing with military evaluators
- Medical certification through military health services
- Commanding Officer certification of competency

1.3 Expected Impact

- Enhanced mission readiness and deployment capability
- Improved soldier retention and career development
- Reduced administrative burden on units
- Strengthened recruitment value proposition
- Support for soldiers' long-term civilian career prospects

2 Background and Context

2.1 Current Operational Challenges

The 337 Engineer Battalion and other Pennsylvania National Guard units face persistent challenges related to unlicensed soldiers that significantly impact operational readiness:

Mission Readiness Impact:

- Soldiers cannot operate military vehicles off-base for training exercises
- Limited pool of licensed drivers creates workload imbalances
- Deployment readiness compromised by licensing gaps
- Heavy equipment operations require civilian CDL as prerequisite for military training

Administrative Burden:

- Soldiers must navigate civilian DMV processes independently
- Training schedules disrupted by licensing appointments
- Duplicate testing (military and civilian) creates inefficiency
- Transportation logistics for unlicensed soldiers strain resources

Personnel Challenges:

- Soldiers miss training due to transportation barriers
- Career progression limited for unlicensed personnel
- Urban recruits disproportionately affected
- Licensed soldiers face burnout from repeated transportation duties

2.2 Military Training Standards

Pennsylvania National Guard units currently provide comprehensive driver training that includes:

- Formal classroom instruction on vehicle operation and traffic laws
- Supervised behind-the-wheel training with certified military instructors
- Vehicle inspection and maintenance procedures
- Defensive driving techniques
- Adverse weather and condition training
- Written and practical examinations
- Ongoing evaluation and recertification requirements

Military driver training meets or exceeds civilian standards in rigor and comprehensiveness. However, military qualifications are not recognized by PennDOT for civilian licensing purposes, forcing soldiers to duplicate their training through the civilian system.

2.3 Existing Legislative Precedent

Pennsylvania Military CDL Waiver Program:

Pennsylvania has successfully implemented Acts 133 of 2008 and 131 of 2020, which allow eligible military personnel to obtain Commercial Driver's Licenses (CDLs) through a waiver process. This program:

- Recognizes military commercial vehicle training and experience
- Waives knowledge and/or skills testing requirements
- Requires Commanding Officer certification
- Maintains public safety through documentation requirements
- Has facilitated veteran employment in the transportation sector

Federal Authorization:

The federal government has precedent authorizing state-level military license waiver programs through 49 CFR §383.77 for commercial licenses. While no direct federal mandate exists for civilian license (CL) waivers, states retain authority to establish licensing standards and exemptions under the Tenth Amendment.

Other State Programs:

Georgia and other states have implemented similar waiver programs that recognize military training for both commercial and civilian licensing purposes, providing models for Pennsylvania to follow.

3 Proposed Legislative Framework

3.1 Statutory Authority

This proposal recommends the Pennsylvania General Assembly enact legislation to amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to add a new section establishing the Pennsylvania National Guard Civilian License Waiver Program.

3.2 Program Structure

Title: Pennsylvania National Guard Civilian Driver's License (CL) Waiver Program

Purpose: To recognize military driver training and certification as equivalent to civilian driver education and testing, thereby enabling qualified Pennsylvania National Guard members to obtain Class C civilian driver's licenses through an expedited waiver process.

Administering Authority: Pennsylvania Department of Transportation (PennDOT) in coordination with the Pennsylvania Department of Military and Veterans Affairs (DMVA).

3.3 Eligibility Requirements

To qualify for the CL Waiver Program, applicants must meet the following criteria:

1. **Service Status:** Be an active member of the Pennsylvania Army National Guard.
2. **Residence:** Be a legal resident of the Commonwealth of Pennsylvania with documented proof of residency.
3. **Military Driving Experience:** Have successfully completed Pennsylvania National Guard driver training and maintained a valid military driver's license (OF 346, Government Motor Vehicle Operator's Identification Card) for at least 6 months prior to application.
4. **Service Record:** Have no military disciplinary actions related to vehicle operation in the preceding 24 months.
5. **Driving Record:** Meet standard Pennsylvania driver record requirements (e.g age, no disqualifying violations or suspensions in any jurisdiction).
6. **Medical:** Meet medical standards as certified by military medical personnel (on-site physician) or through standard PennDOT medical certification.
7. **Commanding Officer Certification:** Obtain written certification from their Commanding Officer or designated representative attesting to their driving competency and eligibility.

3.4 Waiver Provisions

Qualified applicants may receive waivers for the following standard licensing requirements:

3.4.1 Knowledge Test Waiver

Applicants who complete Pennsylvania National Guard driver training (including written examination components) shall be exempt from the standard PennDOT written knowledge test. The military training curriculum covers:

- Pennsylvania traffic laws and regulations
- Road signs and signals
- Safe driving practices
- Vehicle operation fundamentals
- Accident procedures and reporting

3.4.2 Simplified Skills Testing

Applicants may complete a modified skills test administered on Pennsylvania National Guard bases and installations by certified military driver evaluators in coordination with PennDOT representatives. The simplified test includes:

- Basic vehicle control maneuvers
- On-road driving assessment (minimum 15 minutes)
- Parking and backing procedures
- Verification of defensive driving techniques

The on-base testing reduces logistical barriers and leverages existing military infrastructure and qualified personnel.

3.4.3 Medical Certification Streamlining

Applicants who have passed a military medical examination within the preceding 12 months may submit Form DL-CL-MED (Military Medical Certification) in lieu of standard medical documentation, provided the examination included vision, hearing, and general physical fitness assessments consistent with civilian driving requirements.

3.5 Application Process

1. **Initial Application:** Service member completes Form DL-CL-398 (Military Civilian License Waiver Application) with required documentation.
2. **Commanding Officer Review:** Unit commander or designated representative reviews application, verifies eligibility, and completes certification section.
3. **Medical Certification:** Service member obtains Form DL-CL-MED from military medical personnel OR submits standard medical documentation.
4. **Submission to PennDOT:** Complete application package submitted to designated PennDOT Driver License Center.
5. **Documentation Review:** PennDOT reviews application for completeness and eligibility.
6. **Skills Test Coordination:** PennDOT coordinates with unit to schedule on-base skills testing (if applicable).
7. **Skills Test Administration:** Qualified military evaluator administers test with PennDOT oversight/validation.

8. **License Issuance:** Upon successful completion, PennDOT issues Class C civilian driver's license.

Timeline: Complete process from application to license issuance should not exceed 30 days, excluding applicant scheduling delays.

3.6 Required Documentation

Applicants must provide:

- (Proposed) Military Civilian License Waiver Application
- (Proposed) Commanding Officer Certification (completed and signed)
- (Proposed) Military Medical Certification
- Copy of valid military driver's license (OF 346)
- Proof of Pennsylvania residency (two documents)
- Social Security card or documentation

4 Public Safety Considerations

4.1 Safety Standards Maintenance

This waiver program maintains rigorous safety standards through:

1. **Equivalent Training Standards:** Military driver training meets or exceeds civilian standards in comprehensiveness and rigor.
2. **Professional Evaluation:** Military driver evaluators are professionally trained and certified to assess driver competency.
3. **Ongoing Accountability:** Service members remain subject to military discipline for driving infractions, creating additional accountability beyond civilian enforcement.
4. **Documentation Requirements:** Commanding Officer certification ensures command-level review and approval.
5. **Medical Standards:** Military medical examinations meet or exceed civilian requirements for driver fitness.
6. **Eligibility Screening:** Driving record review ensures applicants meet standard Pennsylvania requirements.

4.2 Risk Mitigation

Quality Control Measures:

- PennDOT may audit military testing procedures periodically
- Random verification testing available for program participants
- Commanders retain discretion to deny certification
- Standard Pennsylvania driving penalties apply to all license holders
- Program participation data tracked for safety outcome analysis

Program Safeguards:

- Applicants with disqualifying violations ineligible
- Medical fitness verified through military or civilian channels
- Skills testing requirement maintained (though simplified)
- PennDOT oversight of on-base testing procedures
- Annual program review and adjustment authority

4.3 Comparative Analysis

States with similar military driver waiver programs have not experienced increased accident rates or safety concerns among program participants. Military-trained drivers typically demonstrate:

- Superior defensive driving skills
- Enhanced hazard awareness
- Stronger adherence to traffic regulations
- Lower violation rates compared to general population

5 Benefits Analysis

5.1 Military Readiness Benefits

Enhanced Operational Capability:

- Increased pool of soldiers qualified for off-base vehicle operations
- Improved deployment readiness through comprehensive driver qualification
- Reduced logistical burden for transporting unlicensed personnel
- Greater flexibility in training and mission execution
- Elimination of civilian licensing as bottleneck for military vehicle qualification

Unit Efficiency:

- Reduced administrative time coordinating civilian DMV appointments
- Decreased training delays due to licensing issues
- More equitable distribution of driving responsibilities
- Streamlined integration of new soldiers into operational roles

5.2 Personnel Benefits

Soldier Career Development:

- Facilitates progression into roles requiring civilian CDL
- Provides valuable civilian credential obtained through military service
- Enhances post-service employment prospects
- Removes barrier to full participation in military duties
- Supports personal mobility and independence

Recruitment and Retention:

- Tangible benefit for prospective recruits (especially urban youth)
- Demonstrates military service value translation to civilian life
- Reduces frustration and attrition among unlicensed soldiers
- Strengthens Guard value proposition compared to other opportunities
- Particularly attractive to populations with limited civilian license access

5.3 Commonwealth Benefits

Public Safety and Emergency Response:

- More qualified drivers available for emergency mobilization
- Enhanced state response capability during disasters
- Leverages existing military training infrastructure
- Maintains high safety standards through military discipline

Economic Development:

- Supports veteran employment and economic integration
- Reduces barriers to workforce participation
- Strengthens transportation and logistics workforce pipeline
- Demonstrates Pennsylvania's commitment to military community
- Creates pathway to CDL for commercial driving careers

Administrative Efficiency:

- Leverages existing military infrastructure and personnel
- Reduces burden on civilian DMV facilities
- Minimal implementation costs (primarily form development)
- Utilizes proven model from CDL waiver program

5.4 Cost-Benefit Analysis

Costs are estimated based on interviews + research of prior implementations - amounts are estimates.

Implementation Costs (One-Time):

- Form development and printing: \$5,000
- Staff training/DMVA partnership: \$5,000
- Program guidelines development: \$5,000
- **Total One-Time: \$15,000**

Ongoing Costs (Annual):

- Program coordination (DMVA liaison): \$25,000
- Quality assurance and auditing: \$10,000
- Form supplies and distribution: \$3,000
- **Total Annual: \$38,000**

Benefits (Annual - Estimated):

- Reduced DMV processing time and workload (500 applicants \times 2 hours \times \$50/hour): \$50,000
- Military administrative time savings: \$75,000
- Enhanced readiness value: \$100,000+
- Soldier retention value: \$150,000+
- Emergency mobilization preparedness value: \$100,000+
- **Total Annual Benefits: \$475,000+**

Return on Investment: The program yields very high benefit-to-cost ratio, not including intangible readiness, emergency preparedness, and personnel benefits.

6 Implementation Plan

6.1 Phase 1: Legislative Action (Months 1-6)

Objectives:

- Draft and introduce enabling legislation
- Conduct stakeholder consultations
- Secure legislative passage
- Obtain Governor's signature

Key Actions:

1. Refine legislative language with DMVA legal counsel
2. Coordinate with PennDOT on technical requirements
3. Brief legislative transportation and veterans committees
4. Address any concerns or modifications
5. Monitor bill progress through General Assembly

6.2 Phase 2: Program Development (Months 4-8)

Objectives:

- Develop operational procedures and guidelines
- Create and print program forms
- Establish PennDOT-DMVA coordination protocols
- Train personnel

Key Actions:

1. Finalize Forms based on Adjutant General + legislative requirements
2. Develop program operations manual
3. Create commander and unit administrator guidance
4. Train PennDOT Driver License Center staff
5. Certify military driver evaluators
6. Establish on-base testing protocols
7. Configure IT systems for application processing

6.3 Phase 3: Pilot Program (Months 7-12)

Objectives:

- Test program procedures with limited participant group
- Identify and resolve operational issues
- Refine processes based on feedback
- Gather outcome data

Key Actions:

1. Launch pilot with 337 Engineer Battalion and 2-3 other units
2. Process approximately 50-100 applications
3. Monitor processing times and bottlenecks
4. Survey participant satisfaction
5. Review commander and PennDOT feedback
6. Adjust procedures as needed
7. Analyze safety outcomes

6.4 Phase 4: Full Implementation (Month 12+)

Objectives:

- Roll out program statewide to all PA National Guard units
- Establish ongoing program management
- Implement quality assurance procedures

Key Actions:

1. Announce program availability to all units
2. Distribute forms and guidance materials
3. Establish monthly processing cycles
4. Implement quarterly performance reviews
5. Conduct annual program audits
6. Report outcomes to partners

Stakeholder	Responsibilities
DMVA	Program oversight, policy development, PANG coordination
PennDOT	Application processing, license issuance, quality assurance
PANG Units	Application facilitation, CO certification, skills testing
Medical Services	Medical certification, health records coordination
Legislative Office	Statutory development, advocacy, reporting

6.5 Key Partners and Responsibilities

6.6 Success Metrics

Program Performance Indicators:

- Number of applications processed per quarter
- Average processing time (target: 30 days)
- Approval rate (target: 90%)
- Participant satisfaction (target: 85% satisfied/very satisfied)
- Skills test pass rate (target: 95%)
- Commander satisfaction with process

Safety Outcomes:

- Accident rate among program participants vs. general population
- Violation rate among program participants
- Military driving incident rates
- Long-term safety record analysis (3-year review)

Readiness Impact:

- Percentage of soldiers licensed pre- vs. post-program
- Deployment readiness scores
- Training participation rates
- Commander-reported operational improvement

7 Legal and Regulatory Considerations

7.1 Constitutional Authority

The proposed legislation falls within the Commonwealth's constitutional authority to regulate driver licensing under the Tenth Amendment. States retain plenary power to establish driver licensing standards, requirements, and exemptions. Pennsylvania's existing Military CDL Waiver Program (Acts 133 and 131) provides precedent for military-specific licensing accommodations.

Interstate Recognition: Pennsylvania-issued civilian licenses are recognized in all jurisdictions under the Driver License Compact and related interstate agreements. Program participants will hold standard Pennsylvania licenses with no special restrictions or notations.

7.2 Regulatory Framework

The enabling legislation should direct PennDOT to promulgate regulations within 90 days of enactment, including:

- Detailed eligibility criteria and documentation requirements
- Skills testing standards and procedures
- Medical certification requirements and acceptable documentation
- Commanding Officer certification protocols
- Quality assurance and audit procedures
- Appeals and reconsideration processes
- Data collection and reporting requirements

7.3 Privacy and Data Protection

Program implementation must comply with:

- Driver's Privacy Protection Act (DPPA), 18 U.S.C. §§ 2721-2725
- Pennsylvania Right to Know Law
- Military personnel privacy regulations
- HIPAA requirements for medical information

All military records and documentation submitted shall be maintained confidentially and used solely for licensing determination purposes.

7.4 Liability Considerations

Commonwealth Liability: The program does not create additional liability exposure for the Commonwealth. Standard licensing procedures and documentation requirements apply, and program participants are subject to identical traffic laws and enforcement as all Pennsylvania drivers.

Unit Liability: Commanding Officers and military evaluators act within scope of official duties when certifying applicants or administering skills tests. Official immunity provisions apply.

Individual Liability: Program participants bear full responsibility for their driving conduct. Military status does not confer special privileges or protections under traffic law.

8 Comparison to Other States

8.1 Georgia Model

Georgia operates a comprehensive military driver waiver program that includes both civilian and commercial licensing pathways. Key features:

- Service members may obtain civilian licenses with CO certification
- Skills testing conducted at military installations
- Medical waivers accepted from military healthcare providers
- Program extended to active duty, reserves, and recent veterans
- Strong safety record with no adverse outcomes reported

The Pennsylvania proposal adapts Georgia's successful model to align with Pennsylvania's existing administrative structure and CDL waiver program framework.

8.2 Other State Programs

Several states have implemented military driver licensing accommodations:

Texas:

- Waives road test for active duty military with military license
- Requires CO certification and clean driving record
- Medical certification streamlined for military personnel

Florida:

- Accepts military driving experience for license issuance
- Simplified testing for military applicants
- Fast-track processing for deploying service members

North Carolina:

- Military driver training recognized for civilian licensing
- On-base testing available at major installations
- Coordination between DMV and installation commanders

8.3 Best Practices

Common elements across successful programs include:

1. Clear eligibility criteria based on military service and training
2. Commanding Officer certification requirement
3. Streamlined but not eliminated testing requirements

4. Strong coordination between motor vehicle and military agencies
5. Regular program review and safety monitoring
6. Extension to recently separated veterans

9 Stakeholder Support

9.1 Military Leadership

This proposal has the support of:

- Major Marc Speciale, Administrative Officer, 337 Engineer Battalion
- First Sergeant Jack Knouse, PA National Guard Master Driver Manager
- Unit commanders experiencing driver licensing challenges

"If this problem were solved, it would significantly enhance the opportunities for new soldiers especially those without prior access to a driver's license to complete essential training and fully participate in their units. This would not only improve mission readiness but also support their personal growth and long-term career success, strengthening both the military community and their future prospects beyond service."

— First Sergeant Jack Knouse, Master Driver Manager

The proposed program aligns with Pennsylvania legislative priorities:

- Support for military and veteran communities
- Workforce development and employment access
- Government efficiency and reduction of bureaucratic barriers
- Public safety through professional training standards
- Cost-effective utilization of existing resources

9.2 Anticipated Coalition Support

Based on correspondence and research, expected support from:

- Pennsylvania Department of Military and Veterans Affairs (DMVA)
- Veterans service organizations (VFW, American Legion, etc.)
- Military family support groups
- Pennsylvania National Guard Families Association
- Legislative veterans' caucuses (both chambers)
- Workforce development organizations
- Transportation industry associations

10 Recommendations

10.1 Primary Recommendation

The Adjutant General is respectfully requested to endorse and champion this proposal through the Pennsylvania legislative process.

Specific actions requested:

1. Provide official DMVA support for the proposed legislation
2. Assign a legislative liaison to coordinate passage efforts
3. Authorize program development and pilot planning
4. Designate PANG units for pilot program participation
5. Coordinate with PennDOT leadership on implementation planning

11 Conclusion

The Pennsylvania National Guard Civilian License Waiver Program represents a common-sense solution to a persistent readiness challenge. By recognizing the comprehensive driver training provided by the National Guard and streamlining the civilian licensing process, this program will:

- **Enhance military readiness** by removing a critical bottleneck to full soldier participation and deployment preparation
- **Support soldier development** by providing a valuable civilian credential through military service
- **Improve unit efficiency** by reducing administrative burdens and logistical complications
- **Maintain public safety** through rigorous training, testing, and certification standards
- **Demonstrate Pennsylvania's commitment** to supporting its National Guard members and veteran community

The program leverages Pennsylvania's successful Military CDL Waiver Program framework and draws upon proven models from other states. Implementation costs are minimal, and benefits far exceed expenses. Most importantly, this initiative addresses a real operational problem affecting hundreds of Pennsylvania soldiers and their commanders.

This proposal merits the Adjutant General's endorsement and advocacy. With leadership support from DMVA and cooperation from PennDOT, the Pennsylvania National Guard Civilian License Waiver Program can become law and begin improving readiness, supporting soldiers, and strengthening Pennsylvania's Guard within 12-18 months.

Attachments - Proposed Forms:

1. Form DL-CL-398: Military Civilian License Waiver Application
2. Form DL-CL-CO: Commanding Officer Certification
3. Form DL-CL-MED: Military Medical Certification
4. Draft Legislative Language (if developed)