

INFORMATION BULLETIN



April 6, 2018

CLASS C COMMERCIAL DRIVER LICENSE

Effective August 1, 2017, the Department of Motor Vehicles (DMV) began to issue passenger (P) and tank (N) endorsements, in addition to hazardous materials (H) endorsements, on Class C commercial driver licenses (CDL). This Information Bulletin (IB) provides clarification pertaining to the operation of vehicles which may now be subject to the requirement of holding a Class C CDL with the appropriate endorsement.

Questions have arisen as to the applicability of a Class C CDL for drivers who, prior to August 1, 2017, were operating vehicles with a gross vehicle weight rating (GVWR) of 26,000 pounds or less meeting the definition of a tank vehicle, but who were not previously required to obtain a CDL with an N endorsement. As the DMV can now issue the N endorsement on a Class C CDL, the driver of a tank vehicle, as defined in Section 15210(r) of the California Vehicle Code (CVC), would now be required to hold a Class C CDL with the N endorsement.

Section 15210(r) CVC defines a tank vehicle as follows:

*“Tank vehicle” means a commercial motor vehicle that is designed to transport any liquid or gaseous material within a tank or tanks having an individual rated capacity of more than 119 gallons **AND** an aggregate rated capacity of at least 1,000 gallons that is permanently or temporarily attached to the vehicle or the chassis, including, but not limited to, cargo tanks and portable tanks, as defined in Part 171 of Title 49 of the Code of Federal Regulations. A commercial motor vehicle transporting an empty storage container tank not designed for transportation, with a rated capacity of at least 1,000 gallons that is temporarily attached to a flatbed trailer, is not a tank vehicle.*

When determining whether a vehicle equipped with a single tank or multiple tanks meets the definition of a tank vehicle for the purpose of requiring the N endorsement, it is important to remember that tanks rated 119 gallons or less capacity **DO NOT** contribute to the aggregate rated capacity and are considered to be nonbulk packages.



For example:

- A motor truck with a GVWR of 19,500 pounds with twelve 100 gallon tanks mounted would result in an aggregate capacity of 1,200 gallons, but would not meet the threshold as a tank vehicle per Section 15210(r) CVC due to those tanks, being less than 119 gallons each, **not** contributing to the aggregate capacity of 1,000 gallons. This vehicle may be legally operated with a noncommercial Class C driver license.
- A motor truck with a GVWR of 19,500 pounds with three 300 gallon tanks mounted would result in an aggregate capacity of 900 gallons, but would not meet the threshold as a tank vehicle per Section 15210(r) CVC due to an aggregate capacity of less than 1,000 gallons. This vehicle may be legally operated with a noncommercial Class C driver license.
- A motor truck with a GVWR of 19,500 pounds with four 300 gallon tanks mounted would contribute to the aggregate capacity of 1,200 gallons, due to the 300 gallon tanks being rated more than 119 gallons each. This vehicle would require a Class C CDL with an N endorsement.

It should be noted, if a vehicle is transporting a hazardous materials load, which requires placards to be displayed, or if the vehicle meets the definition of a tank vehicle per Section 15210(r) CVC, the appropriate endorsement is required on the Class C driver license. Hazardous Agricultural Materials certificate holders with a noncommercial Class C driver license are exempt from this requirement.

In regard to passenger carrying vehicles, a Class C CDL with P endorsement may be utilized for vehicles classified as buses per Section 233 CVC which operate with a GVWR less than 26,000 pounds. Prior to the DMV being able to issue the P endorsement on a Class C CDL, a Class B CDL with P endorsement would have been required to operate vehicles classified as buses per Section 233 CVC. Vehicles operated as buses, with a GVWR or gross weight over 26,000 pounds, will still require a Class B CDL with the P endorsement.

Additionally, farm labor vehicles (FLV) are not eligible for a Class C CDL and will still require a Class B CDL with an FLV certificate per Section 12804.9(b)(2)(D) CVC, regardless of the GVWR.

Questions regarding the contents of this IB should be directed to Commercial Vehicle Section, at (916) 843-3400.

OFFICE OF THE COMMISSIONER

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