



TRANSIT AGENCY BRIEFING DOCUMENT

“Under-the-Hood” CDL Waiver for Transit Bus Operators

The Federal Motor Carrier Safety Administration (FMCSA) is allowing State driver’s licensing agencies to waive the “under-the-hood” portion of the vehicle inspection skills test for public transit operators seeking a commercial driver’s license (CDL). The **waiver** is in effect until July 16, 2027. “Under-the-hood” refers specifically to the engine compartment component of the vehicle inspection test, as outlined in **49 CFR §383.113(a)(1)(i)**. Under-the-hood requires CDL applicants to point to, name, and identify components of the engine compartment.

FMCSA is providing States the option to waive these components because public transit agencies employ mechanics and other qualified personnel to provide roadside assistance in the case of a vehicle malfunction.

Operators do not perform under-the-hood maintenance or repairs, and some are even contractually banned from these functions. Under-the-hood is also becoming less relevant as many agencies transition to zero-emission buses, which have electrified engine components that are locked and inaccessible to untrained personnel.

No Impact on Safety

In issuing the waiver, FMCSA said it does “not believe that drivers issued CDLs under the exemption will experience any deterioration of safety below the level that would be achieved without the exemption.” FMCSA’s vehicle maintenance requirements for public transit agencies (**49 CFR §396**) remain fully in effect, including the requirement to systematically inspect, repair, and maintain all vehicles (§396.3), as well as prohibitions against unsafe operations (§396.7). All State or local inspection maintenance standards also continue to apply. Public transit agencies meet these safety requirements through the hiring and training of dedicated maintenance workers. Maintenance staff are also readily available to support transit operators in the event of a bus breakdown.

The waiver will not impact the detailed pre-trip vehicle safety inspections that operators continue to perform in their day-to-day operations. **APTA’s research** found that **all public transit agencies require operators to engage in detailed pre-trip safety inspections, often checking 70 or more items on transit passenger buses prior to operation.** These inspections focus on visually inspecting the interior and exterior of the bus, checking under the bus for fluid leaks, checking that safety equipment is present and functioning, ensuring that the bus is functioning correctly, and ensuring that no warning lights are displayed.

Positive Impact on Operator Shortages

The waiver helps to address operator shortages in the public transit industry. The majority of U.S. public transit agencies (84.6%) **continue to face worker shortages**, with bus operator positions particularly difficult to fill. **Public transit agencies report that CDL requirements are one of the most challenging aspects of hiring bus operators, and the under-the-hood test is the single most difficult aspect of the CDL process.** Agencies said this is where they see the most failures and retakes; about **4 in 10 agencies** have lost an operator candidate due to the under-the-hood requirement. Agencies also report that operators struggle with under-the-hood because they are being tested on skills they will not use after being fully licensed, because mechanics—not operators—are responsible for these functions.

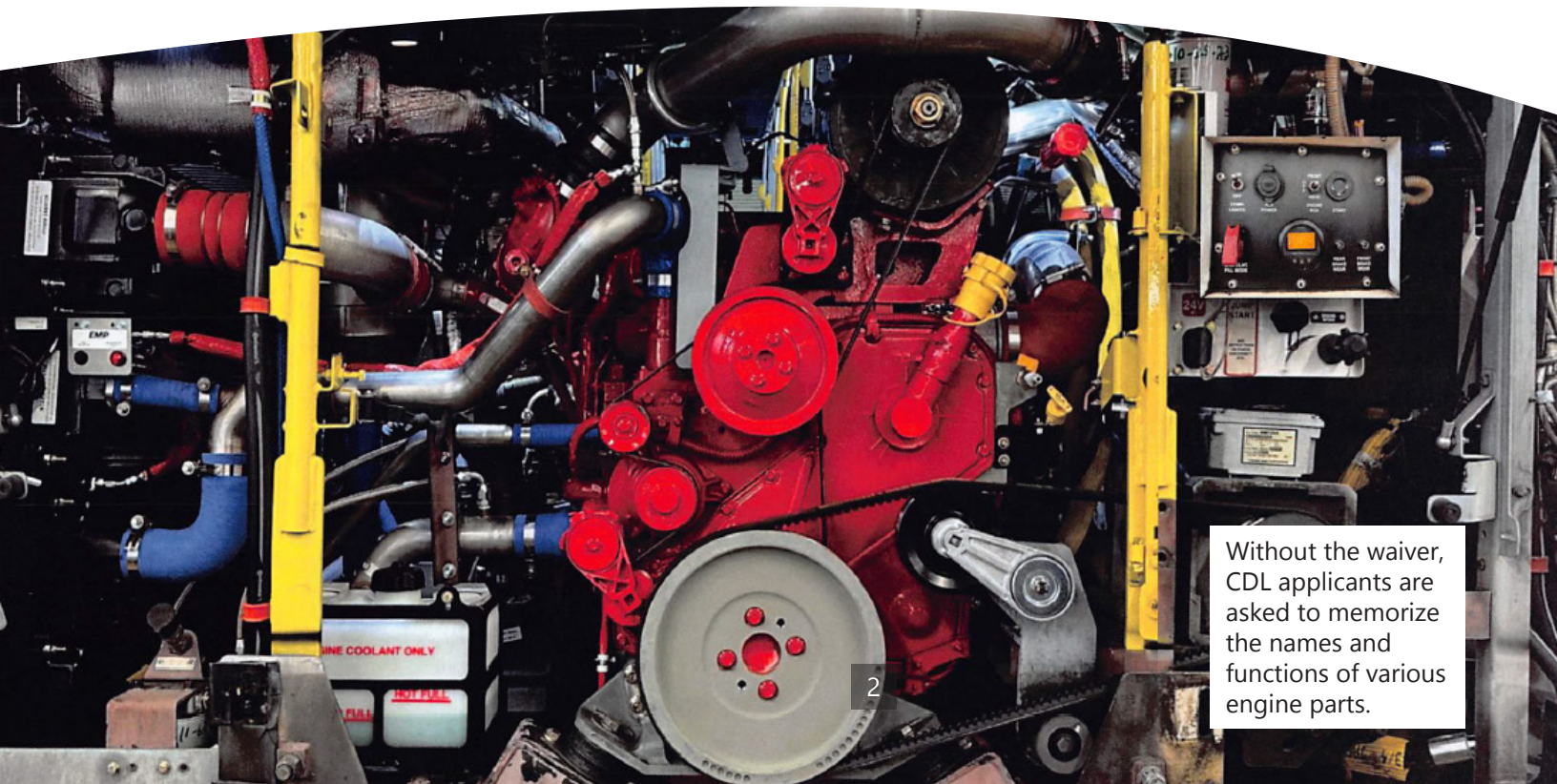
Waiving the under-the-hood component will help address operator shortages while saving agencies training costs and time with no impact to safety.

Required Components of Vehicle Inspection Test

CDL applicants must continue to pass all remaining elements of the required pre-trip vehicle safety inspection, as described in **49 CFR §383.113(a)(1)(ii-ix)**. These tasks reflect activities that operators complete in their daily pre-checks prior to operating a transit bus. These inspections include checking all gauges and safety equipment (e.g., oil pressure, safety gauges, wipers, windshield, lights, and horn), and inspecting steering, suspension, brakes, wheels, side and rear of vehicle, and special features of transit buses like lifts, passenger seating, and emergency exits (see box at right). **To receive a license under this waiver, operators still must fully demonstrate their ability to inspect all the safety features of a transit bus that are relevant to their work.**

Operators must still perform the following safety checks:

- ✓ Demonstrate that all brakes are working correctly
- ✓ Inspect all dash indicators
- ✓ Inspect that emergency equipment is available and in usable condition
- ✓ Inspect that the windshield is clean with no obstructions or damage
- ✓ Inspect that mirrors are clean and adjusted properly
- ✓ Inspect that wiper arms and blades operate smoothly and inspect windshield washer fluid
- ✓ Inspect heater and defroster
- ✓ Inspect air and/or electric horn
- ✓ Inspect all lights on the front, sides and rear of the vehicle
- ✓ Inspect all tires for proper inflation and for possible damage
- ✓ Inspect for cracks, broken welds, holes, or other damage to the frame members
- ✓ Inspect the fuel tank for leaks
- ✓ Inspect that entry doors are not damaged and operate smoothly
- ✓ Inspect that handrails are secure
- ✓ Inspect that entry steps are clear and the tread is not loose or worn
- ✓ Inspect passenger lifts
- ✓ Inspect all emergency exits
- ✓ Inspect all seats



Without the waiver, CDL applicants are asked to memorize the names and functions of various engine parts.



Similar to a Successful Waiver for School Bus Drivers

FMCSA has previously issued a similar waiver of under-the-hood CDL requirements for school bus operators, and the **school bus waiver** has been extended several times. The most recent school bus waiver, which has been implemented in 13 States, is in effect until November 2026. **The National School Transportation Association (NSTA) reports that the waiver has led to the licensing of approximately 1,200 new drivers and has successfully helped to alleviate school bus driver shortages in States including New Jersey and Texas.**

Process for States to Adopt the Under-the-Hood Waiver

The waiver is specifically for operators seeking a new Class A/B CDL license with a Passenger (P) endorsement. States can give operators the choice to take the CDL vehicle skills test with or without the under-the-hood component. Operators choosing to take the test without the under-the-hood component must have a K restriction (intrastate only) and a transit-bus-only restriction on their license. If operator candidates do not want those restrictions, they must test in accordance with current testing procedures.

States granting licenses under the waiver must:

- Submit the names and CDL numbers of operators issued a CDL pursuant to the exemption each month.
- Mark licenses with a stamp, punch, or label to clearly indicate that the operator is licensed for transit-bus-only and intrastate operation only.
- Place a transit-bus-only restriction on the CDL. If States do not already have a transit-bus-only restriction or category, they may create one. However, a new category is not required as long as the license is clearly marked.

The steps required to implement the waiver will vary from State to State. However, NSTA reports that some States were able to implement the school bus waiver almost immediately.

APTA Encourages States to Adopt the Transit Bus Under-the-Hood Waiver

As part of its overall efforts to support transit agencies and address ongoing operator shortages, APTA encourages States to adopt the under-the-hood waiver for transit operators. **Adopting the waiver will make it easier for agencies to hire new operators without impacting safety or decreasing the skills of operators to safely operate a transit bus.**

FMCSA will be evaluating the success of the waiver and considering whether to renew it based on State implementation. Implementing the waiver helps demonstrate to FMCSA that public transit agencies are benefiting from the relief the waiver offers, and will bolster the arguments being made by APTA and NSTA to make such relief permanent. ♦

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