

**ISSUE NUMBER**

24-056-INFO

**ISSUE NAME**

SafeSpect Code for 391.11(b)(5)

**STATUS**

Open

Information Systems Committee

**NAME**

Adam Bower

**AGENCY**

State of Alaska - DOT&amp;PF - Commercial Vehicle Compliance

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**EMAIL**[cynthia.antigua@alaska.gov](mailto:cynthia.antigua@alaska.gov)**SUMMARY OF ISSUE**

Violation 391.11(b)(5) in SafeSpect has in parentheses (non-CDL) which we believe is incorrect verbiage and should be removed (see screenshot #1). These are the qualifications for a CDL driver not a NON-CDL driver, which can be confusing to a carrier. ASPEN did not have this verbiage in the violation (see screenshot #2).

**JUSTIFICATION OR NEED**

We put in a ticket to FMCSA/SafeSpect to remove the "(NON-CDL)" verbiage and they instead told us to use Part 383 - Alaska has not adopted 383 therefore we can't cite this section.

**REQUEST FOR ACTION**

Remove the "(non-CDL)" verbiage from 391.11(b)(5) in SafeSpect.

**SUPPORTING DOCUMENTS/PHOTOS**

- [Screenshot1.png](#)
- [Screenshot2.png](#)

**ACTION TAKEN BY COMMITTEE**

The Driver-Traffic Enforcement Committee discussed that at least five states have not adopted Part 383 and instead use 391.11(b)(5) as the violation for no valid CDL. The current violation description language in SafeSpect for 391.11(b)(5) states "non-CDL" which causes confusion for motor carriers.

The committee agreed to submit the change request to the Information Systems Committee to remove the non-CDL language. For inspections conducted in states that have adopted Part 383, the inspectors will continue to cite 383.23 as noted in the OOSC.

This issue will be reassigned to Information Systems for action.