

The Honorable Richard Del Toro
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Testimony Before the United States House of Representatives
Homeland Security Committee
Subcommittee on Oversight, Investigations and Accountability:
Highway Safety Under Threat: Examining Non-Domiciled CDL Issuance to Illegal Aliens
March 4, 2026

Chairman Brecheen, Ranking Member Thanedar, and members of the subcommittee, I want to thank you for convening this important hearing on highway safety and the serious risks associated with non-domiciled commercial driver licensing. This dangerous problem requires attention, so I thank you for your attention.

I was elected Sheriff of St. Lucie County in November 2024 after serving 25 years with the Port St. Lucie Police Department. Shortly after being sworn-in as sheriff in January 2025, the Florida Legislature held a special session to establish new laws to enable local law enforcement to work responsibly with the Trump Administration as they enforce federal laws prohibiting illegal immigration.

Florida Leading the Way

Thanks to the leadership of House Speaker Danny Perez, Senate President Ben Albritton and members of both chambers, Governor Ron DeSantis signed SB 2-C into law on February 13, 2025.

SB 2-C is a comprehensive piece of legislation. I would like to highlight only a few of the key sections.

- Requiring a county detention facility to provide, upon request from a federal immigration agency, a list of all inmates booked into a county detention facility and any information regarding each inmate's immigration status.

- Banning sanctuary policies by ensuring a state entity, local governmental entity, or law enforcement agency may not prohibit or in any way restrict a law enforcement officer from executing or assisting in the execution of a lawful judicial warrant.
- Requiring a Florida law enforcement agency to use its best efforts to support the enforcement of federal immigration law.
- And finally, requiring for purposes of proof of identity, that a driver license record or identification card record from another jurisdiction must comply with the federal REAL ID Act.

In total, the legislation was a thorough and well thought out way for our state to assist the Federal government with their duty to enforce our immigration laws. However, we can have all the best laws in our own home state, but if we are all not working together, tragedy can strike. That is certainly what occurred in my county on August 12, 2025, when an illegal immigrant operating a commercial motor vehicle caused a fatal crash on the Florida Turnpike.

On that afternoon, a semi-truck pulling a trailer attempted to cross the northbound travel lanes near mile marker 171 in St. Lucie County in order to make an illegal U-turn through the center median. A minivan travelling lawfully in the left lane collided with the mid-section of the trailer and became lodged underneath the semi-truck. Two occupants of the minivan were pronounced deceased at the scene, and a third victim later died from injuries sustained in the crash.

Nothing during the investigation showed a need for the truck driver to make such a maneuver. During the investigation authorities quickly learned that the driver had previously entered the United States illegally in 2018 after crossing the southern border and had been issued a Notice to Appear in immigration court. At the time of the crash, he possessed a commercial driver's license issued by another state earlier in 2025. Based on the totality of the evidence, the driver was charged with three counts of vehicular homicide.

The issuance of non-domiciled Commercial Driver's Licenses (CDLs) to illegal aliens poses a grave threat to homeland security and public safety on our roadways. These licenses, granted by certain states to individuals lacking lawful permanent domicile or verified U.S. residency, enable

unauthorized migrants to operate massive commercial vehicles, bypassing critical vetting processes.

For my community, this was not an abstract policy issue. This was a preventable and devastating tragedy.

National Security Risks

Non-domiciled CDLs create vulnerabilities that have been continuously exploited by illegal aliens, allowing them access to the commercial trucking industry—a sector critical to national supply chains and infrastructure. Foreign nationals without U.S. driving records can obtain these licenses using minimal documentation, like Employment Authorization Documents (EADs), which do not verify foreign crash histories, DUIs, or other violations. In 2025, the Federal Motor Carrier Safety Administration (FMCSA) documented 17 fatal crashes involving such drivers, resulting in 30 deaths; these drivers lacked the consular screening applied to U.S. citizens.

This loophole further endangers critical infrastructure, as commercial trucks routinely transport hazardous materials and goods across borders. States like California have issued thousands of these licenses to undocumented individuals, correlating with interdiction operations uncovering illegal activity, such as Indiana’s Midway Blitz arresting 146 unauthorized truck drivers. Without federal mandates, sanctuary policies undermine homeland security by prioritizing access over accountability. Without consistency, differing state policies undermine highway safety and national security.

Public Safety Data

Fatal incidents underscore the dangers. As I previously mentioned, the tragedy that occurred in my county when an illegal alien with a non-domiciled CDL caused a Turnpike crash killing three, was attributed to another state’s lax issuance of the license. Indiana reported multiple fatalities from illegal aliens operating semitrucks, prompting Governor Mike Braun to mandate revocations.

English proficiency gaps only exacerbate the risks; non-domiciled drivers often struggle with U.S. signage and instructions. Nationally, non-domiciled CDLs surged under prior Administrations, with FMCSA estimating 200,000 affected by reforms—yet safety incidents persist.

H.R. 5688: Non-Domiciled CDL Integrity Act

H.R. 5688, introduced by Rep. David Rouzer (R-NC) in October 2025, directly addresses these threats by tightening eligibility for non-domiciled CDLs. The bill limits issuance to foreign-domiciled individuals with lawful status, job-linked visas (e.g., H-2A/H-2B), and verified immigration via SAVE systems; Puerto Rican/U.S. territory applicants must prove citizenship. States must retain records for two years, aligning with U.S. Department of Transportation’s safety push post-President Trump’s Executive Order on trucking rules.

With 15 cosponsors, H.R. 5688 responds to FMCSA identified crashes where improper vetting enabled ineligible drivers. Enactment would standardize protections, closing state-level gaps.

Closing

At the conclusion of my testimony, I have provided updates from Florida’s Department of Highway Safety and Motor Vehicles regarding the overview of the process for issuing non-domiciled CDLs as well as changes to the Florida CDL issuance process resulting from new FMCSA rules.

I applaud this committee for taking a serious look at this public safety issue and would ask you to also focus your energy on the sources of this problem. Highway safety depends on strong, consistent standards that protect citizens. Together, we can keep commerce moving forward, but not at the expense of the safety of our communities.

Thank you.

Overview of Florida's Existing Processes for Issuing Non-Domiciled CDLs

- Florida only issues licenses to drivers who are in the country legally.
- Licenses issued to non-citizens with temporary legal presence (non-domiciled) are valid for a year, or the last date of the customer's legal status, whichever comes soonest.
- For each license issued to non-citizens, Florida verifies electronically with DHS/USCIS' SAVE system that the customer had legal presence in the United States
- Florida scans and maintains all documents presented by the driver to establish their identity and legal status. Those documents are available in DAVID.
- All issuances involving drivers with temporary legal presence (non-domiciled) are conducted in person.
- If a non-citizen is only allowed to be in the US on a temporary basis, we place the words "TEMPORARY" on the front of driver license. *(Note: Due to Federal Motor Carrier Safety Administration (FMCSA) rule updates, Florida will also begin printing the words "non-domiciled" on the license moving forward.)*
- The written CDL knowledge test was previously provided in Spanish and English with the prior approval of FMCSA. However, Florida recently changed its policy and all driver license testing, including Class E, must be taken in English only.
- The behind-the-wheel CDL skills test is provided in English only as required by FMCSA regulations. Skill testing in Florida is outsourced to third parties with oversight by the state.
- At the request of FMCSA, Florida paused all issuances of CDLs to non-domicile drivers on November 24, 2025, and plans to resume issuances after the new FMCSA rules become effective in mid-March.

Changes to the Florida CDL Issuance Process in Florida Resulting from New FMCSA Rules

- Only individuals in H-2A, H-2B, or E-2 nonimmigrant visa statuses and individuals domiciled in a U.S. territory (under specified conditions), are eligible for a non-domiciled CDL license. It is anticipated that the number of non-domiciled CDL license holders will decline sharply because of this restriction.
- As mentioned above, Florida will begin printing "non-domiciled" on the face of the CDL once we resume issuance.