

Mandating English Proficiency for Truck Drivers: Trump EO Shifts Policy for Transportation Industry

By Katharine C. Weber, Sean C. Herring, Mina M. Wood & Sheila Krische

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Meet the Authors



Katharine C. Weber

Principal
(513) 898-0050
katharine.weber@jacksonlewis.com



Sean C. Herring

(He/Him)
Principal
(312) 803-2531
Sean.Herring@jacksonlewis.com



Mina M. Wood

Takeaways

- A new EO reinstates enforcement of the English proficiency rule for drivers of commercial motor vehicles.
- The EO directs the Department of Transportation to issue new guidance and revise inspection procedures.
- Transportation industry employers should also be mindful of states requiring or considering English proficiency for drivers of commercial motor vehicles.

Related links

- [Enforcing Commonsense Rules of the Road for America's Truck Drivers](#) (EO)
- [49 CFR 391.11 -- General qualifications of drivers](#)
- [Arkansas HB1745](#)

Article

Although the English proficiency rule (49 C.F.R. 391.11(b)(2)) is part of the minimum qualifications for drivers of commercial motor vehicles operating in interstate commerce, with certain limited exceptions, it has previously been interpreted as not requiring drivers who are found only in violation of the rule to be taken out of service. It seems that this will soon change.

President Donald Trump signed the [“Enforcing Commonsense Rules of the Road for America's Truck Drivers”](#) executive order (EO) on April 28, 2025, directing the Department of Transportation to reinstate enforcement of the existing federal rule.

The EO explains, “[T]ruck drivers are essential to the strength of our economy, the security of our Nation, and the livelihoods of the American people. Every day, truckers perform the demanding and dangerous work of transporting the Nation’s goods to businesses, customers, and communities safely, reliably, and efficiently.” For this reason, proficiency in English should be a “non-negotiable safety requirement for professional drivers.”

The EO goes on to explain the following:

- Truck drivers should be able to “read and understand traffic signs, communicate with traffic safety, border patrol, agricultural checkpoints, and cargo weight-limit station officers. Drivers need to provide feedback to their employers and customers and receive related directions in English. This is common sense.”
- This is not a new requirement. “Federal law requires that, to operate a commercial vehicle, a driver must ‘read and speak the English language sufficiently to converse

(She/Her)
Principal
(212) 545-4000
Mina.Wood@jacksonlewis.com



Sheila Krische

Associate
Sheila.Krische@jacksonlewis.com

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with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.’ Yet this requirement has not been enforced in years, and America’s roadways have become less safe.”

Highlights

The EO directs the following actions:

- Within 60 days, the “Secretary of Transportation, acting through the Administrator of the Federal Motor Carrier Safety Administration (FMCSA), shall ... rescind the guidance document titled, ‘English Language Proficiency Testing and Enforcement Policy MC-ECE-2016-006,’ issued on June 15, 2016, and issue new guidance to FMCSA and enforcement personnel outlining revised inspection procedures necessary to ensure compliance with the requirements of 49 C.F.R. 391.11(b)(2).” [This regulation](#) requires drivers of a commercial motor vehicle to be able “to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.”
- The “Secretary of Transportation [and] the Administrator of the FMCSA ... shall take all ... actions, consistent with applicable law,” to revise the current rules to ensure that a violation of the English proficiency requirement results in a truck driver being taken out-of-service.
- The “Secretary of Transportation ... shall review all non-domiciled commercial driver’s licenses (CDLs) issued by relevant State agencies to identify ... unusual patterns or ... irregularities,” and evaluate and take “actions to improve the ... current protocols” being followed to verify “the authenticity and validity of both domestic and international commercial driving credentials.”
- Within 60 days, the “Secretary of Transportation shall identify and begin carrying out additional administrative, regulatory, or enforcement actions to improve the working conditions of America’s truck drivers.”

State Law Considerations

Transportation industry employers should also keep in mind that Arkansas has passed a state [law](#) requiring English proficiency for drivers of commercial motor vehicles, and the state is issuing stiff penalties for drivers who are not in compliance. Other states have similar bills pending. In Tennessee and New Hampshire, lawmakers seek to implement English-only written driver’s license exams, prohibiting the use of any translation devices or an interpreter.

If you have questions about this EO or any other matter regarding employment laws and regulations impacting the transportation industry, please contact the Jackson Lewis attorney with whom you regularly work or any member of the Jackson Lewis Transportation and Logistics Industry Group.

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