

FMCSA's Entry-Level Driver Training Final Rule

Summary

The Final Rule on Entry-Level Driver Training (ELDT) issued by the Federal Motor Carrier Safety Administration (FMCSA) on December 8, 2016 establishes new ***minimum*** training standards for individuals applying for a commercial drivers' license (CDL) for the first time; those upgrading their CDL; or those adding a hazardous materials (H), passenger (P) or school bus (S) endorsement for the first time. These requirements replace existing mandatory training requirements for entry-level operators of commercial motor vehicles in interstate and intrastate operations required to possess a CDL. The Final rule is effective February 6, 2017, but the compliance date is February 7, 2020 to allow states sufficient time to be ready to comply with the requirements.

Training

- Training requirements and curriculum are divided into 2 categories: theory and behind-the-wheel. The behind-the-wheel portion is divided into time spent on the range (in a parking lot, for example) and on the road.
- While the rule specifies the topics and skills that must be covered, there are no minimum numbers of hours that driver-trainees must spend on theory or behind-the-wheel training.
- Nothing prohibits a state from proscribing a minimum number of hours or adding additional requirements as long as all requirements proscribed in this final rule are met.
- There is no mandatory order in which the theory, behind the wheel (range or public road) requirements must be administered, nor does the rule require theory training to be completed before obtaining a Commercial Learner's Permit (CLP). Training providers can determine the structure. FMCSA does expect, however, that trainers will require that driver-trainees master basic vehicle control maneuvers in a controlled environment before allowing trainees to operate a commercial motor vehicle on a public road.
- Training for endorsements must be conducted in a representative vehicle for the endorsement (i.e. school bus endorsement training must be conducted in a school bus).

Trainer Qualifications

- Theory Instructors provide knowledge instruction on the operation of a commercial motor vehicle and must meet one of these qualifications:
 1. Hold a CDL of the same (or higher) class and with all endorsements necessary to operate the vehicle for which training is to be provided and has at least 2 years of experience driving a commercial motor vehicle requiring a CDL of the same (or higher) class and/or the same endorsements and meets all application state qualification requirements for commercial motor vehicle instructors; or
 2. Hold a CDL of the same (or higher) class and with all endorsements necessary to operate the commercial motor vehicle for which training is to be provided and has at least two years' experience as a behind-the-wheel commercial motor vehicle instructor and meets all applicable state qualification requirements for CMV instructors.
 - Exceptions:
 - Trainers are not required to hold a CDL of the same class and with all endorsements if the instructor previously held a CDL of the same class and complies with the other requirements;
 - If an instructor's CDL has been cancelled, suspended or revoked due to a disqualifying offense the instructor is prohibited from engaging in theory instruction for two years following the date of CDL reinstatement;
 - Training providers offering exclusive online content are not required to meet state qualification requirements for theory instructors.

- Behind-the-Wheel Instructors are required to hold a CDL Of the same (or higher) class, with all endorsements necessary to operate the commercial motor vehicle for which training is to be provided; and either a minimum of two years' experience driving a commercial motor vehicle requiring a CDL of the same or higher class and/or the same endorsement; or at least two years of experience as a behind-the-wheel commercial motor vehicle instructor.
- Behind-the-Wheel instructors providing training on a range that is not a public road do not need to hold a CDL of the same or higher class as long as he or she previously held a CDL of the same or higher class, with all endorsements necessary to operate the vehicle for which training is being provided, has at least 2 years of driving experience or commercial motor vehicle instruction experience, meets state requirements and meets the driving history requirements for behind-the-wheel instructors.
- If an instructor's CDL has been suspended, revoked or cancelled due to any of the disqualifying offense, the instructor is prohibited from engaging in behind-the-wheel instruction for two years following the date his or her CDL is reinstated following the disqualification.
- FMCSA does not certify training instructors. The rule defines minimum qualification standards but leaves it up to the training provider to determine whether those qualifications, as well as any application state requirements, are met.

Training Provider Registration

- Companies must at a minimum: (1) become listed on the Training Provider Registration (TPR) and (2) ensure their curriculum matches the requirements. All training providers, regardless of size, must meet the same eligibility requirements.
- Trainers must register on the TPR by submitting a Training Provider Registration Form. This online form must be electronically submitted through the TPR website. FMCSA will not accept paper forms. There is to be no fee associated with the initial or continuing registration on the TPR. Training providers who do not intend to make their services available to driver-trainee applicants outside their organization can elect not to include their contact information in the public listing that appears on the TPR website. This option is available at the time of the initial registration, but can be changed at any time. Those electing to share their information will be noted on the site by name, city and state. Information on the registry is available to anyone at no cost. Providers listed on the RPF are eligible to provide entry-level driver training once they have been assigned their unique training provider ID number.
- To be listed on the TPR companies must: follow the curriculum; utilize appropriate vehicles and facilities; be licensed, certified, registered or authorization to provide training in accordance with state law; allow FMCSA or its authorized representative to audit or investigate the training provider's operations; and electronically transmit the Training Provider Registration Form through the TPR website.
- Removal from the TPR: Training providers who receive a notice of proposed removal can continue to conduct training during the period in which they are undertaking the necessary corrective actions, which is generally 60 days. However, providers receiving a notice of proposed removal must inform driver-trainees currently enrolled in training, as well as those scheduled for future training, of the proposed removal. In addition, FMCSA will indicate on the TPR website that it has issued a notice of proposed removal to the training provider. If FMCSA subsequently removes the provider from the TPR because it did not respond to the notice of proposed removal within 30 days or because it did not complete the required corrective actions, any training conducted after the date of removal is invalid.
- If a training provider has more than one campus or training location, the training provider must electronically transit a TPR form for each location.
- TPRs must be updated on a biennial basis. In addition, changes to key information (training provider name, address, phone number, type of training offered, training provider status, change in state licensure, certification or accreditation status) must be updated electronically within 30 days of the change. Those registered on the TPR must maintain documentation of state licensure, registration or certification verifying that the provider is authorized to provide training in that state, if applicable. Those registered on the TPR must allow an audit or investigation of the training provider to be completed by FMCSA or its representative, if requested.

Additional Requirements and Information for Training Providers

- Providers must submit electronic notification to FMCSA that an individual completed the required training not later than midnight of the second business day after the driver-trainee completes the training. The notification is to be electronically transmitted to the TPR through an online form. FMCSA will provide the information to the State Driver Licensing Agency (SDLA) through the Commercial Driver's License Information System (CDLIS). If a driver-trainee completes behind-the-wheel and theory by two separate providers (which is permitted as long as each provider is listed on the TPR), each provider must transmit its certification to the TPR. FMCSA will not transmit notice of entry-level driver training certification through CDLIS until both portions of the training are completed.
- Range training can be conducted in public areas, such as a mall or office building parking lot during "off" hours. It is up to the training provider to ensure that the required elements, such as sufficient space in which to safely maneuver a commercial motor vehicle are met. If the training provider chooses to conduct range training in a publicly accessible area, then all CDL requirements apply.
- Training providers must provide instruction in all of the elements of the applicable curriculum and driver-trainees must receive a score of at least 80 percent on their theory assessment and demonstrate proficiency in performing all required behind-the-wheel skills.
- All training providers must document and report the actual number of hours each driver-trainee spends in completing behind-the-wheel training.
- There is no requirement for refresher training. States should maintain flexibility to determine when, and on what basis, disqualified CDL holders will be reinstated.
- FMCSA does not intend to provide written or electronic training materials for any of the curricula nor will the agency endorse or certify specific materials or vendors.
- Training providers are permitted to add additional curriculum that they deem appropriate.
- The rule does not prohibit a state from requiring a training provider to post or maintain a surety bond as a condition to doing business in that state.
- Training providers must attest that they meet the specified requirements and in the event of an FMCSA audit or investigation, must supply documentation to verify their compliance.

Class A & B - Theory Curriculum

	Class A	Class B
Basic Operation	X	X
Orientation	X	X
Control Systems/Dashboard	X	X
Pre- and Post-Trip Inspections	X	X
Basic Control	X	X
Shifting/Operating Transmissions	X	X
Backing and Docking	X	X
Coupling and Uncoupling	X	
Safe Operating Procedures	X	X
Visual Search	X	X
Communication	X	X
Distracted Driving	X	X
Speed Management	X	X
Space Management	X	X
Night Operations	X	X
Extreme Driving Conditions	X	X
Advanced Operating Practices	X	X
Hazard Perception	X	X
Skid Control/Recovery, Jackknifing and other Emergencies	X	X
Railroad Highway Grade Crossings	X	X
Vehicle Systems and Reporting Malfunctions	X	X
Individuation and Diagnosis of Malfunctions	X	X
Roadside Inspections	X	X
Maintenance	X	X
Non-Driving Activities	X	X
Handling and Documenting Cargo	X	X
Environmental Compliance Issues	X	X
Hours of Service Requirements	X	X
Fatigue and Wellness Awareness	X	X
Post-Crash Procedures	X	X
External Communications	X	X
Whistleblower/Coercion	X	X
Trip Planning	X	X
Drugs/Alcohol	X	X
Medical Requirements	X	X

Class A & B - Behind the Wheel - Range Curriculum

	Class A	Class B
Vehicle Inspection Pre-Trip/Enroute/Post-Trip	X	X
Straight Line Backing	X	X
Alley Dock Backing	X	X
Off-Set Backing	X	X
Parallel Parking Blind Side	X	X
Parallel Parking Sight Side	X	X
Coupling and Uncoupling	X	

Class A & B - Behind the Wheel - Public Road Curriculum

	Class A	Class B
Vehicle Controls	X	X
Shifting/Transmission	X	X
Communications/Signaling	X	X
Visual Search	X	X
Speed and Space Managements	X	X
Safe Driver Behavior	X	X
Hours of Service Requirements	X	X
Hazard Perception	X	X
Railroad Highway Grade Crossing	X	X
Night Operation	X	X
Extreme Driving Conditions	X	X
Skid Control	X	X

School Bus Endorsement - Theory

Danger Zones and Use of Mirrors
Loading and Unloading
Vehicle Orientation
Post-Crash Procedures
Emergency Exit and Evacuation
Railroad Highway Grade Crossings
Student Management
Special Safety Considerations
Pre- and Post-Trip Inspections
School Bus Security
Route and Stop Reviews

School Bus Endorsement - Behind the Wheel – Range & Public Road

Danger Zones and Use of Mirrors
Loading and Unloading
Emergency Exit and Evacuation
Special Safety Considerations
Pre- and Post-Trip Inspections
Railroad-Highway Grade Crossings