New Training Standards for Entry-level CMV Drivers

OVERVIEW

On Dec. 8, 2016, the Federal Motor Carrier Safety Administration (FMCSA) issued a final rule that establishes training requirements for individuals applying for a new commercial driver’s license (CDL). The final rule also applies to CDL upgrades and certain CDL endorsements—hazardous materials, passenger or school bus.

The final rule requires affected individuals to complete a course of instruction provided by a qualified training provider listed, or eligible for listing, in a training provider registry that will be created by the FMCSA.

The FMCSA will accept public comments and petitions for reconsideration regarding this final rule until Jan. 9, 2017.

ACTION STEPS

CMV carriers should become familiar with this final rule and review their training programs and policies to determine whether any adjustments are necessary.

Specifically, CMV carriers should evaluate whether their training programs are set up to meet new course curricula as well as requirements for program administration, qualifications for instructional personnel, training assessments, proficiency assessment, training facilities and training vehicles.
Affected Individuals

The proposed rule affects certain individuals who drive, or intend to drive, commercial motor vehicles (CMVs) in either interstate or intrastate commerce. Specifically, the proposed rule requires entry-level driver training (ELDT) for all individuals who are applying for:

- A new CMV operating license (entry-level drivers);
- A CMV license upgrade (from a Class B license to a Class A license); or
- A CMV license passenger (P), hazardous materials (H) or school bus (S) endorsement.

The final rule also requires “refresher” training for disqualified CDL holders seeking reinstatement. However, the proposed rule maintains the general CDL exemption that currently exists for military drivers, farmers and firefighters. However, the final rule does not apply to CMV drivers who are applying for removal of a restriction.

Proposed Curricula

The final rule replaces existing mandatory training requirements and includes the following:

- A Class A and Class B CDL core curriculum;
- Training curricula related to hazardous materials (H), passenger (P) and school bus (S) endorsements; and
- A “refresher” training curriculum.

The curricula are divided into theory and behind-the-wheel (BTW) training. The final rule does not provide for a minimum number of hours for theory training, but does require CDL applicants to show basic competency in both their understanding of the theory and their ability to actually operate the type of CMV that corresponds to their CLD application.

Training Providers

The final rule requires CDL training providers to:

- Provide instruction on all elements of the applicable curricula;
- Use facilities that comply with all applicable federal, state and local laws;
- Use vehicles that comply with all applicable federal and state safety requirements;
- Become and stay eligible to be listed on the FMCSA’s proposed training provider registry;
- Maintain sufficient documentation to prove compliance with FMCSA standards in case of an audit; and
- Submit electronic certificates of completion for all trainees that complete the training course and achieve at least an 80 percent score in the assessment offered by the training provider.
To meet the instruction requirement, the courses being taught must meet all FMCSA standards for entry-level drivers. They must also meet the requirements related to course curricula, administration, qualifications for instructional personnel, assessments, proficiency assessment, training facilities and training vehicles.

Electronic certificate submissions would need to be provided the following business day, and there would be no limit on the number of training certifications that can be submitted at one time.

**Compliance and Implementation**

The FMCSA is planning to require full compliance with the final version of this rule by **Jan. 7, 2020**. The FMCSA believes this three-year implementation period will allow states and other agencies sufficient time to adopt any necessary legislation and to modify their information systems. Information systems may need to be modified to begin recording the training provider’s certification information onto each driver’s CDL record and to begin making that information available to other states through the Commercial Driver’s License Information System (CDLIS).

The three-year period will also allow time for the driver training industry to develop and begin offering training programs that meet the eligibility requirements for listing on the FMCSA’s registry.