

MINIMUM TRAINING REQUIREMENTS FOR

Entry-Level Commercial Motor Vehicle Operators

Student Transportation Association of Massachusetts (STAM) Seminar

January 8, 2022

STUDENT

DRIVER



NEXT EXIT



Agenda

- THE ELDT FINAL RULE
 What does it require of CDL applicants and training providers?
- THE TRAINING PROVIDER REGISTRY
 Once operational, how will CDL applicants,
 training providers, and States be required to
 use it?
- 3 DRIVER REQUIREMENTS
 What do the ELDT regulations require of driver-trainees?
- TRAINING REQUIREMENTS
 What training must entry-level drivers complete?

- TRAINING PROVIDER REQUIREMENTS
 What do the ELDT regulations require of training providers?
- COUNTDOWN TO ELDT

 What should training providers do now to prepare for February 7, 2022?
- RMV ELDT Implementation
 Steps the RMV is taking to meet compliance
- Frequently Asked Questions

 Questions regarding the new requirement

The ELDT Final Rule



The Entry-Level Driver Training (ELDT) final rule

- Published in 2016, mandated by Moving Ahead for Progress in the 21st Century Act (MAP-21).
- Enhances the safety of commercial motor vehicle (CMV) operations on our Nation's highways
- Sets a Federal standard for mandatory training of entry-level drivers.
 - Establishes minimum requirements entry-level driver training providers must meet.
 - States may have requirements that exceed Federal requirements.
- Established need for the Training Provider Registry.
- Compliance Date: February 7, 2022.



How will ELDT improve safety on our Nation's roads?

- Ensures that only qualified drivers receive a new CDL, or a CDL upgrade, or S, P, or H endorsement.
- Sets a national baseline for entry-level driver training.
- Identifies standards that training providers must meet.
- Gives States information they need at critical safety checkpoints.
- Further ensures that drivers operate commercial motor vehicles (CMVs) safely and meet their operational responsibilities.

The Training Provider Registry ensures that these lifesaving requirements are met.

The Training Provider Registry



The Training Provider Registry

- This FMCSA web system will:
 - List training providers eligible to provide entry-level driver training.
 - Retain a record of drivers that have successfully completed entry-level driver training.

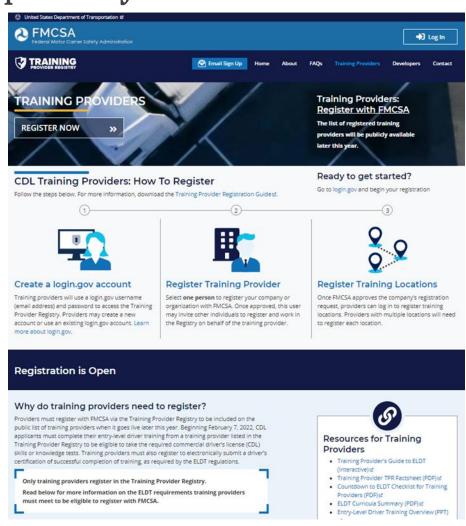




Training Provider Registration

Training provider registration opened in June 2021

- Training providers can visit <u>https://tpr.fmcsa.dot.gov/provider</u> to start registration
- A registration guide is available for download
- Training providers can also learn about requirements they must self-certify they meet when registering









Create a login.gov account

Training providers will use a login.gov username (email address) and password to access the Training Provider Registry. Providers may create a new account or use an existing login.gov account. Learn more about login.gov.



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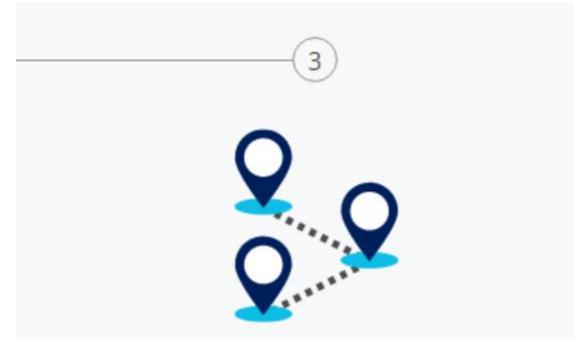


Register Training Provider

Select **one person** to register your company or organization with FMCSA. Once approved, this user may invite other individuals to register and work in the Registry on behalf of the training provider.







Register Training Locations

Once FMCSA approves the company's registration request, providers can log in to register training locations. Providers with multiple locations will need to register each location.



Registered Training Providers

A list of training providers that are currently registered on the Training Provider Registry (TPR) and be found on the FMCSA website at https://tpr.fmcsa.dot.gov/

Do you need to find a training provider?

If, based on the information above, you will need to complete entry-level driver training, you must complete this training with a registered training provider to be permitted to take the required skills or knowledge test on or after February 7, 2022. <u>Download the list of registered training providers</u>.

An interactive search feature will be available closer to the ELDT implementation date.

This option is about half way down on the homepage.



How does the Training Provider Registry support ELDT?



Search

DRIVER

selects registered training provider from list on Training Provider Registry, completes training



Submit

TRAINING PROVIDER

electronically submits driver training data to Training Provider Registry



Retain

FMCSA retains driver data

in Training Provider Registry



Retrieve

STATE

retrieves driver data from Training Provider Registry





- CDL applicant searches the list of training providers on the Training Provider Registry website.
- CDL applicant contacts the training provider and secures their services outside the Training Provider Registry, and successfully completes required training.





- Training provider submits driver training certification information to FMCSA electronically via the Training Provider Registry.
- Driver information must be submitted by midnight of the second business day after the driver-trainee completes the training.
- Must be done for each student when that student completes a training program.





FMCSA will retain the driver training certification information securely in the Training Provider Registry.





The State, prior to administering the relevant skills or knowledge test, must use information from the Training Provider Registry to verify that the driver has competed required training.



Entry-Level Drivers – Accessing the Information?

- Who will access information from the Training Provider Registry?
 - Entry-level drivers* will SEARCH for a training provider using the list on the Training Provider Registry website.
 - Registered training providers* will SUBMIT driver certification information to FMCSA after a driver successfully completes training.
 - States will **VERIFY** a driver's completion of required training using data made available by the Training Provider Registry before administering relevant tests.

^{*} **Drivers** do not need to register for the Training Provider Registry. Only training providers will register and provide information to the registry.

^{*} When registering, **training providers** must self-certify that they meet all requirements in ELDT regulation requirements.

What do the ELDT regulations require of entry-level drivers?



Entry-Level Drivers – Who is Covered?

The ELDT regulations establish new minimum training standards for entry-level drivers. This includes individuals applying for:

A Class A or Class B commercial driver's license (CDL) for the first time

An upgrade of an existing Class B CDL to a Class A CDL

A hazardous materials (H), passenger (P), or school bus (S) endorsement for the first time

 The rule does not cover individuals for whom States have waived the CDL skills test under 49 CFR 383 (§ 383).



Driver Requirements

- Entry-level drivers must complete the applicable training from a training provider that has registered with FMCSA.
 - Registered training providers will be listed on the Training Provider Registry website (public listing coming fall 2021).
- Training must be completed prior to taking a CDL skills test or, if applying for the H endorsement, knowledge test.
- Whether or not a driver is subject to the ELDT regulations is determined by when they obtained their commercial learner's permit (CLP) or any preexisting endorsements.



ELDT Applicability



ELDT Compliance Date February 7, 2022

- Drivers holding a CLP prior to the compliance date may obtain a CDL without completing entry-level training.
- If the CLP obtained prior to the compliance date, or renewed CLP, expires prior to obtaining a CDL, the driver would be subject to ELDT requirements for Class A or Class B CDL.
- If a driver holds S, P, or H endorsements prior to the compliance date, the driver is not subject to the ELDT requirements for the endorsement(s).

- Drivers who obtain a CLP on or after the compliance are subject to ELDT regulations for CDLs.
- Drivers who apply for a S, P, or H endorsement after the compliance date are subject to ELDT requirements for those endorsements.



What must drivers do to meet the ELDT requirements?

Complete training with a registered training provider

Entry-level drivers must select a training provider that is listed on the Training Provider Registry. Only registered training providers will be able to submit certification of a driver's completion of entry-level driver training to the Training Provider Registry.

When am I eligible to take my CDL skills or knowledge test?

Training must be completed before taking a CDL skills test or, if the driver is applying for the H endorsement, the knowledge test.

If the State Driver Licensing Agency cannot electronically verify that these requirements are met, the State is not permitted to administer the CDL skills or knowledge test to the driver.

What are the ELDT training requirements?



Training Requirements

Entry-level drivers must receive training and demonstrate proficiency in the following areas:



- Lectures, demonstrations, computerbased, online learning, etc.
- May use a simulator
- No minimum number of hours; trainees must score at least 80% on assessment
- Training topics include:
 - Basic Operation
 - Safe Operating Procedures
 - Advanced Operation Procedures
 - Vehicle Systems and Reporting Malfunctions
 - Non-Driving Activities (e.g., Hours of Service)



BEHIND-THE-WHEEL (BTW) TRAINING

- Actual operation of a CMV
- Takes place on a range or public road
- May not use a simulator to meet requirements
- No minimum number of hours, training provider will determine driver's proficiency
- Basic vehicle control skills and mastery of basic maneuvers



Training Requirements (continued)

- Theory and BTW trainings may be delivered by different training providers.
 - Both training providers must be registered/listed on the Training Provider Registry.
 - Both training providers would separately submit driver training information.
- BTW range and BTW public road trainings must be provided by the same training provider.
- Driver-trainees must complete both the theory and BTW portions of training within one year of each other.



Training Requirements (continued)

BTW Public Road

- Instructors must cover all topics listed and "determine and document that each driver-trainee has demonstrated proficiency in all elements of the BTW curriculum unless otherwise noted."
 - See Appendices A and B to Part 380.
- Does not allow for "test outs" of skills training on either range or public road.

What do the ELDT regulations require of training providers?



What is a training provider?

An entity that is listed on the FMCSA Training Provider Registry.

May include:

- Training schools
- Educational institutions
- Rural electronic cooperatives
- Motor carriers
- State/local governments

- School districts
- Joint labor management programs
- Owner-operators
- Individuals



Training Provider Requirements







CURRICULA



INSTRUCTORS



FACILITIES



VEHICLES



STATE LICENSING



ASSESSMENTS



TRAINING CERTIFICATION



DOCUMENTATION



FMCSA AUDITS



Registering with FMCSA

► For more information: § 380.703

- To be authorized to provide entry-level driver training, training providers must register with FMCSA.
- During registration, training providers must self-certify that they meet all applicable Federal and State requirements.
- Only registered training providers will:
 - Be listed on the Training Provider Registry website (publicly viewable in late 2021).
 - Be able to submit driver training certification information to FMCSA (beginning on February 7, 2022).
- Training providers are required to register even if they do not provide training to the general public.
 - Providers may omit their contact information from the public list.



Curricula

Training providers must cover all topics described in <u>49 CFR part</u> <u>380 appendices A through E</u>, as applicable

- There is no required minimum number of instruction hours.
- Separate training providers may deliver the theory and behindthe-wheel (BTW) portions of the training, but both portions of BTW training must be delivered by the same training provider.
- Driver-trainees must complete both the theory and BTW portions of training within one year of each other.
 - Except for individuals seeking the H endorsement
- A simulation device cannot be used for BTW instruction, but can be used as part of theory instruction.

<u>Download the ELDT Curricula Summary</u> for an overview of requirements.





Instructors

► For more information: §§ <u>380.713</u>, <u>389.605</u>

- Theory and BTW instructors must hold a CDL of the same (or higher) class and with all endorsements necessary to operate the CMV for which training is to be provided.
- They must also have either:
 - At least two years of experience driving a CMV 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 CMV instructor.
- If an instructor's CDL has been cancelled, suspended or revoked due to offenses identified in §383.51, the instructor is prohibited from teaching for two years following the date his/her CDL is reinstated.





Facilities

► For more information: § 380.709

- Classroom and range facilities must comply with all applicable Federal, State, and/or local statutes and regulations.
 - "Range" means an area that:
 - 1. Is free of obstructions:
 - 2. Has adequate sight lines; and
 - Enables the driver to maneuver safely and free from interference from other vehicles and hazards
 - Training providers may conduct BTW range training in any area that meets the three above requirements. They are not required to maintain or rent a private facility or space.
 - If range training is conducted in publicly accessible area, all CLP requirements also apply.



Vehicles

► For more information: §§ 380.711, 392, 393, 396

- Vehicles must comply with applicable Federal and State safety requirements.
- Vehicles must be in the same group and type that drivertrainees intend to operate for their CDL skills test.





State Licensing

► For more information: § 380.703

- Training providers must be licensed, certified, registered, or authorized by the State where the training is conducted, as applicable.
 - Note: Some States may not have instructor certification requirements for entry-level driver training providers.
- If a training provider offers theory instruction only online, the State licensing requirements do not apply.



Assessments

► For more information: § 380.725

Theory Training

- Training providers must use assessments (in written or electronic format) to determine trainees' proficiency with all units in the theory curriculum.
- Students must earn a minimum overall score of 80 percent.

BTW Training

- Training instructors must evaluate and document a trainee's proficiency in BTW skills.
- Training instructors must document the total number of clock hours each trainee spends to complete the BTW curriculum, but there is no minimum number of training hours required.





Driver Training Certification

Training providers are not required to submit training certification information until February 7, 2022 and thereafter

- The following training certification information must be submitted to the Training Provider Registry by midnight of the second business day after each student completes training:
 - Driver-trainee name, date of birth, and license/permit number and State of issuance.
 - CDL class/endorsement and type.
 - Specifics about the type of training completed (for example, theory or BTW).
 - Score on written theory assessment (if applicable).
 - Total number of clock hours spent BTW (if applicable).
 - Date of successful completion of training.

Training providers who routinely fail to comply with the requirement, may be subject to removal from the Training Provider Registry, in accordance with § 380.721(a)(1)





Documentation and Record Retention

- ► For more information: § 380.725
- All training providers must retain specific records, including:
 - Self-certifications by accepted driver-trainees for BTW training attesting that they will comply with U.S. Department of Transportation regulations, as well as State and/or local laws related to controlled substances and alcohol testing, age, medical certification, licensing, and driving record.
 - A copy of the trainee's CLP or CDL.
 - Instructor qualification documentation.
 - Lesson plans for theory and BTW (range and public road) training curricula.
 - Records of individual entry-level driver training assessments.
- Records must be maintained for at least 3 years.





FMCSA Audits

► For more information: §§ <u>380.721</u>, <u>380.723</u>

- Training providers must allow FMCSA or its authorized representative to audit their operations.
 - If FMCSA determines that a training provider does not meet all applicable requirements, FMCSA may remove the training provider from the Registry.
 - Any training conducted after a training provider's removal date will be considered invalid.
 - Training providers who wish to remain listed on the Registry may appeal FMCSA's decision or take corrective action.
 - In the event of a Federal Motor Carrier Safety Administration (FMCSA) audit or investigation of the provider, they must supply documentary evidence to verify their compliance.



Maintaining Registration

► For more information: § 380.719

Within 30 days of a change

Update your registration with any changes to key information, such as:

- Name, address, phone number.
- Type(s) of training offered.
- Training provider status.
- Change in State licensure, certification, or accreditation status.

Biennial update

Confirm your TPR registration biennially, even if nothing has changed.

Countdown to ELDT



Training Provider Registry Timeline



Summer 2021

Training provider registration begins

Fall 2021

List of training providers publicly available on the Training Provider Registry website

February 7, 2022

ELDT compliance date

Training providers begin submitting training certification information

States begin verifying driver training certification information



Training Provider registration begins summer 2021

Get Ready to Register

- Ensure your curricula, documentation, vehicles, etc. meet the minimum ELDT standards.
- When you register, you must self-certify that you comply with all applicable ELDT requirements.
- For a complete list of training provider requirements, visit 49 CFR part 380 subparts F and G and appendices A through E.



How will your training provider submit driver training certification information?

Get Ready to Submit on February 7, 2022



MANUAL SUBMISSION

All training providers will be able to manually enter driver information using an online form.



WEB SERVICES SUBMISSION

Optional: Training providers with their own IT systems can set up a web interface to submit data via a TPR Web Service.



TPR Web Service

The TPR Web Service submission option may be a good fit for training providers that:

- Anticipate submitting a significant number of driver training certifications on a regular basis.
- Have an existing IT system to track driver training results.
- Have an IT support team that can update your IT system to interface with TPR Web Service, per the technical specifications in the Web Services Development Handbook.

Learn more at https://tpr.fmcsa.dot.gov/DeveloperToolkit



RMV ELDT Implementation



Communication/Outreach

Added ELDT content to the RMV website and links to the FMCSA dedicated ELDT website - https://tpr.fmcsa.dot.gov/

Webinars held with the commercial industry on May 5, 2021 and September 29, 2021 to review the new requirements and the role of training providers. Invitees included commercial associations (including STAM), CDL training schools, regional transit authorities, MBTA, and companies that train their employees.

Holding a 3rd webinar on Wednesday, January 12, 2022 to encourage training providers to register for the TPR and remind training providers about important timelines.

Plan to revise the preface of the CDL Manual to include the information about the ELDT requirement and outline which applicants are subject to the training





Regulatory Change

Revised the commercial regulations, 540 CMR 2.0, to include the ELDT requirement.

A public hearing date was held for August 30, 2021 at 1:00 p.m. and the regulations went into effect on October 1, 2021.

Training

The RMV Training Department is finalizing a training curriculum and plan to educate staff about the new requirement.





System Updates

Establish interfaces between the Commercial Skills Test Information Management System (CSTIMS) with the TPR. The latest version of CSTIMS includes ELDT functionality.

For Hazmat knowledge tests, establishing an interface between the RMV's core system ATLAS and the TPR to verify training prior to scheduling the Hazmat test.

The system changes are being tested in the staging environment for implementation in the production environment for the February 7, 2022 go-live date.



Resources



Resources from FMCSA

- Visit the TPR website: https://tpr.fmcsa.dot.gov
 - Sign up for email updates from FMCSA
 - Find answers to frequently asked questions
 - Access developer materials to help you build a connection to the TPR Web Service

Driver/General Information

- Training Provider Registry Factsheet
- ELDT Overview Presentation

Materials for Training Providers

- Training Provider Factsheet
- Countdown to ELDT Checklist
- ELDT Curricula Summary



Questions? Contact Us



To learn more about ELDT and the Training Provider Registry, visit:

https://tpr.fmcsa.dot.gov



CDL Operations Center
MassDOT Registry of Motor Vehicles
RMVCDL@dot.state.ma.us
(857) 368-8245

You can also contact FMCSA's TPR Team:

https://tpr.fmcsa.dot.gov/#contact

Frequently Asked Questions



Question: What will be the state minimum number of hours for the theory and the BTW portions?

Answer: There are not currently a state minimum for the number of theory or behind the wheel training. Instructors must cover all topics listed in the applicable curriculums under *Part 380 Appendices A-F* and determine and document that each driver-trainee has demonstrated proficiency in all elements.

The exception is that school bus certificate applicants are required to complete 60 hours of training (32 behind the wheel and 28 of classroom) per 540 CMR 8.03(1).





Question: If a driver had his/her Class A CDL for many years and lets it expire, will the driver be required to complete entry-level driver training to obtain a new CDL?

Answer: No. Per § 380.603(b), if the driver was issued a CDL before February 7, 2022, the driver is not subject to the ELDT requirements if he or she chose to re-obtain a CDL of the same class, even if the previously-issued CDL is not currently valid.



Question: Do instructors of entry-level driver training need to register in the Training Provider Registry?

Answer: No, individual instructors that are hired by registered training providers do not need to register in the Training Provider Registry. Additionally, training providers do not need to provide the names of their instructors when registering. However, if an individual instructor operates as a training provider (i.e., develops their own curricula, secures facilities and equipment, etc.), then the individual is required to register as a training provider and self-certify that they meet the requirements established in 49 CFR 380.703. Further, if an individual instructor also intends to act as a training provider in more than one State, they would need to register in each State where training is provided and self-certify that they meet applicable State or local requirements. 57



Question: If I already have a Class B CDL with no endorsements and I want to upgrade to a Passenger and School Bus Endorsement do I only have to do the Passenger and School Bus specific training or the entire program?

Answer: Anyone holding a Class A, B, or C CDL who wants to obtain a P and/or S endorsement on their existing CDL would need to complete the entire theory and BTW portions of the P and/or S endorsement curricula before taking the State-administered skills test in a representative passenger vehicle.



Question: If the final test score is entered on Monday at 3:00pm, then do the scores need to be entered by midnight Tuesday night/Wednesday morning or midnight Wednesday night/Thursday morning?

Answer: Training providers have until midnight of the second business day after a driver-trainee completes training to electronically transmit the ELDT certification to the TPR. In your example, the training certification would have to be submitted by Midnight on Wednesday.



Question: The assessment for BTW, is that 80%?

Answer: No. Training providers must determine and document that the driver-trainee has demonstrated proficiency in all elements of the (BTW curriculum), unless otherwise noted. The assessment of a driver-trainee's proficiency in performing required driving maneuvers is based on the training instructor's professional judgment. Under the final rule, training instructors maintain the flexibility to determine the extent to which the successful repetitive performance of required skills demonstrates proficiency for individual driver-trainees on a case-by-case basis.



Question: Who can provide the ELDT?

Answer: Training providers listed on the Training Provider Registry are the only entities that can provide training required by the entry-level driver training (ELDT regulations). To comply with the ELDT regulations, drivers must select a training provider from those listed in the Training Provider Registry.

Training providers must attest that they meet the specified requirements, and in the event of an FMCSA audit or investigation of the provider, must supply documentary evidence to verify their compliance.



Question: What prevents a driver-trainee from entering their own results as successful completion of entry-level driver training, even if they did not actually complete the training?

Answer: Driver-trainees will not be able to submit information to the Training Provider Registry. Only training providers who have registered with FMCSA and been issued a TPR Identification number will have the ability to submit driver training certification information





Question: Is there a mandatory sequence that the specific theory and behind-the-wheel (BTW) training must be taken in?

Answer: There is no mandatory order in which the theory, behind-the-wheel (BTW)-range, and BTW-public road training must be administered, nor does the rule require that theory training must be completed before obtaining a commercial learner's permit (CLP).



Question: Can a CDL applicant domiciled in State A receive entry-level driver training (BTW range and public road) and pass the skills test in State B?

Answer: Yes. In accordance with 49 CFR 383.79(a), if a driver domiciled in State A obtains training in State B and passes the skills test administered by State B, State A must accept the skills test results from State B in fulfillment of the driver's skills testing requirement and of State A's skills testing administration requirement.



Question: What will prompt an audit from FMCSA? Will it be random? Too many skills testing failures from a particular site?

Answer: One of the requirements that training providers must meet in order to be listed on the TPR is to allow an audit or investigation of their operations conducted by FMCSA or its authorized representative (§ 380.719(a)(6)). Training providers must also ensure that all required documentation is available upon request by FMCSA or its authorized representative. FMCSA intends to conduct periodic audits and to investigate any training provider when the Agency receives a complaint or other information concerning the quality or legitimacy of the training provider's operations. Another example is a State notifying FMCSA that a training provider in the State does not meet applicable State requirements for CMV instruction. States are required to notify FMCSA as outlined in 383.73(p).



Question: Will the Federal Motor Carrier Safety Administration (FMCSA) provide any training materials for any of the various entry-level driver training (ELDT) curricula in the final rule?

Answer: The Federal Motor Carrier Safety Administration (FMCSA) does <u>not</u> intend to provide written or electronic training materials for any of the curricula set forth in the final rule, nor will the Agency endorse specific materials or vendors. The Agency anticipates that there will be variations in entry-level driver training (ELDT) curricula based on a training provider's presentation preferences and the needs of the driver trainees they serve. In addition, training providers are permitted to add additional curriculum elements they deem appropriate.



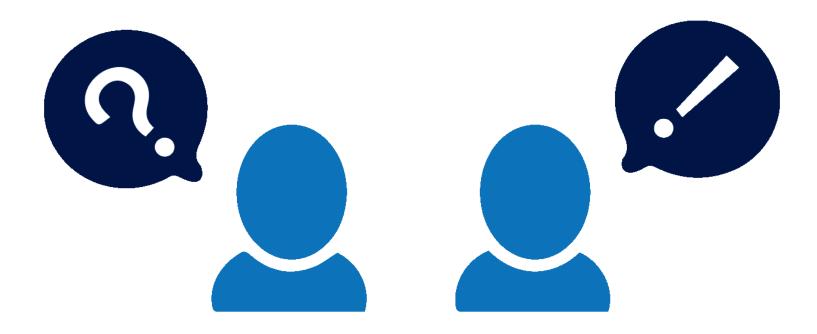
Question: An applicant for a Class B CDL with school bus (S) and passenger (P) endorsements, domiciled in State A, obtains entry-level driver training (BTW range and public road) for Class B and S and P endorsements and passes the skills test in State B. Can State A require the applicant to meet additional standards to obtain the S endorsement?

Answer: Yes. For example, some States require drivers seeking the S endorsement to obtain a State-issued certification related to the operation of school buses, which may include, for example, requirements for completion of a CPR or first aid course, a minimum number of BTW training hours in a school bus, a minimum number of classroom training hours, or specified training topics that exceed the ELDT curricula requirements.

Even if the driver obtained skills training in another State (the training State) and passed the S endorsement skills test in that State, nothing in the ELDT regulations prohibits the State of domicile from requiring the driver to obtain a State-based certification for school bus drivers as a condition of receiving a CDL with the S endorsement, or meeting other requirements as a condition of receiving a CDL. In accordance with § 383.79(a), the State of domicile cannot require the driver to re-67 take skills tests successfully completed in the training State.



Q&A





Questions? Contact Us



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Thank you!