ENTRY-LEVEL DRIVER TRAINING (ELDT)

RULE

AASHTO Committee On Maintenance Equipment Technical Working Group

July 15th, 2019
What’s the goal?
• 2014 Congressional mandate imposed under MAP-21 [Section 32304];

• Entry Level Driver Training Advisory Committee (ELDTAC)

• Final rule published in 12/8/16 Federal Register;

• “Key” date of ELDT rule is the compliance date – 2/7/2020.
The final rule establishes new **training standards** for individuals applying for:

- A Class A or B commercial driver’s license (CDL) for the **first time**;
- An **upgrade** of their CDL (e.g., a Class B CDL holder seeking a Class A CDL); or,
- A hazardous materials (H), passenger (P), or school bus (S) endorsement for the **first time**.

- **Rule does NOT** cover individuals for whom States have waived the CDL skills test under 49 CFR 383.
WHO IS SUBJECT TO ELDT?

• Individuals who obtain a CLP **on or after** 2/7/20 are subject to the ELDT final rule requirements.

• Individuals who obtain a Commercial Learner’s Permit (CLP) before 2/7/20 are not subject to ELDT if they obtain a CDL before the CLP or renewed CLP expires;
WHAT ARE CDL APPLICANTS REQUIRED TO DO?

• Applicants must successfully complete a prescribed program of instruction presented by training provider listed on FMCSA’s Training Provider Registry (TPR), prior to taking the State-administered CDL skills test;

• “H” endorsement applicants, prior to taking the knowledge test at local DMV;

• The TPR consists of all training providers that registered with FMCSA and self-certified they meet the requirements for providing CDL training.
• Rule includes five (5) separate curricula:
  -- Class A CDL  (appendix A)
  -- Class B CDL  (appendix B)
  -- Passenger (P) endorsement  (appendix C)
  -- School Bus (S) endorsement  (appendix D)
  -- HM (H) endorsement  (Appendix E)
WHAT TYPES OF TRAINING WILL CDL APPLICANTS RECEIVE?

- The Class A & B CDL & endorsement curricula generally subdivided into **theory** (knowledge) & **behind-the-wheel (BTW)** (range & public road) segments;

- There is **NO** minimum number of hours that driver-trainees must spend on the **theory** portions of any of the individual curricula;

- Training provider must provide instruction in **ALL** elements of **theory** curriculum and driver-trainees must receive an overall score of at least **80%** on assessment (written or electronic).

- Shifting/Operating element of theory curricula: “**If appropriate**”

- Simulators can be used during theory training.
The BTW for the Class A /B CDL, or P or S endorsement curricula is comprised of range and public road segments, include maneuvers which each driver-trainee must proficiently demonstrate to the satisfaction of the training instructor;

One and done demonstration standard on BTW is NOT prohibited.

There is no minimum number of hours that driver-trainees must spend on the BTW elements of the Class A, Class B, or P or S endorsement curricula;

No simulators permitted on BTW.
• Rule clearly sets forth minimum mandatory elements of BTW range/public road training. Instructor must cover all topics and “determine and document that each driver-trainee has demonstrated proficiency in all elements of the BTW curriculum, unless otherwise noted;”

• WARNING: “E” (no manual transmission) restriction.

• BTW Public Road - “Skills discussed but not performed”.

• BTW trainings must be delivered by same training provider.

• Training Sequence.
Instructor Qualifications:

- Holds a CDL of the same class (or higher) with all endorsements necessary to operate the CMV for which the training is to be provided;
- 2 years experience driving or instructing;
- Meets State qualification requirements.
- Exceptions for Range and Theory Instructors:
  - Previously held a CDL of the same class or higher.
- CDL suspensions for serious offenses?
  - Two year penalty from date of reinstatement.
To be placed on FMCSA’s Training Provider Registry (TPR) a person or institution must:

- Meet the applicable Eligibility Requirements;
- Complete and submit (online) a Training Provider Identification Report; and
- Affirm under penalties of perjury that they will teach the prescribed curriculum appropriate for that license or endorsement and that they meet the eligibility requirements.
- Entities with multiple locations.
- On-line registration process is currently not live.
Now that we’re registered

- Training providers **must transmit electronically** the training certification information for each student to FMCSA via the TPR when student successfully completes the course;

- SDLA/TPT will have access to the provided training certification information from the FMCSA.

- SDLA/TPT must verify certification prior to state administered skills test.
Documentation Retention

- Accepted _trainee self-certifications_ that they will comply with Part 40, 382, 383 and 391 as well as State and/or local laws related to alcohol and drug testing, age, medical certification, licensing and driving record;
- Copy of _trainee CDL/CLP_;
- _Instructor_ qualifications;
- _TPR registration form_ submitted to TPR.
- _Lesson plans_.
- _Individual training assessments_.
- 3 years
To be eligible for TPR listing, an entity must:

-- Follow a curriculum that meets the applicable criteria in Appendices A-E of Part 380;
-- Utilize facilities meeting the criteria [§ 380.709];
-- Utilize vehicles meeting the criteria in [§ 380.711];
-- Utilize instructors meeting the criteria in [§ 380.713];
-- Meet recordkeeping requirements [§ 380.725];
-- Be licensed, certified, registered, or authorized to provide training in accordance with the applicable laws and regulations of any State where in-person training is conducted.
-- Allow FMCSA to audit or investigate.
-- Obtain unique TPR number.
• Training provider has 2 business days to transmit the following training certification information;
  – Name, OLN, state of record;
  – CDL class and/or endorsement and type of training trainee completed;
  – **Total number of clock hours** trainee spent to complete BTW training;
  – Name of TPR and TPR ID number;
  – Dates of successful training.
Requirements for continued listing

• Biennially update the ELDT provider registration form.
• Report to FMCSA changes to key information within 30 days.
• Maintain documentation of state licensure if applicable.
• Allow an audit or investigation by FMCSA.
• Maintain documentation required by FMCSA.
Removal from TPR

- Fails to meet requirements of continued listing;
- Denial of access;
- Material deficiencies;
- Provider falsely claims to be licensed by State;
- State administered CDL skills examination passage rates;
- Fraud/Criminal behavior
Partial Extension of ELDT Compliance date

- NPRM to be released.
- Would extend by 2 years the compliance date for the requirement for training providers to submit training certification information to the TPR for each driver trainee that completes training.
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