

**SUPPLEMENTAL ATA GUIDE TO MOTOR CARRIERS IN RESPONDING TO FMCSA'S  
DECEMBER 26, 2007 PROPOSED RULE: MINIMUM TRAINING REQUIREMENTS FOR  
ENTRY-LEVEL COMMERCIAL VEHICLE OPERATORS**

The purpose of this document is to provide an outline and recommendations on how to respond to the FMCSA's proposed rule on Minimum Training Requirements for Entry-Level Commercial Vehicle Operators. The **numbered, bolded, and underlined** headings are suggestions for your comments that focus on the major issues with the proposed rule. The bullets under each heading include suggested arguments to support basis for each particular heading which can be incorporated into your comments. **Please remember that your comments are due by March 25, 2007.**

**1. Introduction**

- State that your company supports an enhanced driver training rule. However the rule as published by the FMCSA is untenable and would severely undermine your company's ability to recruit and train new drivers.
- Insert sentences describing your company, the size and type of operation that you have the type of freight you haul, the number of trucks.
- If your company trains entry-level drivers, state this and estimate the number of new drivers trained per year, costs associated with driver training. If not, explain how you obtain newly trained drivers. Also emphasize, if applicable, your company's orientation/finishing school program.

**2. The Proposed Driver Training Institution Accreditation Requirements Are Problematic**

- Proposed rule requires that all truck driver training schools (including motor carrier training schools) be accredited by a body recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.
- Many accrediting bodies require that the institution be in business at least two years before applying for accreditation.
- This requirement would prevent the establishment of new driver training schools.
- The accreditation process would seriously exacerbate the current driver shortage.
- The cost to obtain and retain accredited status as a driver training institution can be prohibitive, particularly on small carriers that do not yet utilize formal training programs to train their drivers.
- Accreditation requirements would prohibit motor carrier training schools from hiring the entry-level drivers that they train.

**3. FMCSA's Proposed Hours-Based Training Rule is Arbitrary and Capricious**

- The appropriate amount of time necessary for driver training cannot be determined unless or until truck driver training hours have been properly validated. FMCSA has not done this.
- As FMCSA readily admits, no evidence exists demonstrating a safety benefit from requiring a specific number of hours.
- FMCSA's proposed requirement of 120 hours of combined classroom and behind-the-wheel training imposes arbitrary time frames which will not in themselves improve the quality of training.
- Having a time-based regulation forces the school/trainer to give equal time to all students rather than focusing more time on the entry level driver trainee who really needs additional assistance.

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**4. Qualifications to be a Truck Driver Instructor are Too Onerous**

- FMCSA has not submitted any evidence to support that a skills instructor having two years of driving experience is better than an instructor having one year.
- The skills instructor requirements would lead to increased costs to training institutions.
- Instructor wages would need to be increased in order to effectively compete with experienced truck drivers who are often recruited as a skills instructor.
- These costs are ultimately passed on to the student and/or to the motor carrier who pays for training.
- Under the proposed rule, trucking companies would no longer be able to retain outside consultants to provide entry-level training.

**5. New Entrant CDL Licensing Process is Flawed**

- It is questionable that state resources will be able to handle increased licensing requirements imposed by the proposed rule.
- Because the driver training certificate is given directly to the student to use in applying for the CDL, these certificates remain susceptible to fraud – the document could be easily forged.
- There are no provisions to grant driver training certificate access to prospective motor carrier employers to verify completion of entry-level training.
- The proposed rule does not clearly explain how licenses are upgraded (i.e., what training may/may not be required).

**6. Summary**

- The entry-level driver training rule, as proposed, presents many problems for the industry and for my company.
- *(Company name)* recommends that FMCSA promulgate a final rule that reflects industry practice. This would include: performance based driver training and testing; self-certification by motor carriers and training institutions rather than accreditation; a means of providing qualified driver training instructors without placing onerous requirements on them and, a revised process through which state licensing agencies can license, retain and share driver training certificates.