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**§380.721 – Removal from training provider registry: factors considered**

**Guidance Q&A**

***Question 14:*** Can training providers be removed from the listing on the Training Provider Registry?

***Guidance:*** Yes. FMCSA may remove a provider from the TPR when a provider fails to meet or maintain any of the qualifications established by this subpart or the requirements of other State and Federal regulations applicable to the provider. If FMCSA removes a provider from the TPR, any training conducted after the removal date will be considered invalid.

The factors FMCSA may consider for removing a provider from the TPR include, but are not limited to, the following:

* The provider fails to comply with the requirements for continued listing on the TPR, as described in §380.719.
* The provider denies FMCSA or its authorized representatives the opportunity to conduct an audit or investigation of its training operations.
* The audit or investigation conducted by FMCSA or its authorized representatives identifies material deficiencies, pertaining to the training provider's program, operations, or eligibility.
* The provider falsely claims to be licensed, certified, registered, or authorized to provide training in accordance with the applicable laws and regulations in any State where in-person training is provided.
* The State-administered CDL skills examination passage rate for applicants for the Class A CDL, Class B CDL, passenger endorsement, and/or school bus endorsement who complete the provider's training and the CDL knowledge test passage rate for applicants for the hazardous materials endorsement who complete the provider's training.

In instances of fraud or other criminal behavior by a training provider in which driver-trainees have knowingly participated, FMCSA reserves the right, on a case-by-case basis, to retroactively invalidate training conducted.

**FMCSA Commercial Driver License Division**, 202-366-7332

#### **Effective Date**

March 7, 2019

#### **Issued Date**

March 1, 2019

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| **Program Review** | Selden Fritschner | 6.9.2020 |
| **Legal Review** | Kathryn Sinniger | 6/12/2020 |
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| **Modified from original guidance** |  |  |
| **Other information** |  |  |
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