**Introduction**

The following outline of an Entry-Level Driver Training (ELDT) rule is presented as a preliminary concept of how a new regulation would be inserted into the Code of Federal Regulations (CFR) based on the first ELDT Advisory Committee (ELDTAC) meeting.  The approach is consistent with other Federal rulemakings with a general statement of the purpose or intent of the regulations, applicability language and definitions of key terms.  This would be followed by a general statement of what is required of the Commercial Driver License (CDL) applicants covered by the applicability statement and sections covering the requirements for driver training programs and the details of a National Registry of Training Programs.  The outline would also cover State procedures that must be followed when the States deal with the CDL applicants subject to the ELDT rule and State recordkeeping requirements.  Again, this document represents a preliminary outline of how a rule would look contingent upon the ELDTAC’s consensus recommendations on the details for the rule.

**49 CFR Part 380, Subpart E**

**CDL Entry-Level Driver Training**

**§ 380.501 Purpose and Scope.** This section would specify that Subpart E establishes training requirements for entry-level drivers, standards for the programs that provide the training, qualification requirements for commercial motor vehicle (CMV) driver-instructors, and the curriculum requirements for the training.

**§ 380.503 Applicability.** This sectionsummarizes the applicability of the subpart (i.e., who would be subject to the ELDT proposed rule.)

**§ 380.505 Definitions.** This section would define key terms like “Entry-Level Driver,” “Training Program,” “Passenger Endorsement,” “School Bus Endorsement,” and “Hazardous Materials Endorsement.” Also, any other key terms the ELDTAC believes may be necessary to make the requirements easy to understand and enforce.

**§ 380.507 Incorporation by Reference.** In the event the ELDTAC identifies private-sector publications or reference documents that provide effective guidelines, the Agency would consider incorporating those documents by reference rather than putting all the text into the CFR.

**§ 380.509 General Entry-Level Driver Training Requirements**. This section would detail what a person who wishes to obtain a CDL to allow him/her to operate a CMV in commerce must first take and successfully complete [a certified training program] to meet the requirements of this subpart.

**§ 380.511 Driver Training Program Requirements.** This section would detail what an applicant for a CDL must complete: [a certified driver training program that meets the requirements of the following three different training programs (Class A, B, or C CDL). Class C training could potentially be a carrier-based program, as drivers of Class C CDL vehicles general operate “small” passenger-carrying vehicles or vehicles requiring placarding for hazardous materials (HM) (both 26,000 lbs. GVWR or less).

**§ 380.511(a)** Class A – CDL Training Programs

**§ 380.511(b)** Class B – CDL Training Programs

**§ 380.511(c)** Class C – CDL Carrier-Based Training Programs

**§ 380.513 Passenger Endorsement Training Module.** MAP-21Section 32304(c)(2) mandates that the standards for training must address the specific training needs of a CMV operator seeking a passenger (“P”) endorsement on their CDL.

**§ 380.515 School Bus Endorsement Training Module.** Whilenot specifically mandated in MAP-21,aseparate training module to address the specific training needs of a CMV operator seeking a school bus (“S”) endorsement on their CDL would be proposed here.

**§ 380.517 Hazardous Materials Training Module.** MAP-21Section 32304(c)(2) mandates that the standards for training must address the specific training needs of a CMV operator seeking an HM endorsement on their CDL.

**49 CFR Part 380, Subpart F**

**National Registry of CDL Class A and Class B Driver Training Programs**

**§ 380.600 Purpose and Scope.** This section would specify the requirements in this subpart to establish the minimum qualifications for FMCSA certification of a driver training program for listing on FMCSA’s National Registry of Certified Driver Training Programs.

**§ 380.601** **Eligibility Requirements for Driver Training Programs.** This section would detail what specific criteria a driver training program would need to meet to receive certification from FMCSA.

**§ 380.603** **Driver-Instructor Qualifications/Requirements.** This section would propose qualification requirements for classroom instructors and the proposed requirements for skills instructors (i.e., instructors qualified to provide behind-the-wheel (BTW) instruction). This section would also propose to require instructors to pass or successfully complete courses they will instruct.

**§ 380.605** **Substitute for Instructor Requirements.** This section would set forth the proposed requirements for classroom or skills instructors to be grandfathered as a certified instructor based on prior experience/qualifications.

**§ 380.607** **Facilities and Equipment.** This section would propose requirements that a certified driver training program would need to meet [and continually maintain] including classroom, range and BTW (i.e., highway) facilities and equipment for continued listing on the FMCSA’s National Registry of Certified Driver Training Programs.

**§ 380.609** **Issuance of Training Certificates.** Upon successful completion of the required training, the entry-level driver would receive a Driver Training Certificate from the training program. The entry-level driver would provide the certificate to his/her State Driver Licensing Agency (SDLA) as part of the CDL application process. The certificate would contain a unique National Registry [training program] number from the National Registry, as well as specific information about the training completed.

**§ 380.611** **Requirements for Continued Listing on the National Registry of Driver Training Programs.** In order to continue to be listed on the National Registry of Driver Training Programs, each individual driver training program must meet a number of established criteria for program certification including: eligibility requirements; driver-instructor qualification/requirements; facilities and equipment requirements; and issuance of [driver] training certificates.

**§ 380.613** **Reasons for Removal from the National Registry of Driver Training Programs.** This section would detail the reasons that FMCSA may remove from the National Registry of Driver Training Programs, a driver training program which fails to meet or maintain the qualifications established by this subpart.

**§ 380.615** **Procedure for Removal from the National Registry of Driver Training Programs.** This section describes procedures for potential removal from the National Registry of Driver Training Programs. This section could potentially cover the following issues/topics related to removal from the National Registry: voluntary removal; notice of proposed removal; response to notice of proposed removal and corrective action; request for administrative review; emergency removal; reinstatement on the National Registry of Driver Training Programs; and effect of final decision by FMCSA.

**Appendix A to 49 CFR Part 380** – **Model Curriculum for Class A CDL Training Programs.** Required minimum program of instruction for Class A CDL applicants.

**Appendix B to 49 CFR Part 380** – **Model Curriculum for Class B CDL Training Programs.** Required minimum program of instruction for Class B CDL applicants.

**Appendix C to 49 CFR Part 380** **– Model Curriculum for Employer-Based Training for Class C CDL Applicants.** Required minimum program of instruction for Class C CDL applicants [**NOTE**: could be carrier-based training program].

**49 CFR Part 383 – Commercial Driver’s License Standards;**

**Requirements and Penalties**

**§ 383.74 State Procedures for CDL Class A and B Skills Test Applicants.** The section would require the States to obtain the original Driver Training Certificate from the applicant, document the training in the driver’s history file in the driver record, and keep a copy of the training certificate. It is envisioned that this information would be transmitted electronically to the SDLAs sometime in the future through the Commercial Driver’s License Information System (CDLIS).

**49 CFR Part 384 – Compliance With CDL Program**

**§ 384.235 Driver Training Certification Recordkeeping.** The State must meet the training certification recordkeeping requirements of 49 CFR 383.74.