



Minutes April 23-24, 2015, Meeting

The Federal Motor Carrier Safety Administration's (FMCSA) Entry-Level Driver Training Advisory Committee (ELDTAC) met on April 23-24, 2015, in Washington, DC. In accordance with the Negotiated Rulemaking Act, 5 U.S.C. §561-570, and the Federal Advisory Committee Act (FACA), 5 U.S.C. App.2, the meeting was open to the public. Richard Parker, Facilitator, called the meeting to order at 9:00 a.m. on Thursday, April 23, 2015. The following individuals attended the meeting:

ELDTAC COMMITTEE MEMBERS

Lamont Byrd,¹ Director of Health and Safety,
International Brotherhood of Teamsters
James Edwards, National Association of Small
Trucking Companies (NASTC)
Martin Garsee, Immediate Past President National
Association of Publicly Funded Truck
Driving Schools (NAPFTDS)
Scott Grenerth, Director, Regulatory Affairs, Owner-
Operator Independent Drivers Association
(OOIDA)
Clyde Hart,² Vice President of Government Affairs,
American Bus Association (ABA)
David Heller, Director of Safety and Policy,
Truckload Carriers Association (TCA)
Charles Hood, Executive Director, National
Association of State Directors of Pupil
Transportation Services
Peter Kurdock, Director, Regulatory Affairs,
Advocates for Highway & Auto Safety
(AHAS)
John Lannen, Executive Director, Truck Safety
Coalition
Kevin Lewis, Director, Driver Programs, American
Association of Motor Vehicle Administrators
(AAMVA)
Larry Minor, Associate Administrator for Policy and
Designated Federal Officer (DFO), FMCSA
David Money, Chairman, Board of Directors,
Professional Truck Drivers Institute (PTDI)

David Parker,³ Senior Legal Counsel, Great West
Casualty Company
Ken Presley, Vice President, Industry Operations,
Chief Operating Officer, United Motorcoach
Association (UMA)
Bob Ramsdell, Chief Operating Officer,⁴ West
Durham School Services, National School
Transportation Association (NSTA)
Margaret Rohanna,⁵ School Bus Program Manager,
Massachusetts Registry Motor Vehicles,
Massachusetts Department of
Transportation (MASSDOT)
Lauren Samet, Assistant Director,
Paraprofessionals School-Related
Personnel, American Federation of
Teachers, AFL-CIO
Brian Sherlock,⁶ Amalgamated Transit Union, AFL-
CIO
Alan Smith, Director, Safety and Security,
Greyhound Lines, Inc.
Carl Spatocco,⁷ Regional Vice-President,
Educational Affiliates, Commercial Vehicle
Training Association (CVTA)
Bryan Spoon, Owner-Operator, Spoon Trucking

¹ Mr. Byrd was replaced by his surrogate, Mr. Trembl, for the morning of Friday, April 24 and by surrogate Liz Nadeau for the afternoon of Friday, April 24.

² Mr. Hart was replaced by his surrogate, Mr. Buchanan, for all of Thursday, April 23.

³ Mr. Parker was replaced by his surrogate, Mr. Stieg, for all of Friday, April 24.

⁴ Mr. Ramsdell was replaced by his surrogate, Ms. McDermott, for all of Thursday, April 23 and the afternoon of Friday, April 24.

⁵ Ms. Rohanna was absent on both April 23 and 24.

⁶ Mr. Sherlock present only on Friday, April 24.

⁷ Mr. Spatocco was replaced by his surrogate, Don Lefevre for both April 23 and 24.



Louis D. Spoonhour, Senior Advisor for Commercial Driver's License Programs, Stevens Transport

Boyd A. Stephenson, Director Hazardous Materials and Commercial Licensing Policy, American Trucking Associations (ATA)

Robert J. Tershak, Master Trooper, Virginia State Police, Commercial Vehicle Safety Alliance (CVSA)

Ellen Voie, President and Chief Executive Officer, Women in Trucking (WIT)

Ron Wood, Washington, DC, Volunteer Coordinator, Citizens for Reliable and Safe Highways (CRASH)

Surrogates:

Brandan Buchanan, ABA
Don Lefevre, CVTA
Michelle McDermott, NSTA

Liz Nadeau, Attorney, International Union of Operating Engineers (IUOE)
Chris Treml, IUOE
Walter Stieg, Stieg Insurance and Associates

FMCSA AND OTHER GOVERNMENTAL REPRESENTATIVES

Sr. Salvador Monroy Andrade, Director, Cross-Border Motor Carrier Transportation FMCA, Mexico
Bob Armstrong, Economist, FMCSA
Betsy Campos, Economist, FMCSA
Richard Clemente, Transportation Specialist, Office of Policy FMCSA
Selden Fritschner, Chief, Commercial Driver's License (CDL) Enforcement Division, FMCSA
Sean Gallagher, Office of Policy, FMCSA
Joseph Jenkins, Office of Apprenticeship, Employment and Training Administration, U.S. Department of Labor (DOL)

Liz Joyce, DigitaliBiz
Jill Laptosky, Attorney, Office of the General Counsel, U.S. Department of Transportation (DOT)
Gregory Martin, U.S. Department of Education (DOEd)
Kim McCarthy, Regulatory Attorney, FMCSA
Suzanne O'Malley, Chief, Regulatory Law Division, FMCSA
Bob Redmond, CDL Enforcement Division, FMCSA
Howard Stone, Economist, FMCSA
Alan Strasser, Regulatory Attorney, FMCSA
Shannon Watson, Senior Policy Advisor and Deputy DFO, FMCSA

OTHER ATTENDEES

Shannon Allard, National Motor Freight Traffic Association (NMFTA)
Bob Crescenzo, Lancer Insurance
Chris Crean, Peter Pan Bus Lines
Charity Coleman, DigitaliBiz
Donnie Colston, International Brotherhood of Electrical Workers (IBEW)
Rodolfo Giacomani, Founder, Redknot Transnational

John Frey, Werner Enterprises
Mary Beth McCollum, NAPFTDS
Lynette McMillian, Greyhound
Robert Petrancosta, FedEx Ground
Cynthia Shaffer, Volpe Center, DOT
Ronna Weber, NSTA
Andrea Wohleber, Transportation Trades Department (TTD), AFL-CIO



COMMITTEE ACTION – DAY 1

Call to Order/Approval of Minutes

The ELDTAC deferred discussion and approval of the minutes from the Committee meetings of March 19-20, 2015, and April 9-10, 2015.

The agenda for this meeting was adopted unanimously. Agenda changes introduced during the meeting are noted below.

1. Review of Revised Certification Checklist for Institutional Training Providers—David Money, Chairman, Board of Directors, PTDI

Presentation

This checklist is focused on certification criteria for those providers who train more than three drivers per year. All language below the Course Administration section in the document has been agreed upon by the workgroup. However, all italicized text will act as placeholders and be modified based on discussions related to who is doing certification.

Discussion Points

- To address the possibility for third party or self-certification, it was suggested that “FMSCA certification” is removed from the Course Administration section language.
- Under the Instructional Personnel section, it was suggested to change “do instructors meet” to “instructors must/shall meet” to conform to language in the rest of the document.
- Defining “experienced driver” in miles or hours alone is problematic because of factors including how driver logs are kept and differences between trucking and the motorcoach and school bus industries.

Conclusion

The plenary reached consensus on the definition of an “experienced driver,” including a menu of qualifications to address issues raised in the discussion points.

The facilitator called for a straw poll on revised language (subject to the language in brackets and italics)—it passed unanimously.

- Action: Focus of next workgroup is resolving bracketed language and reviewing any newly provided data. This will be discussed on the next workgroup conference call.

2. Review of Draft Certification Checklist for Individual Owner/Operator Training Providers—David Money, Chairman, Board of Directors, PTDI

Presentation

There were some areas where no changes were made. The workgroup reached agreement on the document presented, with the caveat of brackets for qualifications and instruction personnel, which will be modified to reflect what is decided upon for institutional training providers.

Discussion Points

- For Instructional Personnel, the workgroup will look at language crafted for institutional training providers and adapt it for this Individual Owner/Operator Training Providers document.



- Workgroup did not feel there needed to be an “organized” range for small operators, as opposed to institutional providers.
- Proposal to formalize the definition of Small Driver Training Programs to three or fewer drivers per year.

Conclusion

Facilitator called for straw poll on revised language (subject to the language in brackets and italics)—passed unanimously.

All were in favor to keep the definition of Small Driver Training Programs to programs that train, or expect to train, more than three entry-level drivers per year.

3. Report of Implementation and Enforcement Workgroup—Bob Tershak, Commercial Vehicle Safety Alliance, Virginia State Police, Member

Entry-Level Driver Training National Registry—Selden Fritschner, Chief, Commercial Driver License Division, FMCSA

Presentation

The Implementation and Enforcement workgroup met for the first time to talk about formalizing the idea of creating a National Registry. The registry could be modeled after the National Registry of Certified Medical Examiners, about which a brief synopsis was presented. Overviews of how the model works, the value of the registry, Commercial Driver's License Information System (CDLIS), and FMCSA implementation were also presented. A visual was presented to represent the connection between the ELDT Registry and CDLIS.

Discussion Points

- There will be no cost to employer or driver, though there may be some fee TBD down the road to accommodate the training center facilitating the transfer of the information.
- There have been delays as result of paper system in the past, but foresee this not being an issue by the time the ELDT Registry is implemented
 - There is no data for how many medical certificates were turned in and not entered within two weeks.
 - FMCSA reported that the only thing lacking right now is livewire between two systems (CDLIS and the National Registry of Certified Medical Examiners). That process started yesterday.
- From highway safety standpoint, the point is preventing a driver from printing a fraudulent paper certificate.
- The technology used for the current system can be used to determine if a driver goes to two medical examiners in a short period of time (“doctor shopping”) and is set to catch numerous other tricks, including fraudulence.
- Because of concerns over a manual short term implementations phase, it is proposed that the short term piece of the timeline be removed to ensure a paper version will never be generated.
- Suggestion to add a clause that says the ELDT Registry will be implemented in three years or when the system is ready for it to accept only electronic certificates, not paper.



- Plenary committee should be cautious about the registry model because of issues concerning the medical registry, but must focus on how to catch cheaters in the proposed EDLT system and come up with a corresponding rule.
- **Public Comment**, Liz Nadeau, Attorney, IUOE: How is the separation of training and testers envisioned?
 - This is covered under CDL rule. The specific individual who administers the ELDT training cannot be same person that administers skills test.

Conclusions

Facilitator called for a straw poll on revised language—passed unanimously.

- Action: FMSCA to fill in blanks for implementing this concept and review regulatory language at next workgroup call or next plenary meeting.

4. Discussion of Draft Certification Form—Larry Minor, Associate Administrator for Policy and DFO, FMSCA, Member

Presentation

This is the form that would be used for gathering information during the certification process, which can apply to institutional or individual training providers. The discussion will clarify whether:

- Everyone understands;
- Everyone approves;
- This checklist is complete and appropriate for what should be gathered.

The form would not be a one-time submission but updated every two years to reflect any interim changes. It can be used as a reapplication for out of business notification and would also be the form to reapply to be added back into the registry.

The form will eventually reflect what the workgroups decide regarding certification requirements.

Discussion Points

- Both institutional and small training providers are to answer all questions on the form.
- Online training is not represented on the form.
 - Online training can be a component of a curriculum (hours TBD), but overall is still part of a training provider.
- The ELDT National Registry will include provider tuition data, so it should be disclosed on the certification form. Can change to “if applicable” to account for small providers not charging for training.
- Is the tuition field binding?
 - A training provider may have multiple tiers depending on how it is financed; community colleges are subsidized by the state so there is fear that this would lead unfairly to students going to publicly-funded training programs.
- Would it make more sense to have the form expire after two years and remove the “out of business notification” box?



- Added “Average” in front of section title “Training Hours Provided for Each Student.”
- How do schools with multiple campuses across States deal with the “State oversight” field?
- If company has multiple campuses, does the whole company suffer if something negative happens to just one campus?
 - Each school campus must be individually evaluated; submit one form for each campus (this answers the state requirements question as well).
- **Public comment**, Liz Nadeau: The boxes at beginning of the document do not fit a union training program (private training). None of those boxes provides apt descriptions; small local unions may fit, but not all.
- An “Other Training Provider (please describe)” box is added to account for union training and other types of programs not currently represented on the form.
- Update form to include a check box asking whether or not a provider would like to be publically listed.
- What will audits look like: DOT audits? Annual/biennial visit? Random sampling?

Conclusion

There is more work to be done on the form. The Certification workgroup will refine those problem areas which have not been broadly accepted by the group.

- Action: Implementation workgroup will look at audit process.
- Action: Certification workgroup will refine the provider description boxes and the quality control section.

5. Certification/Accreditation/Accountability Workgroup Certification Option Review—David Money, Chairman, Board of Directors, PTDI

Presentation

This presentation serves as a refresher on what has been covered and what options exist for certification; the group does not draw conclusions or provide specific recommendations—just discussion points regarding how certification might be executed. Certification options are presented, including a combination of methodologies and benefits and drawbacks for each option.

Discussion Points

- It is not expected that all existing providers will remain intact after the implementation of ELDT rule.
- If info is missing or deficient on the certification form, FMCSA has the ability to not place the trainer on the ELDT National Registry.
 - A disclosure affiliation should be added in the case of providers with multiple campuses in order to avoid chameleon training providers (since it was decided that different campuses will separately submit forms).
- This is geared towards institutional providers, not sure how to apply to small providers.
- **Public comment**, Bob Crescenzo, Lancer Insurance: There are parallels between this process and drug and alcohol testing—more so than to the medical registry. Might make sense not to put burden on FMCSA, but have providers deal with third party.
- Inconsistency of examiners is a big issue. There is concern regarding the possibility that pass/fail be a litmus test on the program because of that disparity.



- If possible, it could be beneficial to trace drivers with many violations back to their training provider. Is there the technical ability to look and see which training programs are training and certifying drivers who are unsafe?
 - Can look at pass/fail rate for obtaining CDLs as a first indication and then violations.
 - Training numbers are attached to the provider, so students can be tracked back to the provider. There is not a number for every instructor because the accountability lies with training provider.
 - There is concern with connecting drivers' records back to the trainer, as an employer may be putting pressure on driver, so the record may show negative things that may have nothing to do with the quality of training.
 - **Public comment**, Bob Armstrong, Economist, FMCSA: There is a whole host of factors. Look at crash and safety performance. We need exposure data.
 - **Public comment**, John Frey, Werner Enterprises: If you indicate that you are already a member of a respected certification/training organization, there would be a better feeling about self-certification. For those who are not, how do we certify? That would be fewer people to certify. Quality training providers police their own backyards and do not hesitate to report suspicious providers.
 - What is the ballpark cost per applicant? Initial and then annual/biannual whenever you file form and certification/recertification fees?
 - Initial estimates of \$1,000-3,000 for front-loaded certification monitored by a third-party, as opposed to self certification.
 - Will have better number in a few weeks when schools are asked to send in curriculum.
 - Is the same oversight process which is applied to institutional providers also applied to school buses and small providers?
 - Board of Education has its own curriculum and should be allowed to self-certify.
 - How much does it vary from what we are developing?
 - Some of those drivers leave to become Greyhound drivers—how do we know their training was sufficient?
 - It will be an immense undertaking to get school bus curriculum changed
 - Proposal for provision for exceptions: self-certification for school buses, but will be audited sooner if there are complaints from parents, districts, and so forth.
 - **Public comment**, John Frey: What is the cost of third party certification? Why not test self-certification before committing?
 - Motorcoaches have been self-certifying for decades and will be resistant to third-party certification.
 - Does there need to be a class C core curriculum?
- Transit, shuttle, passenger buses, school buses, and trucks all have different training—self-certification will save money but it runs hard risk in credibility and being overly tolerant of mills. What is the right balance? Is the problem of diploma mills mostly in the trucking sector?
- FMCSA will have the same ability to monitor regardless of what model of certification because they get all the data. What are the major benefits they see for their efforts to administer? Would it be that much more beneficial if there is third party certification?
 - FMCSA would not see what is going wrong until it goes wrong.
 - A third party looking on the front end would act as a filter to catch unqualified providers.



- People can make a form look amazing, but when someone goes on-site it may be a different story.

– Determine the cost benefit of shutting down a CDL mill.

Conclusion

There is comfort with proceeding with initial self-certification subject to FMCSA oversight. There was no agreement over whether or not this will be followed by a transition to third party certification.

School bus districts will be allowed to self-certify. This includes transportation providers to school districts/ for-hire carriers who have contracted with school districts, as school boards ensure those providers are meeting all requirements.

The facilitator took a straw poll which asked the plenary to vote for pure self-certification or a self-certification phase followed by a transition into third party certification. This would be only for institutional training providers. There would be FMCSA oversight throughout.

Member	Organization	Pure self-certification	Third party	Abstain
Buchanan, Brandon (Surrogate for Clyde Hart)	American Bus Association		X	
Clemente, Richard	Driver and Carrier Operations Division, Office of Policy, FMCSA			
Edwards, James	National Association of Small Trucking Companies		X	
Garsee, Martin	National Association of Publicly Funded Truck Driving Schools		X	
Grenerth, Scott	Owner-Operator Independent Drivers Association (OOIDA)	X		
Heller, David	Truckload Carriers Association		X	
Hood, Charles	State Directors of Pupil Transportation Services		X	
Kurdock, Peter	Advocates for Highway & Auto Safety	X		
Lannen, John	Truck Safety Coalition	X		
Lefevre, Don (Surrogate for Carl Spatocco)	Educational Affiliates Commercial Vehicle Trucking Association	X		
Lewis, Kevin	American Association of Motor Vehicle Administrators	X		
Minor, Larry	Federal Motor Carrier Safety Admin (FMCSA)	X		
Money, David	Professional Truck Drivers Institute	X		
Parker, David	Great West Casualty Company	X		
Presley, Ken	United Motorcoach Association		X	
MICHELLE	National School Transportation Association		X	
Samet, Lauren	American Federation of Teachers, AFL-CIO		X	
Smith, Alan	Greyhound Lines, Inc.		X	



Spoon, Bryan	Spoon Trucking		X	
Spoonhour, Louis	Stevens Transport		X	
Stephenson, Boyd	American Trucking Associations (ATA)		X	
Tershak, Robert	Commercial Vehicle Safety Alliance, VA State Police	X		
Treml, Chris	International Union of Operating Engineers (IUOE)	X		
Voie, Ellen	Women in Trucking		X	
Wood, Ron	Citizens for Reliable and Safe Highways	X		
TOTALS		11	13	0

6. Presentation by Sr. Salvador Monroy Andrade, Director, Cross-Border Motor Carrier Transportation Federal Motor Carrier Safety Administration, Mexico (With translator Rodolfo Giacoman, Founder of Redknot Transnational)

Presentation

Sr. Monroy presented an overview of Mexico’s ELDT system and its history. In 2015, an updated curriculum was published. It is now in its public comment period.

- Mexico’s ELDT system began in 1999, beginning the process of setting a standard curriculum for training throughout Mexico.
 - There was a phased implementation from 1999 to 2003.
 - There is training curriculum per category of driver.
- In order to update training curriculum, Mexico looked at policies in the United States and Canada and met with a variety of related industries and stakeholders.
- Prior to the ELDT introduction, in order to obtain a CDL, drivers had to take a knowledge and skills test.
- Objectives for instituting ELDT included:
 - Reduce crashes by equipping all drivers with proper training.
 - Establish a safety and professional culture for drivers.
 - Focus on competencies and skills needed to protect the environment and provide economic benefits to employers (this is called “clean transportation”).
 - Attract young and new drivers into the profession.
- Licenses are issued in field offices.
 - Field offices offer the opportunity to interact with training providers.
 - There is at least one certified training center in every district.
 - There are field offices in every State and FMCSA-equivalent offices in every major State.
- After implementation, there was an upward trend in new training centers, though some noncompliant training centers had to be shut down.
- For international driving, drivers must speak English and be at least 21 years-old.



Discussion

- Are there finishing schools? Do companies trust the initial training providers?
 - There is no absolute level of assurance. The training develops a level of competencies and awareness, but then it becomes a question of to what degree these skills are applied.
 - Some companies do have an adaptation period where drivers go through finishing training. This involves taking short trips with experienced drivers in order to ensure the new driver is equipped enough to work alone.
- How does the auditing process work?
 - Training centers are connected to an information system linked to the system the government uses to issue licenses. When a center enrolls, it must report attendance and testing of drivers on a daily basis to this system.
 - If the info is not entered, the licenses will not be issued and there will be a flag in the system.
 - There is a program for conducting random visits to audit all centers.
- Has there been a significant reduction in crashes since inception?
 - The logical assumption is that a driver with new competencies will avoid crashes.

The meeting recessed at 5:00 p.m.

COMMITTEE ACTION – DAY 2

Call to Order

Richard Parker, Facilitator, called the meeting to order at 9:07 a.m.

7. Review of core curriculum headings and descriptors-Class A and Discussion of adaptation to Class B

Discussion of Night Operations

Should night driving be a mandatory element of the skills portion of the ELDT curriculum?

- This will be costly for schools that offer programs during the day. May need to offer overtime to instructors to come teach at night. Alaska may need special treatment.
- Alaska aside, what data can we gather on this to help make a decision?
- **Public comment**, Bob Crescenzo: From insurance and claims perspectives, generally, the largest and most expensive accidents occur between midnight and 6 a.m. From economic perspective, this should be taken in consideration for the cost of training. There may be solutions that do not require drivers to be at night. Every school/coach trip drive overnight. That driver needs to know how to manage on the road. Think about putting something in about night driving without necessarily dictating how it is done so each provider can find ways to solve the problem without necessarily having drivers on the road at night. If we believe a driver had anywhere from five to seven seconds to make a successful maneuver to minimize or avoid a crash and they do not do that, we define it as fatigue related.



- Call it “darkness” driving instead of nighttime, because morning is dark.
- Is it feasible to come up with estimate of adding night time driving? Is the benefit worth the cost?

In favor

- Night driving is a different kind of experience that a driver does not know how to handle until having experienced it.
- Some schools find trainees that have night vision problems that they were not previously aware of.
- A large truck is different for driving at night. Looking for hazards/depth perception is crucial. Cannot rely on finishing school to happen.
- An economic burden inevitable because we are implementing new rules. Is instituting a night driving portion that much more of a burden?
- Real truck driving is over night or at night. No one can guarantee a driver is going to use emergency maneuvers, but we teach those. Every driver will likely drive at night. That is the reality. This training is supposed to create a real driver who is prepared for realities.
- Not wanting/being able to drive at night can be a deal breaker for folks in leaving industry or looking for only daytime jobs.

Not in favor

- **Public comment**, John Frey: Prospective drivers are 21 years or older and so have driven at night in their personal cars and already know about night driving. If it becomes mandatory it is going to be a huge expense.
- Could be a marketing option: Schools could use night driving skills training as a competitive perk.
 - This may be an area where the small training provider can excel.
- The logistics of changing your course every time someone comes in is extremely difficult. It is of value, but is a huge logistical nightmare for scheduling for everyone in a school.
- It is covered in some finishing programs. Can we cover in theory portion sufficiently enough for the group to be comfortable? Or insist it be part of the experience. If so, how much is it? An hour? Eight hours?
- There could be a requirement to disclose whether or not a trainer offers night driving. This communicates to students that this aspect is important.
- Cannot from school bus perspective teach night driving in skills. This would completely change our training model.
- Keep in mind student economic and logistical burden. We are talking about thousands of people. This creates a bottleneck that displaces and disempowers people who want to be CDL holders.
- Emphasize fatigue at night during the nighttime theory portion. Not just knowing basic concept, but how to prepare and what the consequences are.
- Market will solve the problem: Carriers will look for drivers who have nighttime experience. There is incentive for them to have properly equipped driver who will not ruin their expensive vehicles.
- Students struggle to get to school at night, when public transportation shuts down. Equity in travel.

Discussion of Security and Crime

To be added under theory, including both personal security and cargo theft.

- This is already included in the bus curriculum because regulation requires security training.



- Does it make sense to include for trucks if they are not transporting very valuable cargo (lumber, gravel, etc.)?
 - There is a place for cargo-related security training, but does it fit before CDL issuance? May not be useful at that point.
 - Personal security should be included; especially for women, protecting yourself is important. Could be included as part of wellness.
 - Carriers on the finishing side spend extensive time on cargo security. They have a big incentive to provide that awareness, but may be less tuned in to the problems of women’s safety at truck stops.
 - What is the cost-benefit analysis of including cargo/personal security?
 - An introduction to this would be good to build awareness of the issue at pre-CDL stage
 - First observer type training is very generic. Mostly see something say something. Carriers can go beyond that if they want.
 - Suggestion to include hazard perception.
- Action: Before next workgroup conference call, Richard Clemente, FMCSA, will draft proposed language for this section.

Discussion of Interpersonal (or “External”) Communications

- Is this a core competency necessary for every driver (i.e. tank truck industry)?
- Could change the focus to communicating with enforcement officials—it is a heavily regulated industry and drivers may be stopped for inspections. Similar to *Get Road Smart* campaign, highlighting how actions impact their employers) and how an inspection works.
- Could add to compliance, safety, and accountability (CSA) section.
- Cost-benefit: having paperwork ready to provide to roadside inspectors will make for a good experience.
- Does it go under CSA or other rubric? Come up with descriptor and decide on next conference call.
- Changed from “interpersonal” to “external” Communications.
- What about English deficiency? Mexico is training drivers to speak English in their curriculum. It is not necessarily a safety issue, but under regulations it says that driver is not qualified if they cannot proficiently speak English or converse with law enforcement. This puts all the responsibility on law enforcement to determine whether or not to write the violation. It is a regulation that is not being addressed, but has to be enforced.
 - Is that something this group can address in this rule? Or is there another place better suited to address it.
- **Public comment**, John Frey: There is no approved English test. We could be opening ourselves to litigation. If we break this out for awareness are we going to do it for all other regulations?
- Congress made a decision when they made the CDL test available for different languages.
- Can we say they need to be aware of the English proficiency requirements? Just to say that responsibility is there for the instructors.
- Is there a punishment for this requirement?
- Training is in English and tests are in English. How will they pass otherwise?



Conclusion:

The plenary agreed to add the awareness of English proficiency requirements under external communication.

- Action: Refine the External Communications descriptor to be focused on law enforcement/how to interact with roadside inspectors during inspection (in lieu of what it says now).

8. Presentation by Department of Education (ED) on Financial Aid Aspects—Gregory Martin, U.S. Department of Education

Mr. Martin provided an overview of ED’s regulatory role with respect to student aid, including loans and grants. Focusing on aid eligibility for direct loans, he stated that while a number-based approach to classroom and behind the wheel training could be used without compromising training provider eligibility to accept aid if the minimal numeric goals were met (e.g., 300 hours over a 10-week course), there are other options. For example, a “hybrid” approach of hours and performance, as discussed by ELDTAC, could be acceptable (e.g., only referencing 40 hours for behind the wheel, not for classroom). In addition, a purely performance-based approach that mentions no hours could be acceptable. He also noted that the direct assessment approach under their regulations would not be a simple solution to ensuring student loans for performance-based training.

Department of Labor presentation—Joseph Jenkins, Office of Apprenticeship, Employment and Training Administration, U.S. DOL

Presentation

An overview of documents was presented to the plenary (*See handouts*).

9. Review of passenger bus curriculum headings and descriptors—Ken Presley, Industry Operations, Chief Operating Officer, UMA, Member

Presentation

An overview of the curriculum document was presented.

Discussion

- **Public comment**, John Frey: How do you cover electronic logging devices, as there is a spectrum of technologies available?
 - It is strictly theory; cover what is important: maintaining receipts, maintaining compliance, etc.
 - A driver still must be trained on paper in case electronic log ever fails.
- When it comes to motorcoach, are there certain items that cannot travel in passenger compartment? What are the rules?
 - Rules fall in “Baggage” section.



- There are some things specific to motorcoach carriers that do not apply to school buses. From baggage management, from fueling, there are big differences. In terms of overlap, that will get covered in core curriculum.
- Suggestion of instead of “other serious mishaps” to put in “specific emergency stopping and defects.”
- Need to discuss coupling/uncoupling for Class B core curriculum.

Conclusion:

Facilitator called for straw poll on revised language—passed unanimously.

- Action: Refine sections in question and propose new language at next meeting.

10. Review of School Bus Curriculum—Bob Ramsdell, Chief Operating Officer, West Durham School Services, NSTA

Presentation

An overview of the curriculum document was presented.

Conclusion

Facilitator called for straw poll on revised language—passed unanimously.

11. Review of HM Curriculum—Boyd Stephenson, Director Hazardous Materials and Commercial Licensing Policy, ATA

Presentation

An overview of the curriculum document was presented.

Discussion

- **Public comment**, Andrea Wohleber, TTD, AFL-CIO: How will emergency responders know how to handle hazardous materials (HM) vehicle accidents?
- Must be sure drivers can inform emergency responders to HM.
 - Segregation of materials that do not work well together.
 - Cannot transport HM and food together.
- Tank truck endorsement:
 - Should there be curriculum for this?
 - A conference call with the Pipeline and Hazardous Materials Safety Administration (PHMSA) staff concluded that they were not looking at this for a requirement, just basic training related to operating cargo tanks (national tank truck carriers video) will be sufficient.
 - Theory-only instruction is sufficient, as most is situational. This is the current requirement before being able to obtain a HM endorsement (49 CFR 383.121).
 - PHMSA has responsibility for HM training and has their own requirements that must be met before a driver can operate with HM (49 CFR 177.816).



Conclusion

Facilitator called for straw poll on revised language—passed unanimously.

12. Talk about question of how certification of those particular endorsement trainings will work? Do we have the same issues as with core curriculum? (This item was added to the agenda)

Discussion

- Passenger/bus: do you envision folks coming in that do not have CDL endorsements? If so, certification is similar.
 - Both types of people. Some just need an S/P endorsement.
- No training providers solely in the business of providing S/P endorsement training, so they would already be certified, so no need to training apparatus for endorsement only.
- For P, most do not offer CDL. So there needs to be a category of training providers not in core curriculum registry that needs their certificate honored when it comes time for P endorsement.
- Once requirement changes, informal trainers will probably cease to do business.
- Some people will heavily recruit people who only need a P endorsement
- HM requires knowledge but not skills, so they need to be certified in core curriculum?
 - Almost all items on this list can be checked off by using free resources, so it makes sense not to have certification required for hazmat.

13. Class B vs Class A for Core Curriculum (This item was added to the agenda)

Should Class B include training for coupling and uncoupling?

Discussion

- This is theory only, just so a student of a class B vehicle knows it can be equipped with trailer and the related restrictions.
- Plan for Class A is coupling/uncoupling is in theory and range.
- Proposal in Class B, will be in theory:
 - Not a whole module, just presenting the options. It is an awareness point.
 - Most class B drivers will not tow trailer in excess of ten thousand pounds.
 - Most class B will use a different type of hook.
 - Worded similarly to Class A.
 - There is a big industry for converting former school buses into towing a trailer, becoming a Class A vehicle.
- **Public comment**, Brandon Buchanan: It is an awareness issue that should be covered, but not tested. Buses can pull trailers. All of buses that transport vans. It is a lot bigger and much more used than you might think, though an overall subset.

Conclusion

→ Action: Core Curriculum workgroup with develop and insert on this for Class B.



14. Bridging the Gap on Certification (This item was added to the agenda)

Presentation

Richard Parker presented questions for addressing gaps in curricula and in certification. (See handout).

Discussion Points

- **Public comment**, Selden Fritschner, Chief, Commercial Driver License Division, FMSCA: The system does not screen for doctor shopping; it has algorithm that if an applicant goes to three doctors in a short amount of time, then a person looks at it. That is the way the system is built, so be clear on expectations for what the system does.
- **Public comment**, John Frey: People police their own backyards. If there is a process to notify feds of CDL mills, they can look into it and take the provider off the list if necessary. Keep this in mind when we talk about self-certification.
- If we had an avenue to self-police and report, we may not need third party cert route.
 - This is not a great model for administrative process.
- Self-certification is being watered down as though it is just filling out a paper and submitting.
 - Suggestion to beef up form to make more rigorous and have FMSCA to verify trainer and truck numbers.
 - Could have a student hotline for FMSCA to report bad schools and require on the first day that schools provide hotline number.
- If you are certified and some number of certified students take the CDL test and fail, that is a trigger for FMSCA or third party to investigate.
 - People pass based on examiners. That could be a slippery slope if you disqualify someone based on number of people who share in a short period of time. Even if 85 percent of students pass the first time for a school, numbers are skewed on a daily basis.
- Focus on what is the criteria for disqualifying and what are the red flags.
- There is already self-certification for motor carriers who register in this industry.

Conclusion

Instead of looking at third party vs. self-certification, work on a self-certification system. More data is needed to support this rule.

- Action: Call between certification and enforcement workgroups to discuss self-certification.
- Action: Core curriculum workgroup call will discuss what the minimum number of hours is (an irreducible number) to ensure teaching curriculum is effective.

15. Brief presentation on how to use DataMove file sharing website—Cyndy Shaffer, Volpe Center (This item was added to the agenda)



PUBLIC COMMENTS

Comments were heard throughout the meeting from those in the public gallery. They are entered above under relevant discussions.

ADJOURNMENT

The meeting was adjourned at 2:40 p.m. on Friday, April 24, 2015. The Data Needs workgroup met after the meeting.

We hereby certify that the foregoing minutes are accurate, to the best of our knowledge.

_//Signed//_____

Richard Parker, Facilitator

//Signed//_____

Larry W. Minor
Designated Federal Officer, FMCSA