

Kansas Association of School Boards Workers Compensation Fund, Inc.

Entry level Driver Training

Frequently Asked Questions

The Federal Motor Carrier Safety Administration (FMCSA) established new minimum training standards for certain individuals applying for a Class A or Class B commercial driver's license (CDL) for the first time; an upgrade of their CDL (i.e., a Class B CDL holder seeking a Class A CDL); or a hazardous material (H), passenger (P), or school bus (S) endorsement on their CDL for the first time.

The Kansas Association of School Boards Workers Compensation Fund, Inc., in recognition that this would be a significant undertaking, has created an online course that provides the content necessary to complete the theory portion of this training. In addition, a guide for driver trainers to conduct the behind the wheel training will be provided to those using the online training as well as assistance in registering for the Training Provider Registry.

There have been several questions that have arisen since this regulation was announced and resources for compliance were developed. These are noted below for your reference.

What is Entry Level Driver Training? The entry-level driver training (ELDT) rule enhances the safety of commercial motor vehicle (CMV) operations on our Nation's highways by establishing more extensive ELDT requirements. It revises the mandatory training requirements for entry-level operators of CMVs.

When does the entry-level driver training (ELDT) rule take effect? Beginning February 7, 2022, driver applicants must complete the training required in 49 CFR part 380, prior to obtaining any of the following commercial license credentials for the first time: a Class A or Class B commercial driver's license (CDL); an upgrade to a Class B or a Class A CDL; or an H, P, or S endorsement. Driver applicants must obtain ELDT from a training provider listed on the Training Provider Registry (TPR). Each educational entity may register as a training provider, which will allow them to conduct internal training for their own drivers.

Who is subject to entry-level driver training (ELDT)? The rule establishes minimum training requirements for entry-level commercial motor vehicle (CMV) operators as defined above. The requirements do not apply to individuals holding a valid CLP, CDL or a P, S, or H endorsement issued prior to February 7, 2022.

Who is exempt from entry-level driver training (ELDT)? The entry-level driver training (ELDT) requirements are aligned with the existing commercial driver's license (CDL) regulations in 49 CFR part 383. The rule does not create any new exceptions; therefore, any individual who is currently excepted from taking a skills test in order to obtain a Class A or Class B CDL or a passenger (P) or school bus (S) endorsement is not subject to ELDT. This includes operators of farm equipment, firefighter vehicles, military vehicle operators, commercial vehicles used solely for private noncommercial use.

What training must an entry-level driver complete in order to take a commercial driver's license (CDL) skills test? Beginning on February 7, 2022, no "Entry-Level Driver" may take a commercial driver's license (CDL) skills test to receive a Class A CDL, Class B CDL, Passenger (P) Bus endorsement, or School Bus (S) endorsement unless he/she has successfully completed a mandatory theory (knowledge) and behind-the-wheel (BTW) training program, that: (a) is provided by a training provider listed on FMCSA's Training Provider Registry (TPR), and (b) is appropriate to the license/endorsement for which that person is applying. The Kansas Association of School Boards Workers Compensation Fund Inc. has developed all of the necessary theory training and support materials to document the behind the wheel training. In addition, support will be provided to ensure that each educational entity is properly registered on the Training Provider Registry.

What is the impact that the entry-level driver training (ELDT) final rule will have on existing State ELDT requirements? The rule generally does not replace or otherwise supersede State-based entry-level driver training (ELDT) requirements that exceed these minimum Federal standards when an entry-level driver obtains training in that State. In Kansas each driver is required to obtain 12 hours of behind the wheel instruction, which will still be required in addition to the classroom training.

What is the specific role that the State Driver Licensing Agencies (SDLAs) will play as detailed in the entry-level driver training (ELDT) final rule? The rule requires that the state driver licensing agency (SDLA), in this case the Kansas Department of Revenue – Division of Vehicles verify entry-level driver training (ELDT) completion before allowing the applicant to take a skills test for a Class A or Class B commercial driver's license (CDL), or a passenger (P) or school bus (S) endorsement. The Federal Motor Carrier Safety Administration (FMCSA) intends to provide the relevant driver specific ELDT certification information to the SDLAs. At a minimum, this information will include the training provider's unique ID number (assigned upon initial listing on the Training Provider Registry (TPR), the date the applicant completed applicable ELDT, and the type of ELDT the applicant received. The Agency intends to transmit the training certification information as soon as FMCSA confirms the information is complete.

In short, the process would work as follows. New Bus Driver i. If the driver is hired. If the driver already has a CDL with S and P endorsements no additional training is required. If the driver has a CDL but no S or P endorsements, he or she would need to complete the theory and behind the wheel portion just for those endorsements prior to taking the skills test. If the driver does not have a CDL they may take the theory courses before, during, or after they obtain their Commercial Learners Permit (CLP). After obtaining their CLP they would need to perform at least 12 hours of behind-the-wheel training (BTW). Upon completion of both the theory and BTW training the educational entity would enter the new driver into the registry. The driver would then be eligible to complete the skills test and obtain their CDL.

Who can provide entry-level driver training (ELDT)? Any educational entity (school district, community college, private company) may provide entry-level driver training as long as they are listed on the Training Provider Registry (TPR).

Is KASB Work Comp Fund considered the trainer for registration purposes? No. Although KASB WCF will provide the theory courses to use while conducting the training, the educational entity is the actual trainer.

How can an entity become eligible to be listed on the Training Provider Registry (TPR)? To be eligible for listing on the Training Provider Registry (TPR), an educational entity must meet the following requirements:

- Follow a curriculum that meets the applicable criteria in Appendices A-E of Part 380; The curriculum developed and provided by the Kansas Association of School Boards Workers Compensation Fund, Inc. has been done in compliance, and in consultation with, the Federal Department of Transportation.
- Provide a classroom and training range that is compliant with federal, state and local regulations.
- Utilize vehicles that comply with federal and state safety requirements and are of the same group and type that driver trainees intend to operate for their CDL skills test
- Utilize instructors that have two years or more with a valid commercial driver's license (CDL) and applicable endorsements for the training
- Meet recordkeeping requirements. All of the theory training will be documented by the Learning Management System on which the courses are conducted. Driver-Trainers will receive a handbook that includes forms to document all behind the wheel training.
- 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.

Training providers must attest that they meet the specified requirements, and in the event of a Federal Motor Carrier Safety Administration (FMCSA) audit or investigation of the provider, they must supply documentary evidence to verify their compliance. Training providers must continue to meet the eligibility requirements in order to stay listed on the TPR.

Is there a fee associated with registering on the Training Provider Registry (TPR)? There is no fee associated with either initial or continuing registration on the Training Provider Registry (TPR).

Will KASB WCF help me register in the Training Provider Registry (TPR)? Yes. One of our consultants will be available to assist in the registration process, if requested.

Are there specific hours of behind-the-wheel (BTW) training mandated for the various curricula? The entry-level driver training (ELDT) rule does not require any minimum number of hours for the completion of any of the behind-the-wheel (BTW) training. The proficient

completion of the BTW portions of the various curricula is based solely on the training instructor's assessment of each driver-trainee's individual performance of the required elements of BTW training on the range and public road. All BTW training must be conducted in a representative vehicle for the commercial driver's license (CDL) class or endorsement being sought. Kansas does not require a minimum of 12 hours of behind the wheel training.

Are there specific hours of training mandated for the theory curricula? There is no minimum number of hours that driver-trainees must spend on the theory portions of any of the individual curricula. The rule prescribes specific topics for each of the five theory curricula, requiring the training provider to cover all topics, and requiring that driver-trainees demonstrate their understanding of the material by achieving an overall minimum score of 80% on the written (or electronic) theory assessment. Due to the platform that the training is being provided on through KASBWCF, each driver-trainee will answer all assessments correctly to advance through, and complete, each course. This approach eliminates the end of course test and ensures that each participant has demonstrated understanding as they progress through each course. There are approximately 60 courses required to comply with the expectations of the ELDT rule. Each course is approximately 15 minutes in length, resulting in approximately 15 hours of theory training.

Is there a mandatory sequence that the specific theory and behind-the-wheel (BTW) training must be taken in? There is no mandatory order in which the theory, behind-the-wheel (BTW)-range, and BTW-public road training must be administered, nor does the rule require that theory training must be completed before obtaining a commercial learner's permit (CLP).