

Entry-Level Driver Training USDOT/FMCSA - NH Division

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U.S. Department of Transportation
Federal Motor Carrier Safety Administration

Agenda

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- 6 TRAINING PROVIDER REQUIREMENTS**
What do the ELDT regulations require of training providers?

The ELDT Final Rule

The Entry-Level Driver Training (ELDT) final rule

- Published in 2016, mandated by MAP-21.
- Set a Federal standard for mandatory training of entry-level drivers.
- Established need for the **Training Provider Registry**.
- Compliance Date: **February 7, 2022**.

**What do the ELDT
regulations require
of entry-level
drivers?**

Entry-Level Drivers – Who is Covered?

The ELDT regulations [§380.609](#) establish new minimum training standards for entry-level drivers. This includes individuals applying for:

A Class A or Class B commercial driver's license (CDL) for the first time

An upgrade of an existing Class B CDL to a Class A CDL

A hazardous materials (H), passenger (P), or school bus (S) endorsement for the first time

ELDT Applicability CLP Impacts

§380.603



**ELDT Compliance Date
February 7, 2022**

Before

- Drivers holding a CLP prior to the compliance date may obtain a CDL without completing entry-level training.
- If a CLP is obtained prior to the compliance date, or a renewed CLP, expires prior to obtaining a CDL, the driver would be subject to ELDT requirements for Class A or B CDL.
- If a driver holds S, P, or H endorsements prior to the compliance date, the driver is not subject to the ELDT requirements for the endorsement(s).

After

- Drivers who obtain a CLP on or after the compliance date are subject to ELDT regulations for CDLs.
- Drivers who apply for a S, P, or H endorsement after the compliance date are subject to ELDT requirements for those endorsements.

Which drivers are NOT subject to ELDT?

- The rule does **not** apply to:
 - Drivers who held a comparable CDL prior to ELDT requirement
 - Individuals not required to have a CDL per State waivers allowed by §383.3
 - Individuals for whom States have waived the CDL skills test under 49 CFR 383.77 (military waivers)
 - Applicants who obtain a CLP before February 7, 2022, so long as they obtain a CDL before the CLP or renewed CLP expires.
 - Removing the restriction from a current CDL.
 - Reinstating a CDL after a period of disqualification.

What are the ELDT training requirements?

Training Requirements

Entry-level drivers must receive training and demonstrate proficiency in the following areas:



THEORY TRAINING

- Lectures, demonstrations, computer-based, online learning, etc.
- May use a simulator
- No minimum number of hours; trainees must score at least 80% on assessment
- Training topics include:
 - Basic Operation
 - Safe Operating Procedures
 - Advanced Operation Procedures
 - Vehicle Systems and Reporting Malfunctions
 - Non-Driving Activities (e.g., Hours of Service)



BEHIND-THE-WHEEL (BTW) TRAINING

- Actual operation of a CMV
- Takes place on a range or public road
- May not use a simulator to meet requirements
- No minimum number of hours, training provider will determine driver's proficiency
- Basic vehicle control skills and mastery of basic maneuvers

Training Requirements (continued)

- Theory and BTW trainings may be delivered by different training providers.
 - Both training providers must be registered/listed on the Training Provider Registry.
 - Both training providers would separately submit driver training information.
- BTW range and BTW public road trainings must be provided by the same training provider.
- Driver-trainees must complete both the theory and BTW portions of training within one year of each other.

Training Requirements (continued)

BTW Public Road

- Instructors must cover all topics listed and “determine and document that each driver-trainee has demonstrated proficiency in all elements of the BTW curriculum unless otherwise noted.”
 - See Appendices A and B to Part 380.
- Does not allow for “test outs” of skills training on either range or public road.

The Training Provider Registry

The Training Provider Registry

- This FMCSA web system will:
 - List training providers eligible to provide entry-level driver training.
 - Retain a record of drivers that have successfully completed entry-level driver training.

The screenshot shows the 'TRAINING PROVIDER REGISTRY' website. At the top, there is a navigation bar with links for 'Email Sign Up', 'Home', 'About', 'FAQs', 'Developers', and 'Contact'. The main content area features a prominent announcement: 'COMING FEBRUARY 7, 2022'. Below this, a text block explains that the registry will help CDL applicants connect with training providers. To the right, there is a 'Get News and Updates' section with an email address input field and a list of topics users can subscribe to, including entry-level driver requirements, training provider requirements, and SDLA requirements. A 'Subscribe Now' button is located below the list. Below the announcement, there is a 'DOWNLOAD TOOLS FOR DEVELOPERS' section with a brief description and a 'Learn More' button. The bottom section is titled 'ENTRY-LEVEL DRIVER TRAINING' and contains detailed text about the ELDT regulations, including a list of CFR sections: 49 CFR Part 380 Subpart F, 49 CFR Part 380 Subpart G, 49 CFR § 383.71, 49 CFR § 383.73, and 49 CFR § 384.230.

How does the Training Provider Registry support ELDT?



Search

DRIVER

selects registered training provider from list on Training Provider Registry, completes training



Submit

TRAINING PROVIDER

electronically submits driver training data to Training Provider Registry



Retain

FMCSA

retains driver data in Training Provider Registry



Retrieve

STATE

retrieves driver data from Training Provider Registry

Countdown to ELDT

Training Provider Registry Timeline



Summer 2021

Training provider **registration** began



Winter 2021

List of training providers **publicly available** on the Training Provider Registry website



February 7, 2022

ELDT compliance date
Training providers begin **submitting training certification information**
States begin **verifying driver training certification information**

**What do the ELDT
regulations require
of training
providers?**

What is a training provider?

An entity that is listed on the FMCSA Training Provider Registry.

May include:

- Training schools
- Educational institutions
- Rural electric cooperatives
- Motor carriers
- State/local governments
- School districts
- Joint labor management programs
- Owner-operators
- Individuals

Training Provider Requirements



REGISTRATION



CURRICULA



INSTRUCTORS



FACILITIES



VEHICLES



STATE LICENSING



ASSESSMENTS



TRAINING
CERTIFICATION



DOCUMENTATION



FMCSA AUDITS

For full training provider requirements, see 49 CFR part 380 subparts F & G.



Registering with FMCSA

► For more information: [§ 380.703](#)

- To be authorized to provide entry-level driver training, training providers must register with FMCSA.
- During registration, training providers **must self-certify** that they meet all applicable Federal and State requirements.
- Only registered training providers will:
 - Be listed on the Training Provider Registry website (publicly viewable in late 2021).
 - Be able to submit driver training certification information to FMCSA (beginning on February 7, 2022).
- Training providers are required to register even if they do not provide training to the general public.
 - Providers may omit their contact information from the public list.



Curricula

Training providers must cover all topics described in [49 CFR part 380 appendices A through E](#), as applicable

- There is no required minimum number of instruction hours.
- Separate training providers may deliver the theory and behind-the-wheel (BTW) portions of the training, but both portions of BTW training must be delivered by the same training provider.
- Driver-trainees must complete both the theory and BTW portions of training within one year of each other.
 - Except for individuals seeking the H endorsement
- A simulation device cannot be used for BTW instruction, but can be used as part of theory instruction.

[Download the ELDT Curricula Summary](#) for an overview of requirements.





Instructors

► For more information: §§ [380.713](#), [380.605](#)

- Theory and BTW instructors must hold a CDL of the same (or higher) class and with all endorsements necessary to operate the CMV for which training is to be provided.
- They must also have either:
 - At least two years of experience driving a CMV requiring a CDL of the same (or higher) class and/or the same endorsement; *or*
 - At least two years of experience as a behind-the-wheel CMV instructor.
- If an instructor's CDL has been cancelled, suspended or revoked due to offenses identified in §383.51, the instructor is prohibited from teaching for two years following the date his/her CDL is reinstated.



Facilities

► For more information: § [380.709](#)

- Classroom and range facilities must comply with all applicable Federal, State, and/or local statutes and regulations.
 - “Range” means an area that:
 1. Is free of obstructions;
 2. Has adequate sight lines; and
 3. Enables the driver to maneuver safely and free from interference from other vehicles and hazards.
 - Training providers may conduct BTW range training in *any* area that meets the three above requirements. They are not required to maintain or rent a private facility or space.
 - If range training is conducted in publicly accessible area, all CLP requirements also apply.



Vehicles

▶ For more information: §§ [380.711](#), [392](#), [393](#), [396](#)

- Vehicles must comply with applicable Federal and State safety requirements.
- Vehicles must be in the same group and type that driver-trainees intend to operate for their CDL skills test.



State Licensing

► For more information: [§ 380.703](#)

- Training providers must be licensed, certified, registered, or authorized by the State where the training is conducted, as applicable.
 - Note: Some States may not have instructor certification requirements for entry-level driver training providers.
- If a training provider offers theory instruction **only online**, the State licensing requirements do not apply.



Assessments

► For more information: § [380.725](#)

Theory Training

- Training providers must use assessments (in written or electronic format) to determine trainees' proficiency with all units in the theory curriculum.
- Students must earn a minimum overall score of 80 percent.

BTW Training

- Training instructors must evaluate and document a trainee's proficiency in BTW skills.
- Training instructors must document the total number of clock hours each trainee spends to complete the BTW curriculum, but there is no minimum number of training hours required.



Driver Training Certification

Training providers are not required to submit training certification information until February 7, 2022 and thereafter

- The following training certification information must be submitted to the Training Provider Registry by midnight of the second business day after each student completes training:
 - Driver-trainee name, date of birth, and license/permit number and State of issuance.
 - CDL class/endorsement and type.
 - Specifics about the type of training completed (for example, theory or BTW).
 - Score on written theory assessment (if applicable).
 - Total number of clock hours spent BTW (if applicable).
 - Date of successful completion of training.



Documentation and Record Retention

► For more information: [§ 380.725](#)

- All training providers must retain specific records, including:
 - Self-certifications by accepted driver-trainees for BTW training attesting that they will comply with U.S. Department of Transportation regulations, as well as State and/or local laws related to controlled substances and alcohol testing, age, medical certification, licensing, and driving record.
 - A copy of the trainee's CLP or CDL.
 - Instructor qualification documentation.
 - Lesson plans for theory and BTW (range and public road) training curricula.
 - Records of individual entry-level driver training assessments.
- Records must be maintained for at least 3 years.



FMCSA Audits

► For more information: §§ [380.721](#), [380.723](#)

- Training providers must allow FMCSA or its authorized representative to audit their operations.
 - If FMCSA determines that a training provider does not meet all applicable requirements, FMCSA may remove the training provider from the Registry.
 - Any training conducted after a training provider's removal date will be considered invalid.
 - Training providers who wish to remain listed on the Registry may appeal FMCSA's decision or take corrective action.



Maintaining Registration

► For more information: § [380.719](#)

- **Within 30 days of a change**

Update your registration with any changes to key information, such as:

- Name, address, phone number.
- Type(s) of training offered.
- Training provider status.
- Change in State licensure, certification, or accreditation status.

- **Biennial update**

Confirm your TPR registration biennially, even if nothing has changed.



Grounds for Removal

► For more information: § [380.721](#)

- **FMCSA may remove a provider from the TPR based on:**
 - Failing to comply with the requirements for continued TPR listing
 - Denying access during an audit or investigation
 - Material deficiencies in the program, operations, or eligibility
 - Falsely claiming eligibility to provide training
 - Evaluation of pass/fail rates for the students of the providers based on State testing scores
- **Removal by FMCSA means any training conducted after the removal date is invalid**
- **On a case-by-case basis, FMCSA may retroactively invalidate previous training if the driver-trainee willingly engaged in fraud or other criminal behavior**

How will training providers submit driver training certification information?

Get Ready to Submit on February 7, 2022



MANUAL SUBMISSION

All training providers will be able to manually enter driver information using an online form.



WEB SERVICES SUBMISSION

Optional: Training providers with their own IT systems can set up a web interface to submit data via a TPR Web Service.

Additional State Training Requirements

- **NH RSA 259:26 Drivers' School**
 - "Drivers' school" shall mean the business of giving instruction, for compensation, in the operation of motor vehicles, motorcycles, and commercial motor vehicles.
- **CDL Driver's School Instructor (Saf-C 3117.04)**
 - Minimum of 5 consecutive years as a licensed CDL driver in the class of vehicle for which they intend to instruct in
 - Meet and maintain the physical requirements for commercial drivers set forth in 49 CFR 391.43.
- **Good News – NH State Bill 307 removed this for motor carriers**

Guidance on Out-Of-State Training

Question 27: How do FMCSA's ELDT regulations affect State-based training requirements?

"Guidance: To comply with the ELDT regulations, which take effect on February 7, 2022, drivers seeking a Class A or Class B CDL, a P endorsement, or an S endorsement, must successfully complete applicable ELDT (theory and behind-the-wheel (BTW) instruction) from a training provider listed on FMCSA's training provider registry (TPR) before taking the State-administered skills test(s). A driver seeking the H endorsement must successfully complete ELDT (theory only) prior to taking the State-administered knowledge test. On or after February 7, 2022, the State must not administer the test(s) until verifying that the applicant has completed the required ELDT. The ELDT regulations also impose minimum qualification standards for training providers and instructors conducting ELDT.

As discussed in the preamble to the final rule establishing ELDT requirements (81 FR 88732 (Dec. 5, 2016)), FMCSA's ELDT regulations establish *minimum* training standards for entry-level drivers. The CDL regulations do not directly preempt State law. Accordingly, the Federal ELDT requirements generally do not replace or otherwise supersede State-based ELDT requirements that exceed the minimum Federal standards for entry-level drivers. A State may also impose more stringent qualification requirements for training providers and training instructors conducting ELDT in that State. FMCSA noted in the preamble to the 2016 final rule that questions would likely arise concerning the relationship between Federal and State ELDT requirements and the Agency would provide post-rule guidance as necessary. Answers to frequently asked questions are set forth below..

Guidance on Out-Of-State Training

Q27.1. Can a CDL applicant domiciled in State A receive ELDT (BTW range and public road) and pass the skills test in State B?

A27.1. Yes. In accordance with 49 CFR 383.79(a), if a driver domiciled in State A obtains training in State B and passes the skills test administered by State B, State A must accept the skills test results from State B in fulfillment of the driver's skills testing requirement and of State A's skills testing administration requirement.

Guidance on Out-Of-State Training

Q27.2. An applicant for a Class B CDL with school bus (S) and passenger (P) endorsements, domiciled in State A, obtains ELDT (BTW range and public road) for Class B and S and P endorsements and passes the skills test in State B. Can State A require the applicant to meet additional standards to obtain the S endorsement?

A27.2. Yes. For example, some States require drivers seeking the S endorsement to obtain a State-issued certification related to the operation of school buses, which may include, for example, requirements for completion of a CPR or first aid course, a minimum number of BTW training hours in a school bus, a minimum number of classroom training hours, or specified training topics that exceed the ELDT curricula requirements.

Even if the driver obtained skills training in another State (the training State) and passed the S endorsement skills test in that State, nothing in the ELDT regulations prohibits the State of domicile from requiring the driver to obtain a State-based certification for school bus drivers as a condition of receiving a CDL with the S endorsement, or meeting other requirements as a condition of receiving a CDL. In accordance with 49 CFR 383.79(a), the State of domicile cannot require the driver to re-take skills tests successfully completed in the training State.

Guidance on Out-Of-State Training

Q27.3. An applicant, domiciled in State A, completes BTW training and passes the skills test in State B. State A accepts the skills test results from State B, but has a State law requiring applicants to complete a minimum number of BTW training hours in order to obtain a CDL (the ELDT regulations do not impose a required minimum number of BTW hours). Can State A impose additional BTW requirements as a condition of receiving a CDL in that State?

A27.3. Yes. The State of domicile may require the applicant to meet State-based requirements, such as a minimum number of BTW training hours, prior to receiving a CDL or a P, S, or H endorsement, even if the applicant obtained ELDT in another State and passed the skills test in that State. In accordance with 49 CFR 383.79(a), the State of domicile cannot require the driver to re-take skills tests successfully completed in the training State.

Guidance on Out-Of-State Training

Q27.4. The ELDT regulations require BTW instructors to meet certain qualification requirements, such as having at least 2 years of experience driving a CMV for which ELDT is to be provided or 2 years of experience as a BTW training instructor. Can a State require ELDT instructors to have more than 2 years of relevant experience or more than 2 years of training experience?

A27.4. Yes. The ELDT qualification requirements for instructors are minimum standards. As set forth in the definitions of “theory instructor” and “behind-the-wheel (BTW) instructor” in 49 CFR 380.605, instructors must comply with State-based instructor qualification requirements. A State may therefore impose more stringent qualification requirements on instructors who provide ELDT in that State, except for online theory instructors; this exception is set forth in the definition of “theory instructor” in 49 CFR 380.605.

Guidance on Out-Of-State Training

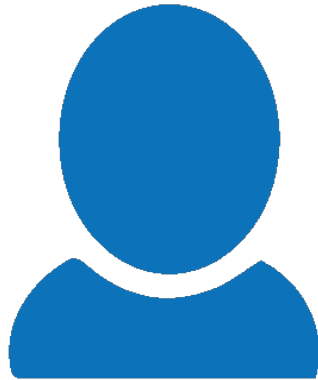
Q27.5. The ELDT regulations require training providers to follow a curriculum meeting the applicable criteria set forth in 49 CFR part 380, Appendices A-E. Can a State require a training provider to offer additional training topics or impose other additional requirements on the provider?

A27.5. Yes. As provided in 49 CFR 380.703(a)(5)(i), training providers must comply with additional requirements imposed by a State in which the provider offers ELDT.

Resources from FMCSA

- Visit the TPR website: <https://tpr.fmcsa.dot.gov>
 - Sign up for email updates from FMCSA
 - Find answers to frequently asked questions
 - Training Provider Registry Factsheet
 - ELDT Overview Presentation

Q&A



Questions? Contact Us



To learn more about ELDT and the Training Provider Registry, visit:

<https://tpr.fmcsa.dot.gov>



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