



Owner-Operator Independent Drivers Association

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June 24, 2022

The Honorable Robin Hutcheson
Deputy Administrator
Federal Motor Carrier Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Docket # FMCSA-2021-0169, “Exemption Application: Entry-Level Driver Training; SBL Truck Driving Academy, Inc.”

Dear Deputy Administrator Hutcheson:

The Owner-Operator Independent Drivers Association (OOIDA) is the largest trade association representing the views of small-business truckers and professional truck drivers. OOIDA has over 150,000 members located in all fifty states that collectively own and operate more than 240,000 individual heavy-duty trucks. OOIDA’s mission is to promote and protect the interests of its members on any issues that might impact their economic well-being, working conditions, and the safe operation of commercial motor vehicles (CMVs) on our nation’s highways.

For decades, OOIDA has supported national entry-level driver training (ELDT) standards. In our opinion, the best way to promote safety is to improve driver training requirements. Currently, too many new drivers enter the industry without the basic skills to safely operate a CMV. While the ELDT rulemaking that went into effect earlier this year is far from sufficient, the regulation does establish minimum qualifications for training instructors. If these standards are maintained and enforced, highway safety will undoubtedly improve.

In 2015, OOIDA participated in FMCSA’s Entry-Level Driver Training Advisory Committee (ELDTAC). Composed of twenty-six industry members, the ELDTAC was established to conduct a negotiated rulemaking on ELDT regulations and requirements. As part of the requirements for training instructors, the ELDTAC specifically recommended:

On-road trainers must be experienced drivers. On-road trainers must maintain a driving record that meets applicable state/provincial requirements, school policy, and Federal Motor Carrier Safety Regulations.

- *Experienced driver means a CMV driver with experience driving with a CDL of the appropriate (or higher) class and with all endorsements*

necessary to operate the CMVs for which training is to be provided, and who:

*(1) has at least 1 year of experience driving; or
(2) has at least 1 year of experience as an on-road CMV trainer; and
(3) meets all applicable State training requirements for CMV trainers.*

- *On-road trainers must have completed training in the on-road portion of the curriculum in which they are instructing.*
- *Trainers must have a state/provincial teaching license or permit, if required.*
- *Any theory/classroom/range trainers who are not CDL holders must have audited or instructed that portion of the driver-training course that he/she intends to instruct.¹*

The ELDTAC further noted that, “2 or more years of such experience is preferable” in the class and operational environment of the vehicle for which they are providing instruction.² OOIDA supported the provision in the final ELDT rule that required CDL experience for training instructors. CDL experience is essential in providing comprehensive training to entry-level drivers. We feel there is no substitute for an experienced behind-the-wheel trainer and employing these instructors will help achieve the objectives of the ELDT rulemaking.

For these reasons, OOIDA opposes SBL Truck Driving Academy’s (SBL) request to exempt two of its current employees from the requirement that instructors have at least 2 years of experience driving a CMV requiring a CDL of the same or higher class and/or the same endorsement necessary to operate the CMV for which training is provided. Exempting instructors without CDL experience will not result in an equivalent or greater level of safety than is now required by the ELDT rulemaking. Additionally, the final ELDT rulemaking was published on December 8, 2016, and specifically mentioned that the roughly 3-year phase-in period allowed time for CMV driver training entities to develop and begin offering training programs that meet the eligibility requirements for listing on the Training Providing Registry. The delayed implementation of the final rule from 2020 to 2022 allowed even more time for training providers to meet the requisite experience of operating a CMV or the minimum experience as a behind-the-wheel CMV instructor.

We encourage FMCSA to reject SBL’s exemption request. The ELDT rule should not be diluted to accommodate entities that have failed to prepare for its implementation.

Thank you,



Todd Spencer
President & CEO
Owner-Operator Independent Drivers Association, Inc.

¹ *Written Statement of the Entry-Level Driver Training Advisory, Committee Consensus Recommendation on Rule for Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators* (June 2015).
<https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/ELDTAC%20Written%20Statement.pdf>

² Ibid