

MEMO

TO Licensed/Registered Schools, State Board of Private Licensed Schools

FROM Nicole Campbell, Division Chief

DATE May 18, 2023

RE Private Licensed Schools Memorandum #93 (rev 5.18.2023)

Commercial Truck Driving Programs

This memo revises and replaces Board Policy Memorandum #93, issued on November 17, 2022.

The State Board of Private Licensed Schools, at the meeting held on May 18, 2023, approved the following policy under the authority of 24 P.S. §6504 (a).

The Federal Motor Carrier Safety Administration (FMCSA) mandates that all entities offering entry-level driver training for commercial truck driver programs must be registered with the (FMCSA) as an Entry-Level Driver Training (ELDT) provider and must attest that all program requirements have been met in accordance with 49 CFR § 380. This includes Private Licensed Schools.

If at any time either FMCSA, PA Department of Transportation, or the Board determines that a training provider does not meet all applicable requirements, the provider may be removed the FMCSA list of approved training providers and will be required by the Board to suspend instruction until the requirements are met.

New Programs

In addition to all other State Board of Private Licensed School New Program application requirements, the items requested on the CDL Program worksheet within the New Program application must be submitted by schools applying to offer commercial truck driver training programs.

Board-Approved Programs

Effective March 1, 2022, in addition to all other State Board of Private Licensed School License/Registration Renewal application requirements, the items requested on the CDL Program worksheet within the License/Registration Renewal application must be submitted by schools offering commercial truck driver training programs.

Administration

- The school must demonstrate that it employs qualified personnel with prior experience in commercial truck driver training. The school must have at least one member of administration/personnel with a minimum of 2 years' experience with commercial truck

driver training programs or other involvement in the training of commercial truck drivers and provide a list of all commercial truck driving programs/facilities with which they have been affiliated.

- Provide the name of the qualified staff member who is the Designated Employer Representative and who has received the supervisor drug and alcohol training.
- Provide a signed statement by the owner/director that the school agrees to abide by all applicable US Department of Transportation FMCSA regulations (CDL Owner/Director Attestation).
- Provide the school's FMCSA ELDT Training Provider Registry (TPR) ID number.
Note: Newly approved programs will be 'approved pending' to allow the school the opportunity to register their program in the TPR. TPR is then confirmed after the initial approval during the school's licensure/registration renewal.

Instructor Qualifications

Behind-the-wheel (BTW) instructor: Provides training involving the actual operation of a commercial motor vehicle (CMV) by an entry-level driver on a range or a public road and meets one of these qualifications:

- A copy of a valid, unexpired Commercial Driver's License (CDL) of the same (or higher) class and with all endorsements necessary to operate the commercial motor vehicle for which training is to be provided. *Note: New PA residents with an out-of-state CDL must obtain a PA CDL within 30 days of establishing Pennsylvania residency.*
- Evidence of at least 2 years of experience driving a CMV requiring a CDL of the same (or higher) class and the same endorsements necessary to operate the CMV for which instruction is to be provided.

OR

Evidence of at least 2 years of experience as a BTW CMV instructor requiring a CDL of the same (or higher) class and the same endorsements necessary to operate the CMV for which instruction is to be provided.

Exception: A BTW instructor who provides training solely on a range which is not a public road is not required to 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, as long as the instructor previously held a CDL of the same (or higher) class and with all endorsements necessary to operate the CMV for which training is to be provided, and complies with the other requirements set forth.

Note: If an instructor's CDL has been cancelled, suspended, or revoked due to any of the disqualifying offenses, the instructor is prohibited from engaging in BTW instruction for 2 years following the date his or her CDL is reinstated.

- A copy of a valid and unexpired medical examiner certificate.
- A copy of a full Motor Vehicle Report.
- The date of the most recent DOT drug test.

- Evidence that an FMCSA Drug and Alcohol Clearinghouse query finds the instructor 'Driver Not Prohibited'. *Note: query must be dated within one month prior to submission.*

Theory classroom-only instructor (no BTW 'safety sensitive' instruction): Provides knowledge instruction on the operation of a CMV and meets one of these qualifications:

- A copy of a valid, unexpired CDL of the same (or higher) class and with all endorsements necessary to operate the commercial motor vehicle for which training is to be provided.
- Evidence of at least 2 years of experience driving a CMV requiring a CDL of the same (or higher) class and the same endorsements necessary to operate the CMV for which instruction is to be provided.

OR

Evidence of at least 2 years of experience as a BTW CMV instructor requiring a CDL of the same (or higher) class and the same endorsements necessary to operate the CMV for which instruction is to be provided.

Exception: An instructor is not required to 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, if the instructor previously held a CDL of the same (or higher) class and complies with the other requirements.

Exception: Training providers offering online content exclusively are not required to meet State qualification requirements for theory instructors.

Note: If an instructor's CDL has been cancelled, suspended, or revoked due to any of the disqualifying offenses, the instructor is prohibited from engaging in theory instruction for 2 years following the date his or her CDL is reinstated.

Admission

- Indicate within the Admission/Enrollment Requirements whether a student must possess a Commercial Learners Permit upon admission or if this is obtained during the program.
- Provide a copy of the Consumer Protection Policies and Disclosures to include the following:
 - Signed student attestation that they will abide by all applicable US Department of Transportation Federal Motor Carrier Safety Regulations, including the FMCSA Drug and Alcohol Clearinghouse.
 - Requirements of passing DOT physical.
 - List the restrictions for students regarding interstate driving for CDL holders under the age of twenty-one.
 - Indicate whether the student will be trained using vehicles with automatic and/or manual transmission and list the employment opportunity restrictions for students regarding automatic transmissions (if applicable).
 - List any charges for additional hours and how these charges are calculated.

Equipment

- Training vehicles must be in the same group (Combination vehicle (Group A), Heavy Straight Vehicle (Group B), Small Vehicle (Group C)) and type that driver-trainees intend to operate for their CDL skills test.
- A description of the equipment maintenance program and how it impacts student training.
- A description of each vehicle (i.e., year, make, model, mileage, automatic or manual transmission, synchronized or unsynchronized transmission, airbrake, number of axels, day/sleeper cab, etc.).
- A description of each trailer (i.e., year, make, type, number of axels, length, etc.).
- Proof of ownership or lease agreement for each piece of equipment that includes the owner's/lessor's name and contact information.
- Proof of state-required (tractor/trailer) insurance that includes the insurer's name, address, contact information, policy type, policy number and expiration date.

Program

- Complete the CDL Program bridge worksheet that identifies where in the school's curriculum and policies the individual FMCSA ELDT Training Requirements are offered and how the students' knowledge and skills will be assessed.

Facility

- Classroom and range facilities must comply with all applicable Federal, State, and/or local statutes and regulations.
- Classroom and range locations must be identified. Including:
 - Certificate of occupancy or equivalent statement for classroom facilities.
 - Floor plans for classroom facilities, including square footage and indication of the placement of equipment and amenities.
 - Zoning permit or equivalent statement for driving range.
 - Ariel photo or drawing depicting the use of the driving range, including dimensions and safety features. Ranges must be free of obstructions and have adequate sight lines, enabling the driver to maneuver safely and free from interference from other vehicles and hazards.

If you have questions about the information provided in this memorandum, please email Board staff at ra-pls@pa.gov.