

automatic transmission-equipped vehicles, railroad grade crossing safety, and work zone safety.

The ATA and the American Bakers Association stated that both the PTDI curriculum and Model Curriculum have acceptable course content and length for heavy truck drivers. The agency agrees that both curricula are acceptable because experts use the agency's Model Curriculum as a training standard in the adequacy study.

In addition, all drivers who wish to obtain a CDL are required to pass specified knowledge tests. The agency and the American Association of Motor Vehicle Administrators (AAMVA) have developed a Commercial Driver's Manual to assist drivers in passing these tests. The manual instructs drivers to shift to a lower gear before starting down a steep grade in order to maintain a safe speed. The manual also has a section for railroad highway grade crossing safety, as well as work zones where the work can create a distraction for drivers and the workers may not see the driver.

Question 4: Can Government or Private Standards That Guide the Training of Entry-Level Drivers Be Used To Determine the Adequacy of Entry-level Driver Training? Why Are These Standards Appropriate?

A total of forty-five commenters responded to this question.

Eight commenters, including the ATA, mentioned either the PTDI organization or the PTDI certification process as standards for determining the adequacy of entry-level driver training. Two commenters, including the Michigan Truck Safety Commission, cited the Model Curriculum, and again, six commenters, including the American Bus Association, cited the CDL test as a standard for determining the adequacy of entry-level driver training. One employer, ITC, stated that a motor carrier approves of a training institution by hiring its students. The remaining commenters stated that the agency should establish minimum entry-level training standards and that no standard exists.

As discussed above, the agency agrees with commenters that the PTDI curriculum and Model Curriculum are both voluntary government-industry developed standards that can be used to determine the adequacy of entry-level driver training.

Question 5: To Obtain a CDL, a CMV Driver Must Demonstrate Knowledge and Skill Needed To Operate a CMV. Are These Tests Sufficiently Comprehensive To Accurately Measure a Driver's Performance? Please Explain Why or Why Not. Provide Information of Specific Deficiencies.

A total of eighty-one commenters responded to this question. Forty-two commenters, including the ATA, stated that the CDL accurately measures a driver's performance. Thirty-nine commenters, including the International Brotherhood of Teamsters, stated that the CDL does not accurately measure a driver's performance. The Teamsters stated further that mere possession of a CDL does not guarantee that the driver has the necessary experience and skill.

The agency believes that the CDL gives the novice driver the basic knowledge and skill necessary to operate a CMV. However, the employer may have to provide additional safety training, or allow the driver to gain CMV-operating experience before permitting the driver to drive, for example, in hazardous weather conditions. Because of the differences in operating practices among various CMV industries, the employer should be responsible for ensuring that the driver receives the appropriate training.

Question 6: Should Training Requirements for Entry-Level CMV Drivers be Federally Mandated?

A total of one hundred and fifty-one commenters responded to this question. Fifty-one commenters, including the Fox Valley Technical College, stated that training should be mandated. The Fox Valley Technical College stated that if training were not federally mandated, many companies would not comply. Sysco Food Services stated that training should only be mandated for companies with 50 or more new drivers. Ninety-two commenters, including the National Private Truck Council, stated that training should not be federally mandated. The National Private Truck Council stated that because the CDL is a performance based standard, training should not be mandated. Citizens Gas and Coke Utility stated that training should only be required for combination vehicles.

The agency believes that mandating training only for groups of 50 or more new drivers is not consistent with the need to train all entry-level drivers. A large majority of motor carriers have six or fewer power units, and would therefore be excluded from a 50 or more driver mandate. Moreover, larger employers could limit the number of

drivers hired at one time to less than 50 to avoid being subject to mandatory entry-level training requirements. The adequacy study found that neither the heavy truck, motorcoach, nor the school bus industries provided adequate entry-level driver training. As the study surveyed drivers and employers that use both single and combination vehicles, its findings lead the agency to conclude that training should be mandatory for all entry-level drivers, irrespective of the kind of vehicle they drive or the size of the employing carrier.

Question 7: What Is an Entry-Level Driver?

A total of forty-four commenters responded to this question. Eighteen commenters, including the PTDI, stated that an entry-level driver is one who has never driven a CMV. The adequacy study found that entry-level training is training received in the first three years of driving. However, the Truckload Carriers Association and ATA indicated three years was too long. A representative of the Truckload Carriers Association stated during the public meeting that the term "entry level" is limited to the driver's first six months of driving. A representative of the ATA indicated during the public meeting that an "entry-level driver" is a person who has "a couple of years of experience." In written comments, the ATA stated that the definition of an entry-level driver should include a driver who moves to a higher class of CMV.

The agency agrees with the ATA and the Truckload Carriers Association that the three-year experience requirement cited in the adequacy study is too long, because operating experience helps CMV drivers reduce accidents caused by driver error. This rule proposes to define entry-level driver as a driver with less than two years experience operating a CMV with a CDL.

Question 8: What Industry-Wide Initiatives or Policies, If Any, Assure That the Majority of All Entry-Level Drivers Are Trained?

A total of thirty-five commenters responded to this question.

Twelve commenters, including the Distribution LTL Association, cited the PTDI curriculum, the Model Curriculum or both. Fifteen commenters, including Schneider National, cited the CDL license. Three commenters, including the Washington Department of Licensing, stated that no such initiatives or policies exist. Five commenters, including the ATA, cited insurance companies, which promote training programs for entry-level drivers.