

*Before the*  
FEDERAL HIGHWAY ADMINISTRATION  
U.S. DEPARTMENT OF TRANSPORTATION

MARCH 16, 1993  
WASHINGTON, DC

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*Comments of*  
AMERICAN TRUCKING ASSOCIATIONS

*On*  
FEDERAL MOTOR CARRIER SAFETY REGULATIONS  
MANDATORY MINIMUM TRAINING REQUIREMENTS FOR  
OPERATORS OF LONGER COMBINATION VEHICLES (LCVs)

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FHWA Docket No. MC-92-10 RIN:2125-AC92  
Federal Register [Vol. 58, No. 10, P. 4368]



**Without Trucks  
America Stops**



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*FOREWORD*

These comments are submitted on behalf of the American Trucking Associations (**ATA**), 2200 Mill Road, Alexandria, Virginia 22314-4677. **ATA** is the national trade association of the trucking industry. Through its affiliated trucking associations located in every state and the District of Columbia, 10 affiliated conferences, and their 30,000 motor carrier members, **ATA** represents every type and class of motor carrier in the country -- for hire and private, regulated and exempt.

**ATA** has initiated numerous programs for the trucking industry to help attain safety related objectives, including: training programs for drivers, supervisors, and driving schools; management programs to assure safe vehicles, safe drivers, and safe operations; research to reduce accident experience; and cooperative programs to improve vehicle performance, especially in the area of truck brakes.

We have also been strong and early advocates for the establishment of the Motor Carrier Safety Assistance Program; creation of a commercial driver's license; elimination of the commercial zone exemption; adoption of electronic record keeping for hours of service; implementation of brake improvement research; requirements for drug and alcohol testing; eliminating drugs at truck stops; and banning radar detectors.

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**SUMMARY:**

The trucking industry recognizes the importance of employing well skilled, knowledgeable, and trained drivers. Over the past several years, motor carriers have expanded efforts to ensure that the drivers operating their equipment are properly qualified. Carriers have and continue to spend millions of dollars training and educating drivers on areas related to the Commercial Driver Licensing requirements. Many motor carrier training initiatives substantially exceed the fundamentals covered in the CDL program. Trucking operations are also continuing to dedicate significant resources to drug and alcohol testing and other driver-based improvement programs.

The trucking industry has largely, on a voluntary basis, adopted the Federal Highway Administration's Model Curriculum for Trainina Tractor Trailer Drivers. In an effort to improve the quality and professionalism of truck driver training programs throughout the country, motor **carriers** have also supported the Professional Truck Driver Institute of America's development of industry standards for training truck drivers and its voluntary course certification program.

Recently, a number of **ATA** member companies and other motor carriers were instrumental in assisting PTDIA curriculum specialists with the completion of the new PTDIA Twin-Trailer Driver Curriculum. **ATA** is pleased that PTDIA has been awarded

additional contracts by the Federal Highway Administration to develop a training curriculum for drivers of triple trailers and drivers of long double combination trucks.

Although just a summary of the **activites** undertaken and supported by the trucking industry, these efforts are proving to be beneficial. For the ten year period between 1981 and 1991, fatal accidents involving medium and heavy trucks have decreased 17%; the fatal accident rate has dropped 40%; and the number of fatalities has decreased 17% -- all while vehicle miles of travel for medium and heavy trucks has increased 38.7%.

POSITION

The American Trucking Associations supports the advance notice of proposed rulemaking that would require the establishment of minimum training requirements for LCV operators. Motor carrier management accepts ongoing responsibility for continuing those efforts which contribute to the positive trends in the accident and fatality experience of medium and heavy trucks. Additional training requirements for LCV operators, crafted fairly and reasonably, should not impose undue burdens on the companies operating longer combination vehicles. We have found that many companies using **LCVs** are already conducting substantial training prior to dispatching drivers with this type of specialized equipment. In the states that currently permit LCV operations, but require training as a prerequisite for the

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LCV permit, motor carriers are presently complying with these training requirements without undue hardship.

SCOPE/QUESTIONS & ANSWERS

**Q.1)** As used by the motor carrier industry for many years, the term LCV means any CMV with 2 trailers (either of which is over 28 **1/2** feet long) or CMV combinations with more than 2 trailers, irrespective of length. Vehicle weight plays no part in the industry use of the term. Should the definition of LCV that will be used to develop a training requirement be expanded to include vehicles not covered by the **ISTEA** such as multiple-trailer combinations operating with a gross weight of less than 80,000 pounds, i.e., "**twin trailers**" or "**western doubles**"? In addition, the FHWA wishes to determine whether vehicles operating under special permit at weights over 80,000 pounds and/or straight trucks pulling single or multiple trailers with overall lengths in excess of 72 feet should be included in those vehicles used to establish a LCV training requirement.

**A.1a)** The definition that should be used for the purpose of defining this training requirement should be consistent with **FHWA** Docket No. 92-15, 23 CFR Parts 657 and 658, "**Truck Size and Weight; Restrictions on Longer Combination Vehicles (LCVs) and Vehicles with Two or More Cargo Carrying Units.**" The definition should include the definition of a LCV which

operates on the Interstate System, the definition of Trucks Over STAA length on the National Network, and a listing of **CMVs** specifically excluded from the definition and the state in which it is excluded. FHWA should not attempt to include other vehicle types and sizes in the LCV training requirement. To do so would cause confusion as to the definition of Longer Combination Vehicle and would be contrary to the action and intent of Congress when it defined LCV in the Intermodal Surface Transportation Efficiency Act of 1991.

Q.2) What difficulties would the **ISTEA** definition create from an enforcement standpoint, in distinguishing which vehicles meet the definition and in determining which drivers must comply with any LCV training requirements?

**A)** DOT should ensure carrier compliance with the training requirements through the compliance review process. DOT and state officials conducting safety and compliance reviews will have to be educated on the definition of longer combination vehicle and the applicability of the requirements to motor carriers. To avoid confusion or difficulties on the part of other enforcement personnel, a check of LCV operator qualifications should not be made part of the roadside inspection procedures, except to assure LCV endorsements as appropriate. Motor carriers should be

required to maintain verification or certification of the required training in the driver qualification file. Motor carriers should also be required to maintain certification of the instructors qualification in the instructors' personnel files.

Q.3) Once the training requirements for LCV drivers are established, what should **the FHWA's** role be in assuring that the training is actually carried out according to the minimum standards?

A) The role that FHWA should take in assuring that the training is actually carried out according to the minimum requirements is the same role that FHWA takes in assuring that motor carriers comply with other requirements. FHWA should, through the safety and compliance review processes, assure that carriers operating **LCVs** are aware of the training requirements and have the program and qualified instructors in place to meet the minimum standards.

4.4) What standards are necessary to ensure that instructors, who will be the key to the efficiency and effectiveness of the LCV training, have been adequately and properly trained and are carrying out their training responsibilities in an acceptable manner?

A) FHWA should set minimum qualifications for the instructors so that LCV instructors demonstrate a certain level of proficiency. For example, a requirement could be 50,000 miles of LCV driving without being charged for a moving violation related to an accident. Instructors should also have to pass a basic knowledge test (administered by the employing motor carrier) on LCV operations in order to be qualified to train LCV drivers. The exact proficiencies should be determined through an FHWA trucking industry survey or study to determine the best industry practices. To ensure that instructors are carrying out their responsibilities in an acceptable manner, the motor carriers should have to document specific information about the training. For example, date(s), locations, amount and specific type of classroom training, and amount and specific type of behind-the-wheel training should be documented.

Q.5) Since LCV operations are allowed only under special State oversize/overweight permits, should the initial licensing of LCV instructors and certification of LCV drivers be accomplished by a federal (FHWA or other) or state agency? How should this be accomplished?

A) LCV instructors should go through a carrier managed certification program much like the certification process for vehicle and brake inspectors. The licensing of

drivers should be tied to the CDL testing program.

Q.6) From an enforcement perspective, what specific Federal, State or local agency should have the responsibility for assuring that the requirements of LCV training are met and what form of documentation should be established to prove to prospective employers that adequate LCV training has been successfully completed by a driver? Who should be held accountable if the training requirements are not met, the individual and/or a motor carrier employer?

**A. 6a) Federal** and state MCSAP inspectors should have the responsibility for assuring that the requirements are met during safety reviews and compliance reviews.

**6b)** The form of documentation that should be used to prove to prospective employers that adequate LCV training has been successfully completed should be similar to other forms contained within driver qualification files. The information the qualification form should cover should include: when the training was conducted, where, the type and length of training, and information on who conducted the course. The CDL should also indicate that the driver has met the LCV training requirements.

**6c)** Both the individual driver and the motor carrier should be held responsible if the LCV training requirements are not met. The carriers have the responsibility for conducting

thorough background checks of drivers prior to putting drivers in service. These background checks include the overall driver qualifications, including training and proper licensing. Drivers should also be responsible because of the possibility that drivers could mislead carriers/prospective employers about their training and qualifications.

4.7) Should nonprofit, private organizations, such as PTDIA, be authorized to evaluate and certify the adequacy of LCV training programs?

A) The **FHWA** should ensure the adequacy of the training in the safety and compliance review process. There is not a need to create an additional certification body or process. PTDIA and FHWA should continue the joint work in the establishment of the training curricula for drivers of long combination vehicles. Once the PTDIA has successfully developed the curricula, accepted and approved by industry, FHWA should assume the lead role in ensuring the adoption and implementation of the standards by those carriers in the industry subject to the requirements. The Professional Truck Driver Institute of America, unless as a contractor for FHWA, should continue to certify programs upon voluntary request and should not be involved in the compliance review process.

Q.8) What types of LCV driver training programs exist? Please provide as much detail about cost and course length as possible.

A) Most fleets that operate **LCVs** have established their own in-house training programs. These carrier-directed programs generally require certain levels of experience and excellent driving records prior to driving **LCVs**. Key eligibility criteria motor carriers impose on drivers prior to operating **LCVs** include the following. No moving violations or accidents within a specified time frame (generally three years). Many carriers that operate **LCVs** also have age minimums for LCV drivers -- typically age 25 as a minimum. The actual LCV-specific training conducted by many carriers involves between eight and sixteen hours of training for proven professional drivers who can satisfy the eligibility prerequisites. The type of training conducted by fleets includes classroom, video, lab, and range/behind-the-wheel. In addition to a thorough review of the state laws and regulations where the **LCVs** are being operated, the subjects covered in LCV training include such areas as equipment familiarization, basic operating characteristics, parking, hooking and unhooking, inclement weather, vehicle inspection, defensive driving, and proper weight distribution and trailer positioning. It is important to note that motor carriers administer road tests as part of

the LCV training process. The average cost of training a single LCV driver is roughly \$400.00.

Q.9) Should the implementation of minimum training requirements for LCV operators be "phased **in**" over a certain period of time? If so, what scenario do you propose and why?

A) Because of the excellent safety record of **LCVs**, we do not feel there is a need to implement the requirements immediately. Motor carriers that have more than 50 drivers who are subject to the training requirements should be given a one year phase in period. Carriers with fewer than 50 drivers who are subject to the training requirements should be given a two year phase in period. By establishing the phase in period, carriers will be given adequate time to plan and implement the programs without undue financial hardship.

Q.10) **Should** LCV training be a prerequisite for a double/triple trailer endorsement on a CDL?

A) Yes, LCV training should be a prerequisite for drivers who seek the double/triple endorsement after the effective date of the new regulations. Drivers who already have the endorsement, have driven the vehicle, and have a safe driving record, should be able to renew their license and

endorsement in the same manner that holders of state commercial licenses had "**grandfather**" rights for the CDL when it became effective (see 49 CFR 383.77).

**Q.11) Should** all LCV drivers be required to have previous experience with single vehicles? If so, how much?

**A)** LCV drivers should be required to have previous experience with single vehicles or a combination of experience and training prior to being certified as a qualified LCV operator. Typically, within the companies currently operating **LCVs**, policies require a minimum of two to three years experience operating tractor semitrailers.

**Q.12) How** often should LCV training be offered/repeated for both instructors and drivers?

**A)** LCV training for a new LCV driver or instructor should be required at time of hire if the driver will be operating **LCVs** or if the instructor is being hired to train in LCV operations. Drivers or instructors who are moving into LCV operations from within the fleet should receive training at a time when either becomes eligible for LCV operations or training. Instructors and drivers who continue to be involved with LCV operations should receive ongoing review of defensive driving techniques and changes in state laws or

regulations affecting LCV operations. LCV operators and instructors should also receive ongoing review of LCV accident analysis. Also, training should be provided any ~~time~~ new equipment is introduced into the fleet or at the installation of aftermarket equipment that could have an impact on the handling, maneuverability, or overall operating characteristics of the LCV.

**Q.13) Do** specialized vehicle combinations such as triples or those handling special cargo require different training standards?

**A)** All LCV drivers should have training which focuses on vehicle handling characteristics. The driver should have basic knowledge and operating skills to be aware of the vehicle handling characteristics that change with variations in size, weight, and nature of the load being transported. Because loading and handling requirements of heavy cargo, such as bridge girders, construction equipment, and building materials vary from load to load, driver training for safe handling of such loads must be provided by motor carriers themselves.