



ADVOCATES
FOR HIGHWAY
AND AUTO SAFETY

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Mandatory Minimum Training Requirements for **Operators of**
Longer Combination Vehicles, Advance Notice of Proposed Rulemaking,
58 FR 4638 et seq., January 15, 1993

I. Introduction.

Advocates for Highway and Auto Safety (Advocates) is pleased to respond to the Federal Highway Administration's (FHWA) request for comments on the character of minimum driver training standards for operators of longer combination vehicles (LCVs). This rulemaking is being conducted pursuant to a legislative mandate in the Motor Carrier Safety Act of 1991. Section 4007(b) of Title IV of the Intermodal Surface Transportation Efficiency Act of 1991 (**ISTEA**) directs the Secretary to establish such minimum standards. P.L. 102-240, 105 Stat. 1914, 2151. Subsection (1) of Section 4007(b) calls on the U.S. Department of Transportation to initiate rulemaking to establish minimum standards not later than 60 days following enactment of the **ISTEA**. This Advance Notice of Proposed Rulemaking (ANPRM) was issued 11 months later than the statutory deadline to begin public rulemaking. Subsection (2) of Section 4007(b) further provides that a final regulation establishing minimum standards will be issued no later than two years following

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ISTEA enactment, i.e., on or before December 18, 1993. Given the agency's current docket which entertains the topic of minimum LCV driver training standards through the issuance of an ANPRM rather than an NPRM, the FHWA will have to accelerate its efforts to fulfill this Congressional mandate over the next 10 months while ensuring ample comment periods for public input on any proposed standards published in the Federal Register in the next several months.

II. Entry-Level Commercial Motor Vehicle Driver Training Standards.

In the course of providing a brief background to the instant docket, the FHWA alludes to the development of its 1985 Model Curriculum for Training Tractor-Trailer Drivers which incorporated its earlier Proposed Minimum Standards for **Training** Tractor Trailer Drivers published in 1984. The 1985 model curriculum became the basis for a curriculum governing entry-level driver training put into operation in the late eighties by the Professional Truck Driver Institute of America (PTDIA), a non-profit organization.

PTDIA currently provides an entry-level curriculum' which is used as the standard measure for its truck driver training school

'Tractor-Trailer Driver Curriculum: The Units of Instruction and Their Requirements, PTDIA c1988.

certification **program**.² The Curriculum is based on the FHWA Model Curriculum cited above and is supplemented by the two-volume PTDIA publication entitled Tractor-Trailer Driver Manual: A Guide for Professional Drivers, c1989. There are other highly-regarded PTDIA publications, such as the motor carrier company-oriented text, Driver Finish Program: A Guide to Tractor-Trailer Driver Break-In Training, c1989, which is geared towards the supplementary instruction by a trucking company of new drivers of **tractor-trailers**.

Unfortunately, the PTDIA curriculum and PTDIA-certified truck driving schools are still a small minority of the driving training market in the U.S. The largest single reason for the delay in ensuring uniformity and excellence in entry-level training for commercial vehicle operators has been the chronic failure of the **FHWA** to mandate minimum training standards to ensure a high level of knowledgeable new drivers with well-tested operating skills. As a result, driver training is still haphazard throughout the U.S. and many new drivers still learn to operate commercial vehicles outside of any organized instructional framework.

Moreover, many schools' training programs are of questionable value and are often inadequate to the task of educating candidate drivers to the knowledge and skills necessary safely and

²Criteria for Voluntary Certification of Tractor-Trailer Driver Training Courses and Curriculum, PTDIA, c1989.

efficiently to operate commercial vehicles. Both the General Accounting Office (GAO) and other organizations have surveyed driving training programs and have found a tremendous unevenness in the quality of instruction, including classroom time, and range and street driving hours.

For example, the GAO in 1989³ found that the amount of classroom instruction offered by the 24 private schools surveyed ranged from 18 hours (or 12 percent of the total instruction hours) at one school to 160 hours (or 73 percent of total instruction hours) at another. Street driving instruction also showed an enormous variation from a low of 20 hours (or 7 percent of total instruction hours) to 180 hours (or 60 percent of the total instruction hours).⁴ Similar wide ranges of instruction time were found by the GAO among public schools.⁵

Overall, the GAO found wide variances in curricula content, hours of training, and costs at the 36 private and public schools it surveyed. The majority of the driver schools were not accredited or certified. However, in the much larger survey of truck driver training schools recently conducted by Citizens for

³Truck Safety: Information on Driver Training, U.S. General Accounting Office (GAO/RCED-89-163), August 1989.

⁴"Truck Safety: Information on Driver Training," op. cit., p. 5.

⁵Id., p. 6.

Reliable and Safe Highways, only nine (9) percent were found to have no form of **accreditation**.⁶

⁶**Citizens** for Reliable and Safety Highways (CRASH) surveyed 289 driving training schools nationwide during the early nineties. Total hours of instruction ranged from a low of 40 hours to a high of 900 hours, with most schools clustered in a range of 120 to about 600 hours. The most common totals of instructional time were 320 hours (about 22% of all interviewed schools), 300 hours (9%), 144 hours (6%), 400 hours (5%), and 150 hours (5%). Public schools exhibited wider extremes of low to high hours of instructions than did proprietary (private) schools. Taking public and private schools together as a class, combined range and street hours of instruction went from a low of 20 hours to a high of 581 hours. The most frequent figure for range/street instruction was 220 hours (9%), followed by 93 hours (7%), 223 hours (4%), and 200 hours (4%). Some schools, however, offer no range instruction -- only street driving time for gaining hands-on experience. In addition, of those schools that offer both range and street instruction, there was a significant disparity between total hours claimed by some schools for range/street instruction and how many hours each student actually got behind the wheel. Many schools have high instruction/pupil ratios and, thus, each student sometimes gets only relatively brief "**hands-on**" instruction time. Behind the wheel hours for each student varied from a low of 15 hours to a high of 292 hours.

Instructor-student ratios, including both classroom and range/street instruction, varied widely among all schools surveyed from one (1) teacher for each student, to one (1) teacher for every 50 students. However, almost 40% of the schools surveyed had teacher-student ratios between **3:1** and **6:1**. Similarly, some schools had few vehicles available for behind-the-wheel training, as little as one (1) commercial vehicle available for every 10 students.

Costs varied dramatically across all schools within the survey, with public programs generally costing much less than their private counterparts. Also, public funding for such truck training sites as community colleges and vocational schools varies greatly from state to state. Disregarding total hours of instruction, the total charge for a truck driver training course ranged from less than \$500 to \$5500. The great majority of courses cost between **\$500** and \$5000.

Bringing cost per hour of instruction into consideration reveals similar dramatic extremes. In a few schools, the charge

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The GAO study recommended to the Secretary of U.S. DOT that rulemaking be used to establish regulations requiring formal truck driver training and that this training be used as a uniform standard for the issuance of commercial driver licenses. The GAO also recommended that the FHWA develop required minimum Federal standards for such **training**.⁷

amounted to less than a dollar an hour. In a few schools at the opposite extreme, the charge was between about \$70 and \$250 per hour. Once again, even on a cost-per-hour basis, public schools averaged much less than private course offerings, usually less than \$10. Contrariwise, in all but four instances, private programs cost more than \$10 per hour.

Widely varying forms of accreditation accompanied the driver training courses surveyed, including significant percentages of certification by the Private Truck Driver Institute of America, by regional accrediting associations, by the National Association of Trade and Technical Schools, and state licensing or approval bodies. A small percentage of schools is accredited by the Accrediting Council of Continuing Education and Training. About nine (9) percent of the surveyed schools had no form of accreditation or certification.

Thirty-eight (38) percent of the interviewed schools received Title IV funds. Of these, about a quarter offer loans without grants, and the remaining 75% offer both Federal loans and grants. Of the remaining schools that are eligible for Federal assistance (but have requested none), about one-third have no financial aid of any kind available for students and over a fifth did not respond to questions on financial aid availability. Sixteen (16) percent offered aid under the Job Training Partnership Act, seven (7) percent offered Veterans Administration Assistance, and six (6) percent offered both.

Just under one-half of the surveyed schools offer the 320 hours, eight week minimum training course recommended by the 1984 FHWA proposed standards, but many variables within these course offerings have very different values, including instructor-student ratios, student-vehicle ratios, instructor-vehicle ratios, actual behind-the-wheel time per student, and cost per hour of instruction.

⁷"Truck Safety . . .," op. cit., p. 7.

These GAO recommendations followed on the heels of those issued in quick order by three government organizations during the eighties to radically improve truck driver training. In 1985, the U.S. DOT's National Highway Safety Advisory committee recommended that the **FHWA's** minimum standards issued in 1984 be used as the core of a training **curriculum**.⁸ This was followed by a report from the National Transportation Safety Board (NTSB) which indicated that new professional truck drivers were being licensed without any assurances of adequate training and that many of these drivers were inadequately prepared to safely operate commercial vehicles.' These new drivers were learning their skills on the road where the mistakes of inexperience and ignorance can lead to catastrophic consequences. As stressed in the cited 1989 GAO report,

NTSB also found that many drivers who received formal training were still not properly prepared because there was no system to evaluate the instruction at all schools and that there were no widely recognized minimum school standards. NTSB concluded that improved truck driver training required proper standards, as well as a way of applying them to the schools and a way of directing prospective students to the schools that measure up well against the standards."

⁸Commercial Vehicle Safety: A Report to the Secretary of Transportation by the National Highway Safety Advisory Committee, National Highway Traffic Safety Administration, U.S. Department of Transportation, May 1985.

⁹Training, Licensing, and Qualification Standards for Drivers of Heavy Trucks, National Transportation Safety Board (NTSB/SS-86-02)I April 1986.

¹⁰"Truck Safety . . .," op. cit., p. 12.

Most recently, the Office of Technology Assessment (OTA) of the U.S. Congress addressed the topic of commercial driver training within its comprehensive study of motor carrier safety." OTA stressed that no Federal requirement exists for truck drivers to receive formal training, and no state imposes training requirements for truck drivers. OTA also pointed up the paradox of the new national Commercial Driver License (CDL): although the promise of the CDL is a generally higher quality commercial driver, no specific training is required to qualify for CDL **testing**.¹² Following the grandfathering of tens of thousands of existing commercial drivers into the CDL system by April 1992 -- thousands of which had never received any formal training -- even new drivers can successfully pass the CDL without formal instruction.

Unfortunately, passing the CDL exam in any state is no proof of driving knowledge and proficiency. As the FHWA itself acknowledges in the current ANPRM, "CDL standards do not require the comprehensive training proposed in the Model Curriculum [of the FHWA] since the CDL is a 'licensing standard' as opposed to a 'training standard'." 58 FR 4638, 4639. In fact, given the rudimentary skills demonstration required by many states to show

¹¹"Gearing Up for Safety: Motor Carrier Safety in a Competitive Environment, Office of Technology Assessment, U.S. Congress (OTA-SET-382), September 1988.

¹²"Gearing Up for Safety . . .," op. cit., p. 145.

even entry-level driving ability, a CDL candidate need only prepare for the exam with a moderate effort at self-instruction.

Unfortunately, many **"home-study"** regimes have sprung up over the last few years to provide the required information to pass the CDL test and have successfully supplanted formal training in driver schools to some extent.

These self-education courses vary widely in quality. Perhaps the best compendium of information, which arguably reaches far beyond what is necessary simply to pass the CDL exam, is provided through a variety of materials available from the Highway Users **Federation.**¹³

The lack of a uniform training curriculum used by all commercial driver training schools and the correlative lack of training certification as a prerequisite for the CDL test lie squarely at the door of the FHWA. As the GAO emphasizes at the outset of its Truck Safety report, the FHWA published an **ANPRM** on a recommended practice for training truck drivers in 1976. However, eight years elapsed before the next stage of rulemaking action was

¹³These include the General Knowledge Test Study Book, part of the CDL Test Study Book Series, Highway Users Federation for Safety and Mobility, **c1990**; Truck Driver's Guide to Commercial Driver Licensing: What You Need to Know to Become Licensed!, Highway Users Federation for Safety and Mobility, **c1990**; Bus Driver's Guide to Commercial Driver Licensing: What You Need to Know to Become Licensed!, Highway Users Federation for Safety and Mobility, **c1990**; and Doubles/Triples Test (contains instructional video and book), part of the CDL Study Book Series, Highway Users Federation for Safety and Mobility, **c1990**.

reached in 1984 with the issuance of an NPRM setting forth proposed minimum standards for training tractor-trailer drivers. Although the agency followed this proposal a year later with the publication of its Model Curriculum, industry opposition to any mandatory training standards left the NPRM in limbo: neither a Final Rule nor a notice of withdrawal has concluded this rulemaking **docket**.¹⁴

Moreover, the FHWA has consistently demurred on fulfilling the recommendations of the National Highway Safety Advisory Committee, NTSB, and OTA that the agency complete its rulemaking on minimum training standards. The FHWA has argued, in part, that this is unnecessary because of the April 1, 1992, inception of the written and driving tests comprising the CDL." Yet even the agency has recognized, if only implicitly, that the CDL testing regime is no substitute for adequate prior training for entry-level drivers.

Congress responded in the **ISTEA** to the **FHWA's** dilatory treatment of establishing minimum entry-level commercial driver standards. In Section 4007 of Title IV, Congress required the U.S. Secretary to report to it on the effectiveness of the private sector to ensure adequate training of entry-level commercial drivers. The statutory deadline for this report was December 18, 1992. No report has yet been sent to Congress.

¹⁴See "Truck Safety . . .," op. cit., pp. 1-4.

¹⁵Id., pp. 4-5.

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Section 4007 also provided that the Secretary initiate rulemaking not later than 12 months after enactment of the **ISTEA** on the need to require entry level commercial driver training. The rulemaking must be completed not later than two years after **ISTEA** enactment. No rulemaking on the need for entry-level required training has begun.

Advocates believes that the FHWA is in an anomalous posture in the present rulemaking on LCV minimum training standards by initiating rulemaking on the education and skills needed for the additional CDL endorsement without correlative minimum standards for ensuring the adequate training of entry-level drivers. The agency has created this paradox by beginning rulemaking on an advanced training regimen without having either reported to Congress on the adequacy of private sector training quality or previously begun rulemaking on the minimum standards needed for good entry-level training.

We think that the Congressional message to the FHWA is clear in Section 4007 of the **ISTEA**: the agency should move vigorously to determine an optimal training curriculum both for entry-level drivers, as well as for the other endorsements available on the CDL in addition to that for **LCVs**. The FHWA needs to demonstrate its leadership and provide a comprehensive curriculum that addresses the training needs for drivers at the entry-level (both **tractor-trailers** and large single-unit trucks), buses carrying more than 15

passengers, hazardous materials transport (both radioactive and non-radioactive hazmat), and **LCVs**. Moving forward with a piecemeal approach to commercial driver training through minimum standards for only one CDL special vehicle endorsement without simultaneously supplying the training standards required for the other endorsements, as well as for entry-level drivers, is an incoherent effort that does not allow public comment to be offered in a rational, systematic way. The outcome of the present fragmented effort can only be protracted delay and the danger of a substandard training curriculum for LCV drivers as a product of the current docket.

In general, the agency needs to determine meaningful measures of effectiveness both for outcome of the present LCV training standards as well as for other commercial driving instruction, whether entry-level or other special endorsement commercial vehicle types. It is obvious that successful passing scores for the CDL LCV endorsement test, for example, is no indication that competent, safe LCV operators are being put on the road with other highway users. The FHWA needs to determine what kind of ensuing driving record constitutes the rate of success for any LCV training standards implemented by truck driver schools. Advocates also believes that the standards produced by this rulemaking must not

allow the tremendous variability found in **CRASH'S** recent **survey**¹⁶ among both public and private schools in implementing the FHWA 1984 model program guidelines. The agency must consider, for example, the kinds of standards and procedures put in place by the Professional Truck Driver Institute of America (PTDIA) to eliminate such variable quality of instruction. Without these kinds of constraints, along with good measures of effectiveness for the success of LCV training regimens, any final standards promulgated by the FHWA will simply be superimposed on the highly variable entry-level training courses currently available in both the **public** and private sectors.

III. Responses to Questions in the Advance Notice of Proposed Rulemaking.

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?

¹⁶See, above, footnote 6.

The important aspect of training appropriate to different configurations is the extent to which common handling characteristics naturally group certain articulated trucks into different categories. All trucks towing two or more semi-trailers and/or trailers are, in general, less stable than single semi-trailer combinations. Moreover, the chances for increased accident severity, including higher numbers of other involved vehicles, are greater for any combination truck with multiple units. This includes a higher propensity for rollover and increased potential of trailer separation. Even without rollover, multi-unit combination trucks are generally longer -- and often much longer -- than "eighteen wheelers" and, hence, can affect more lanes of moving traffic when loss-of-control accidents occur.

These considerations argue strongly for inclusion of western doubles in any LCV training standards. The fundamental drawback of western doubles is the short wheelbase "pup" trailers making up the rig. These units are inherently more unstable than longer semi-trailers and trailers ranging from 45 to 60 feet in length. In fact, western doubles are more unstable than "turnpike doubles."¹⁷ Moreover, western doubles in excess of 80,00 lbs. are significantly

¹⁷See, e.g., Paul S. Fancher and Arvind Mathew, "Safety Implications of Various Truck Configurations," University of Michigan Transportation Research Institute, Vol. 19, No. 4, January-February 1989, esp. pp. 12, 22, 24, and 28.

more unstable than those less than 40 tons Gross Vehicle Weight (GVW).¹⁸

Another relevant, major consideration for including western doubles in any LCV training standards is the character of the roads on which western doubles travel. The 1982 Surface Transportation Assistance Act (STAA) eliminated both state limitations of overall lengths of combination trucks as well as state prohibitions of longer single semi-trailers and of western doubles. The result has been, with the subsequent selection of the Designated National Network (DNN) for STAA-dimensioned trucks, a radical enlargement of the surface mileage open to western doubles. Along with the recent liberalization of state access regulations governing movement on

¹⁸[B]ridge formula B would allow current 'Western' doubles to go immediately to approximately **88,000-lb** . . . This additional weight would make these vehicles more susceptible to rolling over. Also, the handling control of these heavier **2-S1-2** doubles would be more difficult. These analytical results indicate that the safety-related performance of the current design of the Western double would be decreased if the **80,000-lb** cap were removed.

Paul S. **Fancher** and Arvind **Mathew**, "Safety Implications of Various Truck Configurations . . .," op. cit., p. 12.

[T]he Western (twin 28-ft) double could go immediately to 88,000 lb by adding 8,000 lb of payload.

The safety implications for the Western double are as follows:

Rollover immunity would be reduced. Rollover accidents would be more likely.

Rearward amplification of tractor motions would be increased.

Obstacle-avoidance maneuvers would be more likely to result in accidents because the rear trailer rolled over or struck something by swinging.

Id., p. 24.

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and off the DNN, western doubles traverse an extensive transcontinental network of surface mileage which contains a high percentage of two-lane, two-way arterials and major collectors. Hundreds of these non-Interstate routes have serious cross-section and alignment deficiencies, as well uncontrolled access. Private driveway cuts and intersections at grade, often preceded by inadequate decision and stopping sight distance, create enormous potential for conflicts with unstable western doubles that can result in catastrophic accidents. Although most western doubles still accumulate their annual vehicle-miles-travelled (VMT) preponderantly on the Interstate system, a significant portion of western doubles mileage in many states results from the use of other arterial and collector routes.

This strongly contrasts with most **LCVs**, especially triples and turnpike doubles, which accumulate almost all of their mileage as full rigs on the Interstate system, with a minor portion of VMT gained from travel on major arterials that usually are **median-**divided facilities. Advocates believes that the use of much more geometrically substandard mileage by western doubles than by **LCVs** brings the potential for serious accidents by western doubles to a level of general parity with **LCVs**. Therefore, given the current LCV statutory freeze of the Intermodal Surface Transportation Efficiency Act of 1991 (**ISTEA**) that restricts the routing of **LCVs** to those highways on which they **actually operated** as of June 1991,

the geometric design of those highways on which **LCVs** currently operate is, on the whole, significantly superior to much of the DNN surface mileage open to use by western doubles. Consequently, in order to mitigate the increased risk of western doubles allowed on more substandard highway miles, the FHWA without question should include western doubles in any LCV training standards. Moreover, the current guidelines for western doubles training standards being generated by the PTDIA have much in common with many potential areas of training specific to **LCVs**. There is every reason for the agency to consider either folding these specific western doubles training elements into a more general LCV training regime or to incorporate western doubles training standards as a module within LCV course material specific to each LCV configuration.

With regard to straight trucks pulling one or more trailers, although general accident experience for single-unit trucks with full-tongue trailers appears to be better than for tractor-semi-trailer multi-unit **combinations**,¹⁹ Advocates strongly recommends mandatory training of all multi-unit rigs, regardless of power unit. Since shorter wheelbase trailers are more unstable than longer wheelbase units, we do not understand the agency's reasoning for demarcating the application of LCV training standards at 72 feet in overall length for straight trucks with trailer(s). A

¹⁹"Fatality Facts 1992: Tractor Trailers, Insurance Institute for Highway Safety, July 1992.

straight truck pulling a short wheelbase trailer, all other things being equal, is arguably more prone to rollover than a single-unit truck towing a long wheelbase trailer. The agency should concentrate on the character of the configuration and its proclivity for unstable operation rather than selecting an arbitrary numerical border between lengths of straight trucks with trailer(s).

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?

Advocates supports the use of training standards for LCV operation which include all multi-unit combination vehicles of any variety and length, regardless of weight. Use of a weight threshold alone will allow for irrational, arbitrary exclusion of training requirements for commercial drivers who clearly should receive training in the use of different specific configurations of multi-unit rigs, as well as arbitrary enforcement criteria which, for all practical purposes, could not be applied in the field.

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?

Frequent oversight reviews will be necessary to determine whether training standards are being honored in practice.

Advocates believes that these reviews cannot be the product of self-policing by the private sector. An active Federal role is

required and one which goes beyond simple audits to measure effectiveness. In addition, effectiveness must be determined not by successful licensure, that is, by what proportion of students successfully pass the CDL test for the special LCV endorsement, but by assessing the quality of safety practices, including driving records, of students who are placed behind the wheels of **LCVs** and other multi-unit trucks. The FHWA must be careful not to choose a system of determining training effectiveness which relies only on process reviews, or on summary or conclusory representations of training adequacy made by intervening authorities such as state departments of motor vehicles or public utility commissions. The agency must intermittently conduct its own direct evaluations of the quality of instruction and the effectiveness of the standards in assuring safe driving practices.

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?

It is clear to Advocates that separate "training the trainer" standards are badly needed throughout the truck driver school industry, regardless of whether entry-level or any special endorsement commercial vehicle is the subject of instruction. Without separate standards dedicated to producing competent instructors, LCV training standards will often be poorly implemented in many driver schools. Advocates is convinced that

specific, separate certification of instructors competent to teach advanced truck driving skills for operating hazmat vehicles, interstate buses, tankers, and all multi-unit commercial vehicles should be promulgated by the FHWA simultaneous with the standards directed towards student skills. It also would be desirable for all instructors to have substantial, hands-on experience driving **LCVs** and other multi-unit trucks. This could include demonstrated proficiency in handling different cargos and successful procurement of a CDL with the current LCV endorsement.

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?

Advocates strongly supports the creation of a Federally approved cadre of LCV instructors who are trained and certified by the FHWA. Students who pass courses using FHWA-prescribed LCV training standards in public or private driver schools can be certified by the states in accordance with FHWA criteria. Individual driver certification can be issued by accredited driving schools that have been, in turn, certified by the states to conduct LCV training courses.

However, it is obvious that this approach can only be successfully grafted onto a preceding, major reform of the quality of instruction provided by entry-level truck driver schools. The FHWA must produce entry-level driver training standards that are

required to be adopted by all states. Successful graduation from an entry-level driver training school must be established as a prerequisite to taking the basic CDL test. Furthermore, the **FHWA** cannot allow the states to endorse at their option one or more of the kinds of certifying organizations that are currently providing their stamp of approval for truck driver schools which, in many instances, are giving poor quality instruction. Advocates is convinced that uniformity of instruction, certification, and licensure can only be accomplished by Federal standards through state licensing agencies and must supersede voluntary **standards-**setting organizations and their systems of certification.

This does not mean the exclusion of the private sector as a major instrument of promoting and ensuring that quality driver instruction is offered in conformity with Federally-established standards, or even in excess of them. Rather, certification that either publicly funded or private driver schools are meeting Federal training standards and instructor standards must be provided by state government, not by voluntary, private-sector organizations. Advocates believes that only this approach will successfully overcome the predictable "**turf battles**" that can ensue from either the FHWA and/or the states attempting to endorse one or more private organizations while formally excluding others as certifying bodies. Although some private, voluntary associations, **such as PTDA**, have set high standards for driver training,

Federally mandated driver training and instructor requirements require parallel state government implementation by, among other things, permitting only those schools to operate that have been successfully certified directly by the states.

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?

State licensing agencies should be responsible for determining whether LCV training standards have been met. LCV training and state-approved certification issued by a school following successful course completion should be a prerequisite for taking the CDL LCV endorsement test. Documented proof of successful LCV training consists initially of a state-approved LCV training course certificate. However, LCV drivers can only be hired who have been issued a CDL with an LCV endorsement. An applicant for the LCV endorsement must therefore have such certification in hand in order to qualify for the state LCV examination. Consequently, ensuring that drivers meet LCV training requirements is a state responsibility and essentially nullifies any private sector responsibility on the part of drivers themselves or of motor carriers.

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

If this were allowed, the FHWA would have to construct both criteria and specific management and oversight processes that private organizations must use in order to evaluate and certify LCV programs.

However, Advocates strongly prefers direct state government certification. See, above, our answer to Question 5. While voluntary associations can make many beneficial contributions to ensuring the success of certain driver schools in a given state, we believe that the FHWA will be creating serious problems by recognizing a certification role for these organizations. Once the FHWA establishes driver training and instructor standards, states' rights will govern whether any state chooses to delegate certification actions to any private sector group. At the Federal level, the FHWA should direct management criteria for putting certification processes in place only to the states.

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

Advocates is only aware of the self-instructional materials produced in cooperation with the Highway Users Federation that are geared exclusively towards successfully passing state LCV endorsement multiple-choice tests.

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?

Advocates strongly favors a specific date by which all drivers of **LCVs**, western doubles, and other multi-unit trucks can take the CDL LCV endorsement only with state-approved certification in hand showing successful completion of an LCV training program based on FHWA standards. The FHWA should mandate earlier dates by which initially certified instructors, training programs, and state certification and oversight systems have been implemented in order to ensure qualified candidates for the CDL LCV endorsement exam. We do not support staging of LCV training requirements.

10. Should LCV training be a prerequisite for a double/triple trailer endorsement?

Our responses to a number of foregoing questions should have made it clear that Advocates supports mandatory entry-level and special endorsement training under Federally-prescribed standards as a legal requirement for taking the basic CDL test and any additional special endorsement exams. Without this effective link between high-quality driver training pursuant to Federal standards, the CDL alone cannot substantially raise the quality and safety of truck drivers. In addition, good LCV training standards will enable the FHWA and the states to refine the content of the current LCV endorsement exam in order to ensure that truck license holders demonstrate detailed knowledge of the handling characteristics of

multi-unit trucks. Also, since no state currently requires a driving test along with the written exam for LCV endorsement, certification of successful completion of an LCV driving course under strong Federal standards can be used as prima facie demonstration of LCV operating skills.

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

Federally-prescribed training standards should form the core of truck driver education programs leading to driver certification that is required for both entry-level CDL testing and each special vehicle endorsement exam.

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

Instructor recertification by the states should occur on an annual basis with complete instructor retraining required every five (5) years. LCV drivers should be required to undergo periodic refresher training which does not duplicate the entire course content of basic LCV training, but instead emphasizes new knowledge that has been generated concerning rig handling and LCV operating systems (e.g., various systems of anti-lock braking on both tractors, single-unit trucks, and semi-trailers/trailers). Refresher course training for drivers should occur every five (5) years.

However, Advocates strongly supports requiring basic LCV retraining for any truck driver who is cited at-fault in any

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reportable accident while operating any multi-unit truck. The FHWA should also coordinate mandatory retraining requirements for other serious traffic or out-of-service violations with its concurrent rulemaking action implementing Section 4009 of the Motor Carrier Safety Act of 1991 (Title IV of the Intermodal Surface Transportation Efficiency Act of 1991, P.L. 102-240, 105 Stat. 1914, 2156), FHWA Docket No. MC-92-13, 58 FR 4640 et secy.

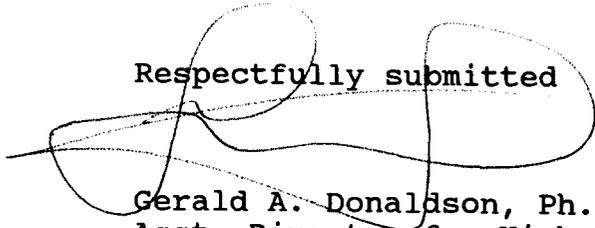
13. Do specialized vehicle combinations such as triples or those handling special cargo require different training standards?

Through conversations with knowledgeable experts involved in truck driver training and certification, Advocates has understood that each multi-unit configuration has special handling characteristics requiring specific attention in course offerings to ensure behind-the-wheel proficiency by student drivers. We also believe that multi-trailer cargo tankers require additional specialized training, including extra instruction if these are fuel tankers. Other specialized instruction should be required for carrying other hazardous materials in multi-unit trucks, including toxic and flammable gases and liquids other than petroleum products such as diesel, fuel oil, and gasoline. In fact, drivers of multi-unit rigs also carrying hazardous materials should be required to take special additional training courses in both areas and be required to have certification showing proficiency with both multi-unit trucks and hazardous materials in order to qualify for taking

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the exams for the multiple special CDL endorsements that will be required.

Respectfully submitted



Gerald A. Donaldson, Ph.D.
Asst. Director for Highway Safety

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