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Room 4232, HCC-10,
Office of the Chief Counsel,
Federal Highway Administration
400 Seventh Street, SW,
Washington, DC 20590

Federal Highway Administration (FHWA) Docket No. MC 93-12. Training for All Entry Level Drivers of Commercial Motor Vehicles (CMVs)

The California Highway Patrol (CHP) respectfully submits the following comments on the above captioned docket:

The CHP agrees that the number of commercial motor vehicles (CMV) on the road today, their size and weight, their inherent complexities, and the varying driving conditions to be found throughout the United States, make proper training of CMV drivers a critical issue. We believe that a CMV driver should not only be aware of, and understand, laws and regulations governing CMV operation, but they must also recognize the need for those rules, particularly those that directly pertain to the driver, i.e., hours of service limits, drug/alcohol prohibitions and testing. A driver who understands **why** a rule exists is much more likely to comply with it than one who does not.

If CMV driver training is to be meaningful, it must not only be consistent nationwide, but the requirements must lend themselves to objective enforcement. On this premise, we agree that the issue of mandatory driver training for drivers of **CMVs** is appropriate for regulation at the federal level, and that the **FHWA's** "Model Curriculum for Training Tractor-Trailer Drivers" appears to be an excellent starting point.

Since almost all of the specific questions posed in the Advance Notice of Proposed Rulemaking appear to be focused toward, and would better be addressed by, an operating motor carrier or an accredited truck driver training institution, we will limit our response herein to question number 7, which appears to be the basis upon which any training requirements should be considered:

7. What is an "entry level CMV Driver?" Obviously, there are at least two schools of thought on this issue. One view is that an "entry level" driver is one who has just been initially licensed as a CMV driver, i.e., one who is licensed, but has not yet actually been employed as a CMV driver. Another view is that a CMV driver is at the "entry level" until some degree of proficiency is established. We believe the latter view to be substantially more valid, since one should not achieve journey-level status merely by obtaining a commercial driver's license (CDL). Perhaps a CMV driver should be considered to be at the "entry level" until completion of a minimum period of one year of accident/incident free driving. If training is to be required only for entry level drivers, it should continue at least through the first year.

We do not clearly understand why the training standards for longer combination vehicles (LCV) should be so widely separated from those for **CMVs** in general. It would seem more logical to make the LCV training an extension or continuation of the CMV training, if both are to exist. Similarly, bus driver training is not addressed, other than to state that transit buses would not be considered in the Notice, since most transit vehicles are operated by public agencies. It is true that most transit buses are operated by public agencies, but it is also true that the operating characteristics of a transit bus are not significantly different from those of an over-the-road motorcoach. There are a great number of passenger stage carriers and charter party carriers nationwide which operate 40-foot, **3-axle** intercity motorcoaches, and their drivers are certainly "**CMV** drivers." The fact that their cargo is passengers appears to lend even more weight to their inclusion in any required driver training program.

Excluding the drivers who transport hazardous materials is logical only if their Research and Special Programs Administration mandatory training includes the operation of the vehicle itself, and is not limited to the hazardous materials aspects. Treating hazardous materials loading, handling, documentation, placarding, and emergency procedures training as a continuation or extension of basic CMV driver training could also work here.

While we realize that there is **same** driver training taking place in most of the motor carrier operations larger than one- or two-vehicle fleets, it appears that the training of experienced drivers usually covers non-vehicle subjects, such as hazardous materials, new law changes, etc. When **vehicle-**oriented training is presented, it most often follows either a recent company accident or a well-publicized event, and is **focussed** specifically on the cause or causes of that event.

As a general statement, we are in favor of mandatory minimum levels of training. We believe, however, that together with the training requirement there should be rigid training record requirements. To be effective, the

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training record requirements must be such that the records lend themselves to uncomplicated review and inspection, and that the inspector can readily and objectively determine whether the carrier is or is not in compliance.

Very truly yours.


G. M. EDGERTON, Chief
Enforcement Services Division