



November 21, 2022

Docket Operations
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building, Ground Floor, Room W12-140
Washington, DC 20590-0001

RE: [Docket No. FMCSA–2022–0174]

Comments on Agency Information Collection Activities; New Information Collection: Effectiveness of Third-Party Testing and Minimum Standards for Commercial Driver's License (CDL) Knowledge and Skills Tests

Dear Sir or Madam:

National School Transportation Association (NSTA) is pleased to offer comments to the Federal Motor Carrier Safety Administration (FMCSA) on its Agency Information Collection Activities; New Information Collection: Effectiveness of Third-Party Testing and Minimum Standards for Commercial Driver's License (CDL) Knowledge and Skills Tests, as published in Volume 87 Number 182, of the Federal Register on September 21, 2022.

About The National School Transportation Association

NSTA has been the leading resource for school transportation solutions and the voice for private school bus operators for over 57 years. We are a membership organization for school bus contract-operators engaged primarily in transporting students to and from school and school-related activities. Members range from small family businesses to large multi-state operators. Private school bus contractors account for 38 percent of the nation's pupil transportation services and employ more than 250,000 individuals as bus drivers, mechanics, maintenance workers, dispatch, and office workers. School transportation represents the largest form of mass transportation in the United States, and daily, almost 26 million K-12 students are transported by an estimated 480,000 yellow school buses.

NSTA Supports Third-Party Testing Implementation for CDL Licensing

NSTA believes that the use of Third-Party Testing can assist streamline the CDL process, which is a vital component to addressing the nationwide school bus driver shortage. As you know, school bus operators throughout the nation are experiencing driver shortages, and in many cases, these shortages have reached critical levels. According to a survey conducted by our organization, the National School Transportation Association (NSTA) in March 2022, an overwhelming number (94%) of respondents indicated that they were below expected bus driver staffing levels. Furthermore, a majority of respondents (54%) to the survey indicated that they were more than 10% short of drivers. As you see, the survey results highlight the need for a streamlined CDL process - in our view.

Recently, the state of New York implemented a Behind-the-Wheel Third-Party testing pilot program that NSTA members have participated in, and the immediate results are encouraging. According to our member-participants, the pilot program provided almost instantaneous relief to assist with combating the bus driver shortage. You should know that the New York State program includes appropriate oversight from the New York State Department of Motor Vehicles (NYSDMV), while still providing an expedited testing experience.

National School Transportation Association

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It should be noted that while participating contractors have not seen a noticeable difference in pass-fail rates, and in fact, some have seen increased fail rates, but more importantly, this program allows for re-testing to be conducted in a much quicker timeframe than through the state-run system. NSTA members, participating in the pilot, stress that the process could be further streamlined by further inclusion of the knowledge-testing portion of the CDL exam.

Additionally, we have heard from our members that through the advent of Entry Level Driver Training (ELDT) mandates, the licensing process has become more time consuming than it was previously. Due to the fact that implementation of ELDT regulations are less than a year old, it remains difficult to compare applicant/driver experiences between those with the additional training and those who received their CDL prior to the implementation of ELDT requirements. Overall, NSTA remains concerned that ELDT requirements affect the ability of school bus contractors to recruit drivers, because applicants have to learn and be tested in areas not germane to their role as a school bus driver.

NSTA also remains concerned that ELDT requirements can be duplicative to State programs already in place. At their core, duplication and redundancy can act as impediments to the objective of getting applicants qualified, tested, and licensed to drive schoolchildren – without needless delays. It should be noted that redundancy and duplication do not enhance students' safety.

Finally, NSTA respectfully points out that school bus driver training remains an ongoing professional training process on which school bus operators place great emphasis. Therefore, ELDT represents one-step in a very long journey - in an industry that prides itself on its stellar safety record. In the current environment, regulators and the industry professionals should continue to focus on ways to attract new applicants into student transportation. We believe removal of redundancies is paramount – as alleviating the driver shortage relies upon attracting and qualifying new school bus drivers.

NSTA appreciates the opportunity to offer comments on Docket No. FMCSA–2022–0174 and we look forward to a continued dialogue with the Agency as it relates Entry Level Driver Training. If you have any questions, or further clarification on our comments is required, please do not hesitate to contact me at 703-684-3200 ext. 700, or via email at cmacysyn@yellowbuses.org.

Sincerely,



Curt Macysyn
Executive Director
National School Transportation Association