

## ***Advocacy Recommends That FMCSA Re-Assess Proposed “Driver Training” Rule***

On May 19, 2008, the U.S. Small Business Administration’s Office of Advocacy (Advocacy) submitted comments on the Federal Motor Carrier Safety Administration’s (FMCSA’s) *Proposed Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators Rule* (Driver Training Rule). (72 Fed. Reg. 73226 (December 26, 2007)). FMCSA’s proposed rule would expand federal training requirements for anyone applying for a new or upgraded commercial driver’s license (CDL) to include successfully completing both classroom and behind-the-wheel training from an accredited institution or program. The proposed rule emanates from a series of studies that purport to link increased driver training with reduced accident rates. However, FMCSA readily acknowledges that there is a “lack of research findings indicating a relationship between standardized driver training and increased safety.” Accordingly, the agency seeks comment on whether and to what degree these assumptions are valid.

Advocacy hosted a small business roundtable on February 27, 2008 for small business representatives to discuss their concerns with the proposed rule. A complete copy of Advocacy’s letter to FMCSA is available at [www.sba.gov/advo/laws/comments/](http://www.sba.gov/advo/laws/comments/).

- Most of the small business representatives at the roundtable objected to the proposed rule. Some felt the rule would cause driver shortages and increased prices. Others felt that existing training practices were adequate and that FMCSA lacked data to justify the expansion of the current rule. Conversely, representatives from the owner-operator, independent driver industry expressed strong support for the rule, stating that an expansion of federal training requirements was beneficial and long overdue.
- Representatives from the motor coach industry stated that training in their industry is usually conducted in-house by the companies themselves, and that the process works well. They stated that there was no evidence to show that increased training would result in lower accident rates in the motor coach industry.
- Some small business representatives supported increased training, but favor a performance-based approach rather than mandated training timeframes. Under such an approach, skill and proficiency rather than specific training timeframes would be used to determine competency.
- Small business representatives from the training industry stated that requiring accreditation could freeze the number of training providers to those currently in business, and that setting a federal standard that is lower than what many programs currently provide could reduce the amount of training that is provided.

For more information about FMCSA’s *Proposed Driver Training Rule*, please visit Advocacy’s Web page at [www.sba.gov/advo](http://www.sba.gov/advo) or contact Bruce Lundegren, Assistant Chief Counsel, at (202) 205-6144 or [bruce.lundegren@sba.gov](mailto:bruce.lundegren@sba.gov).