



August 10, 2020

Docket Management Facility
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-2020-0117
Request for Renewal of Commercial Driver's License (CDL) Skills Testing Delays Annual Survey
Written Comment from the National School Transportation Association to the Federal Motor
Carrier Safety Administration (FMCSA)**

Dear Sir or Madam:

The National School Transportation Association (NSTA) is pleased to offer comments to the Federal Motor Carrier Safety Administration (FMCSA) notice and request for comments on the Agency proposal to prohibit State Driver's Licensing Agencies (SDLAs) from issuing, renewing, upgrading, or transferring a commercial driver's license (CDL), or commercial learner's permit (CLP), for individuals prohibited under current regulations from driving a commercial motor vehicle (CMV) due to controlled substance (drug) and alcohol program violations, as published in Volume 85, Number 112, of the Federal Register on June 10, 2020.

About National School Transportation Association

NSTA is the leading resource for school bus transportation solutions and the voice for private contractors for over 55 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 serving one school district, to large corporations operating tens of thousands of buses across multiple states. Regardless of size, our operators are staunchly committed to the safe and efficient transportation of our nation's school children. 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, as school buses outnumber other forms of public transportation vehicles almost 3.5 to 1. School buses are the transportation mode of choice by about a third of school-aged kids, who take a collective total of about 52 million trips a day. Other forms of mass transportation have 34 million daily boardings, and transport just 10 percent of American commuters each day, including children who ride the city bus to class rather than the yellow bus.

Daily, almost 26 million students are transported by an estimated 480,000 yellow school buses. Every day, the lives of children are entrusted to certified school transportation professionals who have received special training and have the experience to ensure the safe transport of students. School buses remain the safest way to transport a child to-and-from school, and school-related activities, as they are the most regulated form of transportation. In fact, school buses are far safer than a child walking, riding a bike, or being transported in a car with a fellow student or parent to school. According to National



Highway Traffic Safety Administration (NHTSA) statistics, students are 70 times more likely to arrive at school safely when riding in a yellow bus.

As you are aware, school bus operations fall under U.S. Department of Transportation, Federal Motor Carrier Safety Administration as they are “for hire” motor carriers. NSTA supports reasonable efforts that are designed to increase the already stellar safety-record of the yellow school bus. NSTA understands that the FMCSA proposed 60-Day Notice of Renewal for Information Collection: Request for Renewal of Commercial Driver’s License (CDL) Skills Testing Delays Annual Survey, complies with Section 5506 of the FAST Act to produce a study on CDL skills test delays on an annual basis. NSTA feels that this collection of information is more important than it has ever been considering the impacts of the novel coronavirus health crisis on State Driver Licensing Agencies due to nationwide closures.

NSTA Urges Action to Address Skills Test Delays

As with many sectors of the economy, the COVID-19 health crisis has had devastating effects on the student transportation system. For the 26 million students who are transported on a yellow bus each day, a school day begins and ends in the hands of a student transportation professional. A child’s bus driver is the first friendly face school children see when they get on the bus in the morning, and the last they see when they get off in the afternoon.

NSTA believes the continued closure of many SDLAs as a result of the novel Coronavirus has already resulted in a backlog of CDL and CLP issuances and renewals. We encourage FMCSA to issue interim guidance until all SDLAs are fully functional, as many states are facing extreme backlog. As you are likely aware, the 2020-2021 school year is around the corner, and school transportation operators will need to hire new drivers to account for the increase in school routes, as well as ensure current drivers are up-to-date on all facets of their license in order to comply with the various precautions schools are taking to protect students, such as social distancing on the school bus and split scheduling.

Prior to the pandemic, school transportation operators experienced an extreme driver shortage that has persisted for several years. In fact, this past year some schools have been forced to cancel instruction days due to the lack of school bus drivers. A strong economy and low unemployment are factors that have contributed to the driver shortage, but school bus operators have also identified some specific obstacles that, in their experience, also deter willing and capable school bus driver candidates from pursuing their CDL.

Many NSTA school bus contractor members struggle to hire, train, and implement new school bus drivers in a timely manner. In Minnesota, the process takes six weeks to hire and train a new school bus driver, while in Pennsylvania the process takes a minimum of ten weeks. Other states, such as New York, have a window of four to five weeks to hire and train a new school bus driver. The drawn-out training window coupled with the current driver shortage has been crippling for many NSTA members, regardless of fleet size. Experienced school bus contractors have relayed that while CDL trainees readily embrace the “Driver Vehicle Inspection Report” (pre-trip inspection) required by 49 CFR 396.11(a)(1), but they are often intimidated by the “under the hood” testing requirement for CDL applicants pursuant to 49 CFR sec. 383.113(a)(1), so much so that it has caused many capable trainees to abandon their intention to pursue a school bus driver’s license.

School bus operators note that the “Driver Vehicle Inspection Report” (pre-trip inspection) required by [49 CFR 396.11\(a\)\(1\)](#) does not have an “under the hood” component and question if the “under the



hood” CDL testing requirement imposed by [49 CFR sec. 383.113\(a\)\(1\)](#) is really necessary and appropriate for school bus drivers, as it is creating a palpable barrier to entry for new school bus drivers. For the above stated reasons, NSTA would like to propose to FMCSA, an exclusive “School Bus Only – CDL” that recognizes and acknowledges that entry level training requirements for school bus drivers are different and distinct from other commercial motor vehicles (CMVs). We strongly believe that this will also help to alleviate the current school bus driver shortage.

We appreciate the opportunity to offer comments on the FMCSA Notice 2020-0117, and look forward to continuing to work with FMCSA on this matter. If further clarification is required, please do not hesitate to contact me at 703-684-3200 x 700, or via email at cmacysyn@yellowbuses.org.

Sincerely,

A handwritten signature in black ink, which appears to read "Curt Macysyn". The signature is written in a cursive style.

Curt Macysyn
Executive Director
National School Transportation Association