



July 30, 2026

Docket Operations
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building, Ground Floor, Room W85-213
Washington, DC 20590-0001

**RE: [Docket No. FMCSA–2022–0148-0148]
Comments on Commercial Driver’s License: Application for Exemption; National School
Transportation Association**

Dear Sir or Madam:

National School Transportation Association (NSTA) is pleased to offer comments to the Federal Motor Carrier Safety Administration (FMCSA) on its Commercial Driver’s License: Application for Exemption; National School Transportation Association, as published in Volume 91 Number 124, of the Federal Register on June 30, 2026.

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 60 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 such as bus drivers, mechanics, maintenance workers, dispatchers, and administrative workers. School transportation represents the largest form of mass transportation in the United States, and daily, approximately 25 million K-12 students are transported by an estimated 480,000 yellow school buses.

Impact of Limitations to increasing the School Bus Driver Pool

In its previous engagements with the Federal Motor Carrier Safety Administration (FMCSA), NSTA has highlighted the impact of limitations the current system without an under the hood exemption provides in the context of recruiting school bus drivers across the country. The temporary nature of the existing exemption is a palpable disincentive for State Driver’s License Agencies to adopt this available exemption, as only 15 of 50 state have adopted it.

NSTA has also emphasized that many driver recruits view the requirement to identify engine components as a significant obstacle to obtaining a CDL and serving as school bus drivers in their communities. This concern is especially relevant for retired individuals, including many who previously worked within school districts, who simply wish to drive a school bus. These candidates are not seeking broader commercial motor vehicle (CMV) employment, nor do they have any desire or expectation to repair a commercial motor vehicle.

Additionally, the physical act of limiting the engine hood provides another tangible hardship to their fulfillment of their goal to simply driver a school bus. Since school bus drivers are normally close to their base of operation, and they cannot leave school children unattended, the need for the Under the Hood

testing requirement provides only provides an impediment to licensure, without any evident enhancement to their skill set.

Simply put, the UTH testing requirement creates an unnecessary barrier within the CDL licensure process at a time when student transportation needs greater support. It limits access to the driver pool without any demonstrated benefit to safety, licensing quality, or the broader goal of ensuring reliable access to education.

Given the maturity of the current school bus driver workforce, the exemption would help communities continue expanding the number of trained, qualified, and licensed school bus drivers. More broadly, maintaining the UTH testing requirement underscores the inflexibility of the current CDL framework, while the exemption reflects a commonsense approach that has not produced any demonstrated adverse safety impacts.

A recent survey released in November 2025, from the Economic Policy Institute shows that the raw number of school bus drivers has moderately increased but is still 9.5% lower than 2019.ⁱ Keep in mind, there is always attrition to be concerned about, and the method to hedge against attrition is to develop a system that continues to look to enhance the number of recruits looking to get licensed – understanding that not every recruit will result in a CDL licensed driver.

In addition, a survey conducted by NSTA in March of 2022, showed that market forces did not improve measurably, and that 94 percent of survey participants responded they were not at expected bus driver staffing levelsⁱⁱ. Additionally, the survey showed that in several cases, the driver shortage was categorized as “severe” by respondents. Overall, 57 percent of poll participants experienced a 10 percent shortage of drivers, while 11 percent of respondents were down over 20 percent. Taken together, these data points demonstrate that the school bus driver workforce remains in flux, and the overall goal should not be “getting by” but rather create a thriving system for students, parents, and communities to rely upon.

And based on continuous feedback from our membership, it has become clear that the “under the hood” component of the Commercial Driver’s License (CDL) examination represents one of the primary obstacles to recruiting new school bus drivers.

With that, NSTA supports an additional five-year extension of the under the hood testing requirement Exemption that would waive 49 CFR 383.113(a)(1)(i). As you know, this section requires that CDL applicants must possess basic engine compartment pre-trip vehicle inspection skills for the vehicle class the driver operates or expects to operate. Subparagraph (i) requires applicants to identify each safety-related part of the engine compartment and explain what needs to be inspected to ensure a safe operating condition of each part.

In accordance with the American Association of Motor Vehicle Administrators’ “2005 CDL Test System (July 2010 or newer Version) Model CDL Examiner’s Manual” (AAMVA Test Model), which FMCSA has approved and provides to all State Driver Licensing Agencies (SDLAs), the engine compartment portion of the pre-trip vehicle inspection skills test includes: oil level; coolant level; power steering fluid/belt/gear; water pump belt/gear; alternator belt/gear; air compressor (belt/gear) or hydraulic master cylinder (as applicable); and leaks/hoses. Pursuant to the terms of this voluntary waiver, States may waive the engine compartment portion of the pre-trip vehicle inspection skills test only for applicants seeking a CDL with the S and P endorsements and the intrastate only (K) restriction. It should

be noted that states must continue to test these applicants on the remaining elements of the pre-trip vehicle inspection skills test.

State Endorsements of “Under the Hood” Testing Requirement Exemption

The state of Illinois provides a clear account as to why the exemption is still needed, showing that removing the “under the hood” testing requirement can help qualified school bus driver candidates enter the workforce without compromising safety. Facing a persistent driver shortage, Illinois Secretary of State Alexi Giannoulias worked with school districts and school transportation contractors to identify and remove unnecessary barriers to hiring, while keeping student safety as the central priority. A key part of that effort was Illinois’ advocacy for, implementation of, and use of the “under the hood” exemption, paired with streamlined training requirements that better reflect the vehicles school bus drivers operate and the duties they actually perform.ⁱⁱⁱ

Additionally, in a statement made to the press, the New York Department of Motor Vehicles (DMV) noted that the “under the hood” waiver has paved the way for individuals to get behind the wheel of a school bus. New York State DMV Commissioner Mark J.F. Schroeder remarked that the role of school bus drivers transporting children to and from school daily is irreplaceable, and that the ability to replace a ‘crankshaft’ was not. The state’s DMV first implemented the exemption in January of 2024, in an effort to support curbing the statewide school bus driver shortage. Presently, the department has extended the waiver and will offer it through November 28, 2026.^{iv}

Finally, a June 2022 Pennsylvania report on the school bus driver shortage found that the “under the hood” portion of the CDL exam was the most challenging section for applicants. According to the report, approximately 48% of survey respondents rated the portion as difficult or exceedingly difficult. The report also notes that school bus drivers are not responsible for vehicle repairs, as maintenance issues are typically handled by trained school bus technicians. In its conclusion, the report emphasized that the under-the-hood requirement creates an unnecessary barrier to entry and recommended that FMCSA establish a School-Bus-Only CDL that would exempt drivers from this testing requirement.^v

Current Utilization of “Under the Hood” Exemption/Waivers Highlights Strong Demand

As you know, the Agency has previously granted an extension of the application of the “under the hood” testing requirements for CDL candidates seeking to become a school bus driver. Since the original two-year exemption was granted, fifteen (15) states have implemented the exemption (Delaware, Florida, Iowa, Illinois, Kansas, Maryland, Maine, Mississippi, New Jersey, New York, Oklahoma, Pennsylvania, South Carolina, Texas, and Wisconsin.) While the number of states that have implemented the exemption have increased from the original extension, there has been a demonstrated and tangible evidence that clearly shows the exponential effect of this change.

According to data gathered from NSTA partners in states where the waiver has been adopted and utilized, over 1,000 drivers have already been licensed under the waiver. If you extrapolate that number further, assuming that the average school bus transports 70 children, this waiver has been the cornerstone for approximately 64,500 students getting to school daily.

NSTA has also found that one of the primary obstacles to broader adoption of the exemption and related 90-day waivers is the time required for implementation. Some states have indicated that many State Driver Licensing Agencies (SDLAs) may need six to twelve months to complete the necessary upgrades and modifications to their information systems. Although this information is anecdotal, it has been shared by SDLAs in public settings, including meetings of state school bus operator associations.

Given these implementation realities, NSTA believes that an additional five-year window would provide SDLAs with the time and certainty needed to dedicate the resources necessary to implement the exemption if FMCSA grants further relief.

NSTA further urges FMCSA and SDLAs to account for the changing nature of school transportation as Electric School Buses (ESBs) become more prevalent. As ESB fleets continue to expand, the long-term necessity of the “under the hood” testing requirement becomes increasingly obsolete and may present practical safety concerns. Bus manufacturers generally discourage untrained individuals from accessing or working in or around highly specialized electrified power systems, including sophisticated battery packs and high-voltage components. Given the complexity of electric vehicle technology and the potential hazards associated with these systems, the requirement is increasingly disconnected from the realities of the vehicles school bus drivers operate.

Exempting School Bus Drivers from “Under the Hood” Testing Portion Does Not Compromise Safety

NSTA emphasizes that exempting school bus driver applicants from the “under the hood” testing requirement does not negatively affect safety because the requirement does not reflect how school bus mechanical issues are handled in practice. School bus drivers are responsible for the safe supervision and transportation of students and, when a mechanical issue or breakdown occurs, they generally must remain with the students rather than attempt repairs. Because school bus routes typically operate within a limited distance of the bus depot (often within approximately a 30-mile radius), drivers can promptly contact dispatch, which then sends a spare bus to the location so students can be safely transferred. The mechanical issue is then addressed by trained technicians at the depot. At no point is the driver expected to repair the bus, nor should the CDL testing process assume that school bus drivers will perform that function.

FMCSA further reinforced the notion in a Final Notice of Disposition, ultimately granting the renewal of the “under the hood” exemption on December 2, 2024. FMCSA stated, “Because school buses are typically operated for relatively short distances, mechanics or other qualified personnel can readily provide roadside assistance in the event of an engine malfunction.”^{vii}

Additionally, according to the same notice, it has been determined by FMCSA that by waiving the under the hood portion of the CDL exam, the level of safety is equivalent to the level of safety without the waiver^{vii}. The application approval itself recognizes that the yellow school bus remains the safest mode of transportation for students. Maintaining an outdated licensing requirement that contributes to limitations of creating a robust school bus driver pool undermines that goal and cannot be framed as being in the best interests of students, families, drivers, or school districts. By failing to address workforce realities, policymakers risk reducing access to school bus transportation and increasing reliance on less safe alternatives, such as walking or traveling in personal vehicles that actually have no pre-trip inspection requirements.

The record demonstrates the clear and measurable benefits associated with once again approving this NSTA Exemption application for a full five-years, including the reduction of an unnecessary barrier to entry for prospective drivers. At the same time, NSTA has not been presented with any safety data indicating that the exemption increases risk to student-passengers or in any way diminishes the safe operation of a school bus.

It has been erroneously reported that the under the hood exemption eliminates to required pre-trip inspection process. These reports are inaccurate, and only serve to cause consternation in this dialogue.

Summary and Conclusion

In conclusion, in order to create a thriving school bus driver pool, NSTA respectfully requests FMCSA approval of our application. As such, Agency approval of an additional five-year under the hood exemption would alleviate a barrier of entry to the field and continues the process of right sizing the CDL process for school bus drivers. Previous and current utilization of exemptions/waivers clearly show that additional drivers have been added to the driver pool, and these drivers operate safely and effectively.

NSTA appreciates the opportunity to offer comment on Docket No. FMCSA–2022–0148-0148, and we look forward to a continued dialogue with the Agency in monitoring the results of this change to ensure that the school bus remains the safest form of transporting students to school. If you have questions, or need further clarification regarding our comments, please feel free to contact me at 703-684-3200, or via email at cmacysyn@yellowbuses.org.

Sincerely,



Curt Macysyn
Executive Director
National School Transportation Association

ⁱ [The School Bus Driver Shortage has Improved Slightly but Continues to Stress k-12 Public Education](#). November 3, 2025.

ⁱⁱ [NSTA Flash Poll Shows School Bus Driver Shortage Remains Priority Issue](#), March 17, 2022

ⁱⁱⁱ [Transportation Providers, Schools, State Officials Ease School Bus Driver Shortage](#). April 22, 2026

^{iv} [New York Eases Path to School Bus Driving with Extended ‘Under-the-Hood’ Wavier](#). January 28, 2025

^v [The School Bus Driver Shortage in the Commonwealth of Pennsylvania](#), June 2022, pg. 71.

^{vi} [Commercial Driver’s License: National School Transportation Association Application for Renewal of Exemption Notice of Final Disposition: Granting of Renewal of Exemption](#) December 2, 2024