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Abstract Title: One Law, Many Shades of Grey: Adopting New Federal Driver Training Standards in the U.S.

For over 20 years, the U.S. has lacked entry-level driver training standards. Because of this lack of standards in training, the industry has instead relied on vehicle safety equipment and key regulations such as Hours-of-Service to reduce crashes. Given this approach over several years, the safety trends have indeed improved. Still, the U.S. has lagged behind Europe and other countries that have stronger safety regulations and oversight—especially with regard to driver training. Finally, the Federal Motor Carrier Administration (FMCSA), under pressure from a large third-party lawsuit, finally expedited the rulemaking process for new entry-level driver training guidelines. Over a three-year period during intensive stakeholder engagement, FMCSA, as of December 2016, formalized these rules and published a new, Entry-Level Driver Training (ELDT) standards that are much broader and more robust than most within the industry expected and perhaps, even desired.

Under the ELDT rules it is now time for the industry to adopt the new training standards. As the case with many federal rulings, it is one law that can be expected to be seen as many shades of grey as each state seeks to “soften” aspects of the ruling to address current and anticipated industry challenges. Industry challenges such as driver shortages, instructor shortage and long wait times for license examiners are ever present and show signs of getting worse. Looking beyond the challenges, the industry can find success, but true success will

ultimately come from engagement and commitment to the new driver training standards as well as greater instructor qualifications and licensing examiner standards.

One of the most significant and well-documented challenges is the chronic and growing driver shortage. The American Trucking Association (ATA) tracks driver capacity against freight demands. In mid-2016, ATA estimated a Nation-wide shortage of 70,000 drivers in 2016 a nearly five-fold increase in the driver shortage since 2011. More concerning, ATA estimates there will be an increased pace in the driver shortage over the next several years. By 2024, ATA estimates that the U.S. will be short 175,000 drivers. Certainly a contributing factor to the driver shortage is an instructor shortage. In an attempt to address this shortage the FMCSA has launched a state-by-state survey to understand licensing and examiner shortages as well and the impact on driver capacity. While everyone has ‘seats to fill’, most everyone in the industry agrees that delivering safe drivers is the most compelling need.

While these stats are daunting they represent, none-the-less, opportunities for innovation and thoughtfulness in the selection and qualification of a new level of driver instructor and licensing examiner. Solutions that will benefit the professional driver training arena will also increase the quality of other, non-professional licensing class trainers and examiners. The new federal law for training entry-level drivers, requires 30 knowledge and skill areas including various ‘soft’ competencies. Instructor and examiner selection for this training is critical. Initial training of instructors and examiners via hands-on and on-line learning tools will help “raise the bar”. Importantly, we must understand that in order to continue to see good results, a continuing learning program for the trainer and examiner, one that educates on trends in safety and uses innovative tools like driver simulation, will produce the best results in terms of fewer incidents, crashes and injuries. Fortunately, there are many leading companies which have become case studies in developing an in-house instructor base for driver training as well as 3rd party licensing exam status. Having in-house trainer teams allows companies the quality control measures to advance safety with the personnel and tools they have. These carriers according to ATA’s Top 50 safety and profitability rankings are considered state-of-the-industry in their talent management, adoption of high training

standards and incorporation of technology-based learning such as virtual driving simulation. Not so coincidentally, these top carriers invest approximately 1.2% of net revenue towards safety training.

Combining best practices with new clarity on the Entry Level Driver Training standards will most assuredly be a challenge. But it is one the industry can and must accept to prepare drivers for a long and safe career. There may be many shades of grey in adoption of the new ELDT law, but there is ultimately one goal: a safe and productive driver.