

Motor Vehicle Division Policy Memo # 21-08

Entry-Level Driver Training for CDL testing– effective February 7, 2022

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FROM: MVD Policy & Compliance Team

TO: All Motor Vehicle Division staff, Iowa County Treasurers and County Treasurer's staff that issue driver's licenses and nonoperator's identification cards.

EFFECTIVE: **February 7, 2022**

SUBJECT

This policy memo explains the federal Entry Level Driver Training (ELDT) requirement impacting the commercial driver's licensing process, and the impact to MVD staff and customers.

BACKGROUND

In response to a Congressional mandate imposed under the Moving Ahead for Progress in the 21st Century Act (MAP-21), a federal law passed in 2012, the Federal Motor Carrier Safety Administration (FMCSA) created minimum driver training standards necessary for the safe operation of a commercial vehicle, known as Entry Level Driver Training (ELDT). ELDT is a federal program which establishes a uniform national benchmark for commercial driver training that must be met before a person can proceed with the commercial driver's licensing (CDL) process, and is intended to ensure that CDL holders possess certain knowledge and skills to improve highway safety. The final federal rule concerning ELDT requirements for states, drivers, and training providers was published in 2016 and originally required compliance beginning in 2020, however, the compliance date was subsequently delayed until February 7, 2022.

In anticipation of ELDT requirements becoming effective, the Iowa legislature passed legislation in 2019 amending Iowa Code section 321.188 to adopt the federal ELDT requirements, and we also amended our administrative rule chapter 607 with the new authority to require an applicant to complete ELDT if and when federal regulations required it. You may wish to review IM 19-13 and PM 20-05 explaining the state legislation and administrative rule revisions concerning ELDT.

EXPLANATION OF ELDT REQUIREMENTS

Beginning February 7, 2022, drivers who are seeking certain commercial privileges for the first time, or seeking certain CDL upgrades, must complete an ELDT program with an approved training provider prior to taking the corresponding skills test or hazardous materials knowledge test. ELDT is required for drivers seeking to:

- Obtain a Class A or Class B CDL for the first time
- Upgrade an existing Class B CDL to a Class A CDL
- Upgrade an existing Class C CDL to a Class A or Class B CDL
- Obtain a school bus (S), passenger (P), or hazardous materials (H) endorsement for the first time

ELDT applies to anyone seeking the above-listed commercial license class and/or endorsements and who obtained their CLP (or are seeking the endorsement or class upgrade) on or after February 7, 2022. ELDT applies regardless of a driver's self-certification as interstate or intrastate, excepted or non-excepted.

Starting February 7, 2022, issuance staff will be required to verify that an applicant who is subject to ELDT requirements has completed the corresponding ELDT course before administering a skills test or HazMat knowledge test to the applicant. ELDT must be completed with an FMCSA-approved training provider. Issuance staff will be able to verify ELDT completion by accessing CSTIMS, and step-by-step procedures for doing so will be provided to staff through training and manuals.

Exceptions: The federal regulations in 49 CFR 380.603 provide for some exceptions to the ELDT requirements. Those excepted from the ELDT requirement include:

- Drivers who were issued a Class A CDL, Class B CDL, or a passenger (P), school bus (S), or hazardous materials (H) endorsement prior to February 7, 2022;
 - o *These drivers do not need to complete ELDT pertaining to the class/endorsements they held prior to February 7, 2022, but any subsequent upgrade would require ELDT;*
- Drivers who obtain a CLP before February 7, 2022, if they obtain a CDL before the CLP expires (or, in the case of states that allow CLP renewal, before the renewed CLP expires);
- Drivers who are applying for a removal of an airbrake restriction or manual transmission restriction;
- Drivers applying for a restricted CDL;
- Military personnel who qualify for the military knowledge or skills test waiver program under Iowa administrative rules 607.27(5) and 607.28(6); and
- Drivers excepted from the CDL requirements under federal and state regulations (active duty military, farmers, firefighters, emergency response vehicle drivers, certain drivers removing snow and ice, and covered farm vehicle operators).

CURRENT

Currently, applicants seeking a Class A or B CDL or a first-time school bus (S), passenger (P), or hazardous materials (H) endorsement have no minimum training requirements prior to attempting the applicable knowledge or skills tests. Applicants may choose to complete training with a third-party training provider to assist in preparation for the testing, but such training is not required.

NEW

Beginning February 7, 2022, applicants seeking a Class A or B CDL, or seeking a school bus (S), passenger (P), or hazardous materials (H) endorsement are required to complete ELDT with an FMCSA-registered training provider. Issuance staff are required to verify that the applicant completed the ELDT course(s) corresponding with the type of privilege(s) sought before administering the applicable skills test or hazardous materials knowledge test.

BUSINESS IMPACT

Starting February 7, 2022, we must verify that certain applicants have completed ELDT prior to administering the following CDL skills or knowledge test. Issuance staff will check via CSTIMS to confirm that the applicant has completed ELDT. If we are unable to verify that the applicant has completed ELDT, we cannot proceed with testing.

License or endorsement applied for:	ELDT must be verified prior to:
Class A CDL	CDL three-part skills test
Class B CDL	CDL three-part skills test
Passenger (P) endorsement	CDL three-part skills test in passenger vehicle

School bus (S) endorsement	CDL three-part skills test in school bus
Hazardous materials (H) endorsement	HazMat knowledge test

LINK TO FEDERAL REGISTER AND REGULATIONS:

- ELDT federal register final rule: <https://www.govinfo.gov/content/pkg/FR-2016-12-08/pdf/2016-28012.pdf>
- ELDT federal register compliance date extension: <https://www.govinfo.gov/content/pkg/FR-2021-06-30/pdf/2021-13893.pdf>
- 49 CFR 380 subpart F (ELDT applicability and definitions): <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-380/subpart-F>
- 49 CFR 383 subpart E (state compliance) <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-383/subpart-E>
- 49 CFR 384.230 (state certification): <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-384/subpart-B/section-384.230>

LINK TO TRAINING PROVIDER REGISTRY: <https://tpr.fmcsa.dot.gov/>

QUESTIONS AND ANSWERS

The following questions and answers provide additional information to you and to customers.

WHY ARE WE REQUIRING DRIVERS TO COMPLETE TRAINING PRIOR TO TAKING CERTAIN CDL TESTS?

As noted above, this is a federal requirement that all states who issue CDLs are required to comply with. The goal of ELDT is to enhance the safety of commercial motor vehicle (CMV) operations on the nation’s highways by establishing a minimum standard for driver training and increasing the number of drivers who receive some sort of classroom and behind-the-wheel training before becoming licensed to operate a CMV.

WHO ARE THE APPROVED TRAINING PROVIDERS IN IOWA?

Training providers who are approved to offer ELDT are determined by FMCSA. The website that will list currently approved training providers has not yet been activated by FMCSA, but it is located at: <https://tpr.fmcsa.dot.gov/provider>

DOES ELDT CONTENT DIFFER DEPENDING ON WHAT TYPE OF LICENSE OR ENDORSEMENT A DRIVER IS SEEKING?

Yes, the federal regulations prescribe different theoretical and behind-the-wheel curricula based on the class or endorsement type the driver is seeking. Applicants need to complete the training for each privilege they are wanting (i.e., a driver seeking a Class A with the passenger and school bus endorsements needs to complete the Class A, passenger, and school bus trainings). Issuance staff will be able to see what type of training the customer has completed to know what type of CDL skills or knowledge test the customer is eligible to take.

WHERE SHOULD WE DIRECT CUSTOMERS IF THEY HAVE QUESTIONS ABOUT ELDT?

Customers can visit our website to help understand if ELDT is required before they take a CDL knowledge or skills test. If customers have questions about training providers or overall ELDT requirements, we recommend they contact central FMCSA at <https://tpr.fmcsa.dot.gov/#contact> or the FMCSA field office at (515) 233-7400.

ELDT APPLICABILITY QUESTIONS:

DOES ELDT APPLY RETROACTIVELY?

No. ELDT is not required for CLP holders who obtained their CLP prior to February 7, 2022, as long as they obtain a CDL before the CLP expires (or, in the case of states that allow CLP renewal, before the renewed CLP expires).

However, every person who is issued a CLP on or after February 7, 2022, and is seeking to obtain a first time Class A or B CDL, seeking to add an S, P, or H endorsement, or upgrade from a Class B to Class A CDL or from a Class C CDL to a Class A or B CDL, must complete ELDT prior to taking the applicable knowledge or skills test.

DO APPLICANTS NEED TO COMPLETE ELDT BEFORE TAKING THE PASSENGER OR SCHOOL BUS KNOWLEDGE TESTS?

No; the federal regulations do not require completion of ELDT prior to taking the passenger (P) or school bus (S) knowledge tests. However, ELDT must be completed prior to taking the passenger (P) or school bus (S) skills tests.

IF A PERSON HELD A CDL PRIOR TO FEBRUARY 7, 2022, BUT WAS SANCTIONED OR THEIR LICENSE EXPIRED MORE THAN ONE YEAR AGO, MUST THEY COMPLETE ELDT PRIOR TO RETESTING TO RENEW/REINSTATE THEIR CDL?

No. The federal regulations provide that ELDT is only required before taking the applicable skills test or hazardous materials knowledge test “for the first time.” Therefore, even if the person is completing CDL skills retesting or HazMat knowledge retesting after February 7, 2022, and they have never completed ELDT, they do not need to complete ELDT, since they are not obtaining the Class A or Class B CDL or passenger, school bus, or hazardous materials endorsement *for the first time*.

IF A CLP HOLDER WAS ISSUED THEIR CLP PRIOR TO FEBRUARY 7, 2022, BUT IS SUBSEQUENTLY SANCTIONED OR THEIR CLP EXPIRES AND THEY REINSTATE/ARE REISSUED A CLP AFTER FEBRUARY 7, 2022, WILL THEY BE SUBJECT TO ELDT?

Yes. Anything that requires the new issuance of a CLP on or after February 7, 2022, including if the CLP expires, or they are reinstating from a sanction, will require completion of ELDT prior to skills testing.

IF I COMPLETE ELDT TO GET MY INITIAL CDL, THEN LATER WANT TO ADD A PASSENGER, SCHOOL BUS, OR HAZARDOUS MATERIALS ENDORSEMENT (OR UPGRADE FROM A CLASS B TO A CLASS A), DO I NEED TO TAKE ELDT AGAIN?

Yes, drivers who have already taken ELDT for their initial CDL, as well as drivers who held a CDL prior to February 7, 2022, will need to complete another ELDT course specific to the type of class or endorsement they seek to add on or after February 7, 2022.

For example, if a driver held a Class A CDL prior to February 7, 2022, and wants to add a passenger endorsement after February 7, 2022, they will need to complete the passenger endorsement ELDT course before they may take the passenger skills test. As another example, if

a driver held a Class B CDL prior to February 7, 2022, and wants to upgrade to a Class A CDL and add a hazardous materials endorsement, they will need to complete the hazardous materials ELDT course and the Class A upgrade ELDT course prior to taking the HazMat knowledge test and the Class A skills test.

HAZARDOUS MATERIALS ENDORSEMENT (HME) QUESTIONS:

IF A DRIVER HAS PASSED THEIR HME KNOWLEDGE TEST BUT IS UNABLE TO BE ISSUED THE HME PRIOR TO FEBRUARY 7, 2022 DUE TO A PENDING TSA THREAT ASSESSMENT RESULT, WILL THAT DRIVER BE SUBJECT TO ELDT?

No. If the applicant successfully passes the HME knowledge test prior to the ELDT effective date but is unable to obtain the HME because they are still waiting for the results of their TSA threat assessment, that driver will not be subject to ELDT.

DO CDL HOLDERS WHO ARE RENEWING THEIR HAZARDOUS MATERIALS (H) ENDORSEMENT NEED TO TAKE ELDT EACH TIME THEY RENEW THEIR ENDORSEMENT?

No. ELDT is only required the first time that the person obtains a hazardous materials (H) endorsement. A CDL holder renewing their H endorsement must still take the hazardous materials knowledge test and have a current TSA threat assessment on file at each renewal, but they only need to complete ELDT once.

OUT-OF-STATE TRANSFER QUESTIONS:

CAN AN IOWA DRIVER TAKE ELDT IN ANOTHER STATE THEN BE ISSUED THEIR CDL OR ENDORSEMENT IN IOWA? OR, VICE VERSA?

Yes. ELDT is a nation-wide standard that meets the same baseline requirements among all training providers, regardless of location. Iowa will allow the transfer of ELDT completion from another state for the purposes of obtaining an Iowa CDL, provided we can verify ELDT completion via CSTIMS.

However, we cannot guarantee that another state will accept ELDT that was completed in Iowa, because states have the authority to require additional training requirements beyond ELDT for their licenses.

CAN A DRIVER WITH A K RESTRICTION TAKE ELDT IN ANOTHER STATE, THEN BE ISSUED THEIR CDL OR ENDORSEMENT IN THEIR HOME STATE?

If the person who holds a K restriction is an Iowa driver who completed ELDT in another state, we will allow the transfer of ELDT completion from another state for the purposes of obtaining an Iowa CDL, as long as we can verify the ELDT completion via CSTIMS. This is similar to how Iowa accepts out-of-state CDL test results from another state via CSTIMS even if the Iowa driver has a K restriction.

However, we cannot guarantee that another state will accept ELDT that was completed by their driver in Iowa if the driver had a K restriction when they completed ELDT. We encourage all out-of-state drivers who complete ELDT in Iowa to check with their home state to confirm the transferability of ELDT to their state prior to enrolling.

IF A DRIVER TRANSFERS THEIR CDL FROM ANOTHER STATE TO IOWA, WILL THEY BE REQUIRED TO COMPLETE ELDT PRIOR TO TRANSFERRING?

No. An out-of-state CDL holder who is seeking to transfer their CDL to Iowa does not need to complete ELDT provided they are seeking to maintain the same class and/or endorsements. If the CDL holder wishes to upgrade or add an endorsement beyond what they held in their prior state of licensure, they will be subject to ELDT requirements in Iowa.