

## **Rule 375-5-3-.17 Commercial Driver Training Program of Instruction**

- (1) A commercial driver training school ~~certified-licensed~~ by the Department must provide the student, both theoretical and practical instruction regarding the operation of a commercial motor vehicle.
- (2) The theoretical instruction shall be classroom instruction in specific areas of traffic safety to include subject matter relating to the rules and regulations of the road, safe driving practices, proper attitudes, pedestrian safety, driver responsibility, and Federal Motor Carrier Safety Administration ~~R~~rules and ~~r~~Regulations.
- (3) Practical instruction shall be behind-~~the-~~wheel experience and shall include demonstration and actual performance of stopping, starting, shifting (if straight shift), turning, backing, parallel parking and steering in a vehicle which meets the requirements of the Department. Behind-the-wheel is defined as ~~wheel means~~ the actual time the student is behind the steering wheel driving or being instructed.
- (4) ~~Test or exam~~ Questions prepared by the school for instructional purposes shall not be worded or constructed in the same manner as the questions used by the Department on its official driver examination.
- (5) The student must pass a written ~~test~~ exam with a minimum grade of ~~seventy (70)~~ eighty (80) to successfully complete the course and receive a certificate of completion. In the event of excused absence, sickness, etc., the student shall be required to attend makeup classes for each hour ~~exceeding~~ not attended by the student for ~~of road and range training that exceeds~~ ten (10) percent of the road or range time specifically outlined in the approved school curriculum. The certificate must include the name and address of the school, DDS Certification number, the student's name, the number of hours of instruction, the instructor's signature or the signature of a duly authorized employee of the school, and the date of completion. The certificates shall be numbered, and a roster of each class listing each student's name, date of completion, instructor's name, ~~and fee paid~~ paid, and certificate number ~~must~~ will be kept by the commercial driver training school.
- (6) All non-passenger road training must include: city, rural, and interstate driving.
- (7) Every school providing instruction for non-passenger vehicles and passenger vehicles meeting the definition of a buss shall maintain, for practical truck and/or bus driver training, a range 250 ft. X 250 ft. or a minimum of 62,500 square feet. Approval for additional vehicles requires inspection by the Department to determine that adequate space is available. Each range will be equipped with sufficient cones and/or barrels for non-passenger vehicles to perform the following mandatory maneuvers:
  - (a) Alley Docking;
  - (b) Straight Line Backing;
  - (c) Parallel Parking; and
  - (d) One of three optional maneuvers:
    - 1-(i) Offset Alley;
    - 2-(ii) Serpentine; or
    - 3-(iii) Right Turn.
- (8) In accordance with 49 C.F.R. Parts 383 and 384, effective January 1February 7, 2022, commercial drivers are required to complete entry-level driver training.

- (a) Except as provided in subsection (b), on or after January 1February 7, 2022, any entry-level commercial driver shall be required to successfully complete an entry-level driver training program approved by the Federal Motor Carrier Safety Administration, in accordance with 49 C.F.R. Parts 383 and 384. The term "entry-level commercial driver" shall mean any person who:
- (i) seeks to obtain a Class A or Class B commercial driver's license for the first time;
  - (ii) seeks to upgrade any existing commercial driver's license to a higher Class commercial driver's license;
  - (iii) seeks to obtain a school bus (S), passenger (P), or hazardous materials (H) endorsement for the first time; or
  - (iv) is otherwise subject to the entry-level driver training requirements set forth in 49 C.F.R. Parts 383 and 384.
- (b) The entry-level driver training requirements set forth in subsection (a) shall not apply to the following persons:
- (i) commercial drivers who hold a valid commercial driver's license or an S, P, or H endorsement that was issued prior to February 7, 2022;
  - (ii) commercial drivers who obtained a commercial learner's permit prior to February 7, 2022, and upgrade to a commercial driver's license before the commercial learner's permit is renewed or expires; or
  - (iii) any person who is exempted from taking a skills test pursuant to 49 C.F.R. Part 383
- (c) Effective February 7, 2022, in order to add a hazardous materials (H) endorsement to a commercial driver's license, the driver must:
- (i) complete entry-level driver training prior to taking the knowledge exam for the hazardous materials (H) endorsement;
  - (ii) complete the Hazardous Materials Endorsement Threat Assessment Program administered by the Transportation Security Administration (TSA);
  - (iii) pass the knowledge exam for the hazardous materials (H) endorsement; and
  - (iv) renew their commercial driver's license to have the H or X (Tank Vehicles + Hazardous Material) endorsement added.

- (9) Effective February 7, 2022, every commercial driver training school and every CDL third-party tester certified by the Department shall provide, prior to administering a third-party skills test or as part of its instructional curriculum, a human trafficking awareness and prevention course that is administered to every student it tests and/or trains.

**Authority: O.C.G.A. Secs-~~§§~~ 40-15-3, 43-13-8.**

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this amendment is to align the rule with 49 C.F.R. Parts 383 and 384 and recently passed House Bill 169, which both include the requirement of entry-level driver training (ELDT) for entry-level commercial drivers, and current DDS practices.

### **DIFFERENCE BETWEEN EXISTING AND PROPOSED RULE**

The proposed amendment adds the requirement of ELDT for entry-level commercial drivers effective February 7, 2022. Entry-level commercial drivers are defined as any person who seeks to obtain a Class A or Class B commercial driver's license for the first time, seeks to upgrade any existing commercial driver's license to a higher Class commercial driver's license, seeks to obtain a school bus (S), or passenger (P), or hazardous materials (H) endorsement for the first time, or is otherwise subject to the entry-level driver training requirements set for in 49 C.F.R. Parts 383 and 384. The amendment lists the persons who do not require ELDT, which include commercial drivers who hold a valid commercial driver's license or an S, P, or H endorsement that was issued prior to February 7, 2022, commercial drivers who obtained a commercial learner's permit prior to February 7, 2022 and upgrade to a commercial driver's license before the commercial learner's permit is renewed or expires, and any person who is exempted from taking a skills test pursuant to 49 C.F.R. Part 383. The steps required to add a hazardous materials (H) endorsement to a commercial driver's license on or after February 7, 2022, are included. Effective February 7, 2022, First Lady Marty Kemp's initiative against human trafficking is included which requires every commercial driver training school and every CDL third-party tester certified by the Department to provide, prior to administering a third-party skills test or as part of its instructional curriculum, a human trafficking awareness and prevention course that is administered to every student it tests and/or trains. The minimum grade a student must pass the written exam to successfully complete the course is changed from seventy (70) to eighty (80). The rule title is updated to reflect to what this rule is referring.