



Mr. T.F. Scott Darling, III  
Acting Administrator  
Federal Motor Carrier Safety Administration  
1200 New Jersey Avenue, S.E.  
Washington, D.C. 20590

**Re: Docket No. FMCSA-2016-0051, Commercial Driver's License Requirements of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act and the Military Commercial Driver's License Act of 2012**

Dear Acting Administrator Darling,

The American Bus Association (ABA) appreciates the opportunity to comment on the Federal Motor Carrier Safety Administration's (FMCSA's or Agency's) notice on proposed changes to amend the Commercial Driver's License (CDL) regulations. The purpose of the notice of proposed rulemaking (NPRM) is to ease the transition of military personnel into civilian careers in the truck and bus industry by simplifying the process of getting a commercial learner's permit (CLP) or CDL.

ABA is the leading trade association for private and over-the-road passenger operators who transport the public and serve the motorcoach industry. ABA has been in operation for 90 years and has over 800 bus operating company members, large and small, intercity and charter and tour operators, rural and urban. Our members provide all manner of passenger transportation services, including intercity scheduled service, charter and tour operations, airport and employee shuttle services. In addition, ABA membership includes hotels, convention and visitors bureaus, attractions, restaurants, motorcoach manufacturers and companies that provide services to the motorcoach industry. Motorcoach companies carry out more than 600 million passenger trips per year, moving individual passengers a total of 65 billion miles annually.

ABA's members pride themselves on their commitment to safety. They are active participants in groups such as the Bus Industry Safety Council, the Bus Maintenance and Repair Council, the Commercial Vehicle Safety Alliance, the Transportation Research Board's Bus and Truck Safety Committee and other groups committed to safety and compliance in fleet operations. It is within this context ABA submits these comments on behalf of its membership. ABA was also an active and supportive participant in the FMCSA's negotiated rulemaking process related to its Entry-Level driver training initiative (FMCSA-2007-27748) and looks forward to having a standardized and universal driver training program to continue to bring safe new drivers into our industry.

ABA is very supportive of assisting military veterans in transitioning into the civilian work force, particularly as bus and truck drivers. Many of ABA's members currently employ veterans and our

industry looks forward to new opportunities to bring qualified drivers with military CMV experience into our industry as new hires. Furthermore, in implementing the 1-year extension of the military skills waiver period, states licensing agencies will allow more military personnel to obtain CDLs as well as find the perfect fit during their transition to civilian careers. In addition, the out-of-state testing revision will provide significant flexibility and convenience in allowing future drivers to start their new careers in or near the places where they are stationed, rather than having to return to their states of origin (prior to their military service) and then starting that search process. ABA also hopes that FMCSA will assist state licensing agencies as well as operator companies looking to hire military CMV drivers by listing Military Occupational Specialties that would qualify under this permanent exemption program as well as updated it accordingly.

### **Codifying the Permanent Extension of the Military Skills Test Waiver Period to 1 Year**

As noted in the executive summary of this NPRM, this proposal would amend § 383.77(b)(1) to allow States to accept Skills Test Waiver applications from military personnel for up to 1 year after they were regularly employed as military CMV drivers. Because a number of states individually sought similar extensions of the waiver period in the last few years (e.g. FMCSA-2015-0397, FMCSA-2014-0096), ABA believes that this revision would be beneficial and should be implemented. Not only will this permanent extension ease the administrative burden on state licensing agencies in no longer having to periodically apply for these extensions, but it would have a practical benefit to transitioning military CMV drivers looking for a new civilian CMV driving career.

### **Out-of-State Testing Flexibility**

ABA supports the institution of a nearly universal system of reciprocity by requiring states to accept the completed application form and results of knowledge and CDL skills tests administered to an applicant by the state where he or she is currently stationed. ABA believes that this will make the transition process substantially easier for military personnel transitioning to civilian careers to get through the licensing process in as seamlessly a fashion as possible. ABA hopes that by requiring states to electronically transmit the testing results to their state of domicile will increase the speed in getting the appropriate new licenses when the applicant completes their military service. ABA has concerns whether there will be a universal electronic infrastructure available to state licensing agencies in time to facilitate this new requirement.

### **Listing Military Occupational Specialties**

ABA supports the concept that veterans who are engaged in Military Occupational Specialties that involve regular commercial motor vehicle training and driving are qualified to operate similar vehicles in the civilian world. However, ABA has concerns that an operator working on a pre-employment screening or a state agency looking to verify work experience to qualify for an exemption under 383.79(b)(2) will be able to easily identify Military Occupational Specialties that fit the intent of this rule and this program. **ABA requests that FMCSA provide guidance on how to confirm that an applicant is operating in a Military Occupational Specialty as a full-time commercial motor vehicle driver by listing appropriate programs (e.g. the U.S. Army's 88M, Motor Transport Operator) or a universal point of reference where they can be found.**

ABA supports FMCSA's efforts to extend the military skills test waiver to 1 year by simplifying the efforts needed to help transition military personnel to civilian careers. By increasing the flexibility for military personnel to take a skills test in the state where they are stationed instead of returning to their state of domicile will significantly improve the transition process and facilitate the prospect of a successful job search. While ABA recognizes that states and operating carriers have limited resources to verify military employment as a full-time commercial motor vehicle driver, ABA urges FMCSA to provide guidance on how to confirm that an applicant is operating in a Military Occupational Specialty as a full-time commercial motor vehicle driver by listing appropriate programs or a universal point of reference where they can be found.

ABA's members pride themselves on their commitment to safety and their support our nation's military veterans. ABA would like to see the number of military personnel transitioning to civilian driving careers dwarf the more than 10,000 separated military personnel that have completed the Skills Test Waiver to date. By easing the transition of service members and veterans, we can address the considerable driver shortage impacting the professional truck and bus industries and further bolster the American economy.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Buchanan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Brandon Buchanan  
Director of Regulatory Affairs