

## U.S. Department of Transportation

### Privacy Impact Assessment

#### Federal Motor Carrier Safety Administration (FMCSA) Final Rule Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators

##### Responsible Official

Charles Horan  
Office Director, Carrier, Driver, and Vehicle Safety  
(202) 366-5370  
[ELDT@dot.gov](mailto:ELDT@dot.gov)

##### Reviewing Official

Claire W. Barrett  
Chief Privacy & Information Asset Officer  
Office of the Chief Information Officer  
[privacy@dot.gov](mailto:privacy@dot.gov)



## Executive Summary

The Federal Motor Carrier Safety Administration (FMCSA) published a final rule that establishes new minimum training standards for certain individuals applying for their commercial driver's license (CDL) for the first time; an upgrade of their CDL (e.g., a Class B CDL holder seeking a Class A CDL); or a hazardous materials (H), passenger (P), or school bus (S) endorsement for the first time.<sup>1</sup> These individuals are subject to the entry-level driver training (ELDT) requirements and must complete a prescribed program of instruction provided by an entity that is listed on FMCSA's Training Provider Registry (TPR). The final rule responds to a congressional mandate imposed under the Moving Ahead for Progress in the 21st Century Act (MAP-21). The rule is based partly on consensus recommendations from FMCSA's Entry-Level Driver Training Advisory Committee (ELDTAC), a negotiated rulemaking committee that held a series of meetings between February and May 2015.

When a driver-trainee completes training at a training provider listed on the TPR, his or her information will be electronically transmitted to the TPR where it will be stored in accordance with the approved records schedule. The pertinent data will be electronically transmitted to the driver's commercial driver's license information system (CDLIS)<sup>2</sup> driver history record (DHR) maintained by a State Drivers Licensing Agency (SDLA). When an individual applies for a CDL or endorsement at the respective SDLA, the desk agent will query the driver's CDLIS DHR and verify electronically that the applicant completed the applicable training prescribed in subpart F of part 380. This PIA was developed because FMCSA will be storing and using PII collected by the training providers about individuals that received training at their facilities. This PIA will be updated as appropriate to reflect the privacy risks associated with the operationalization of the rulemaking.

This PIA will be placed in the public docket for the final rule and on the Department's privacy website at [www.transportation.gov/privacy](http://www.transportation.gov/privacy).

## What is a Privacy Impact Assessment?

*The Privacy Act of 1974 articulates concepts for how the federal government should treat individuals and their information and imposes duties upon federal agencies regarding the collection, use, dissemination, and maintenance of personally identifiable information (PII). The E-Government Act of 2002, Section 208, establishes the requirement for agencies to conduct privacy impact assessments (PIAs) for electronic information systems and collections. The assessment is a practical method for evaluating privacy in information systems and collections, and documented assurance that privacy issues have been identified and adequately addressed. The PIA is an analysis of how information is handled to—i) ensure handling conforms to applicable legal, regulatory, and policy requirements regarding privacy; ii) determine the risks and effects of collecting, maintaining and disseminating information in identifiable form in an electronic information system; and iii) examine and evaluate protections and alternative processes for handling information to mitigate potential privacy risks.<sup>3</sup>*

*Conducting a PIA ensures compliance with laws and regulations governing privacy and demonstrates the DOT's commitment to protect the privacy of any personal information we collect, store, retrieve, use and share. It is a comprehensive analysis of how the DOT's electronic information systems and collections handle personally identifiable information (PII). The goals accomplished in completing a PIA include:*

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<sup>1</sup> See – 81 FR 88732, December 8, 2016 <https://www.federalregister.gov/documents/2016/12/08/2016-28012/minimum-training-requirements-for-entry-level-commercial-motor-vehicle-operators>

<sup>2</sup> CDLIS is a nationwide computer system that enables SDLAs to ensure that each commercial driver has only one driver's license and one complete driver record.

<sup>3</sup> Office of Management and Budget's (OMB) definition of the PIA taken from guidance on implementing the privacy provisions of the E-Government Act of 2002 (see OMB memo of M-03-22 dated September 26, 2003).

- *Making informed policy and system design or procurement decisions. These decisions must be based on an understanding of privacy risk, and of options available for mitigating that risk;*
- *Accountability for privacy issues;*
- *Analyzing both technical and legal compliance with applicable privacy law and regulations, as well as accepted privacy policy; and*
- *Providing documentation on the flow of personal information and information requirements within DOT systems.*

*Upon reviewing the PIA, you should have a broad understanding of the risks and potential effects associated with the Department activities, processes, and systems described and approaches taken to mitigate any potential privacy risks.*

## Introduction & System Overview

The primary mission of the FMCSA is to reduce crashes, injuries, and fatalities involving large trucks and buses. This mission is accomplished by developing and enforcing data-driven regulations that balance motor carrier safety with industry efficiency; using Federal and State safety information systems to focus on high-risk carriers and drivers to enforce safety regulations; targeting educational messages to carriers, CMV drivers, and the public; and partnering with stakeholders (e.g., Federal, State, and local enforcement agencies; the motor carrier industry; safety groups; and organized labor) to reduce bus- and truck-related crashes.

With limited exceptions, all entry-level drivers must comply with the requirements of 49 CFR Part 380 three years after the effective date of the final rule. At that time, an individual who intends to operate a CMV for which a Class A or B CDL is required must complete driver training from a provider listed on the TPR who teaches the curriculum outlined in Appendix A or B to Part 380, as applicable. Likewise, an individual who wishes to obtain a P, S, or H endorsement on his or her CDL must complete the appropriate training in Appendices C-E from a training provider listed on the TPR.

The TPR is a national database of business names and contact information of training entities who provide instruction to entry-level drivers and those seeking CDL endorsements. To be eligible for listing on the TPR, an entity must meet the requirements listed in §380.703(a).

Training providers must provide the following information in their training provider registration form (TPRF) (See Appendix A for a *draft* of this document):

- Contact Information/Place of Business (mail address and/or physical location where training will be provided)
  - Training entity's legal name
  - Training entity's doing business as (DBA) name
  - Training entity's location
  - Training entity's mailing address
  - Training entity's principal telephone number
  - Training entity's principal fax number
  - Training entity's email address
  - Training entity's website address
- Additional information
  - IRS/Taxpayer Identification Number
  - Dun & Bradstreet Number (if applicable)

- TPR Identification Number (if applicable)
- US DOT Identification Number (if applicable)
- State Motor Carrier Identification Number (if applicable)
- Federal Transit Administration, National Transit Database (NTD) Transit Agency Identification Number (if applicable)
- US Department of Education, National Center for Education Statistics (NCES), Public School NCES District Identification Number (if applicable)
- Name(s) of Authorized Signing Official(s)

This information will be used to establish the training provider's account and to assign and provide the training provider with a unique TPR number. This information will allow FMCSA to populate the TPR and may be used at a later date for audit purposes and research or evaluation reports. The training provider would then establish a username and password that allows them to log on to their TPR web account where their account information is stored.<sup>4</sup>

Once available, a driver-trainee would access FMCSA's TPR website (to be developed during the implementation phase) in order to find a provider listed on the TPR, and then would take the appropriate training from the provider. After a driver-trainee completes training administered by a provider listed on the TPR, that provider must, by midnight of the second business day after the driver-trainee completes the training, submit training certification information (See Appendix A for a *draft* of this document) for each driver-trainee to the TPR. The training provider would use its secured account in order to submit the training certification information, which will include the following:

- (a) Driver-trainee name, driver's license/commercial learner's permit/commercial driver's license, as applicable number, and State of licensure;
- (b) Commercial driver's license class and/or endorsement and type of training (theory and/or BTW) the driver-trainee completed;
- (c) Total number of clock hours the driver-trainee spent to complete the BTW training, as applicable;
- (d) Name of the training provider and its unique TPR identification number; and
- (e) Date(s) of successful training completion.

**Note:** More than one training certification in the TPR may be associated with a driver-trainee. For example, a driver trainee may have separate Class A theory, Class A BTW, and an H endorsement.

The FMCSA intends to use the specific training information contained in the training certification information to assess the impact of ELDT on motor carrier safety and to monitor the effectiveness of individual training providers.

Once a training provider electronically submits a driver training record to the TPR, FMCSA will maintain the record in the TPR and transmit the data to the driver's CDLIS record after FMCSA confirms the information is complete. FMCSA expects this process take no more than 48 hours from the time that the record is

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<sup>4</sup> Contact information for the training providers and information of sole proprietor training providers is considered personally identifiable information. Since this information is provided in the context of the individual's business relationship with the TPR and is not retrieved by unique identifier associated with the individual, that information is considered "business information" and is not protected under the Privacy Act nor addressed in this PIA. The Department will apply the Fair Information Practice Principles (FIPPs) to this data to ensure that it is used appropriately.

received. Once transmitted, the SDLA will check the applicant's driver record and confirm that a driver applicant has completed the requisite ELDT before allowing the individual to take the applicable skill test(s) or, in the case of the H endorsement, the knowledge test. The final rule does not require that States separately retain the training certification information, since the relevant data will be entered directly onto the driver's record through CDLIS

## Fair Information Practice Principles (FIPPs) Analysis

*The DOT PIA template based on the fair information practice principles (FIPPs). The FIPPs, rooted in the tenets of the Privacy Act, are mirrored in the laws of many U.S. states, as well as many foreign nations and international organizations. The FIPPs provide a framework that will support DOT efforts to appropriately identify and mitigate privacy risk. The FIPPs-based analysis conducted by DOT is predicated on the privacy control families articulated in the Federal Enterprise Architecture Security and Privacy Profile (FEA-SPP) v3<sup>5</sup>, sponsored by the National Institute of Standards and Technology (NIST), the Office of Management and Budget (OMB), and the Federal Chief Information Officers Council and the Privacy Controls articulated in Appendix J of the NIST Special Publication 800-53 Security and Privacy Controls for Federal Information Systems and Organizations<sup>6</sup>.*

## Transparency

*Sections 522a(e)(3) and (e)(4) of the Privacy Act and Section 208 of the E-Government Act require public notice of an organization's information practices and the privacy impact of government programs and activities. Accordingly, DOT is open and transparent about policies, procedures, and technologies that directly affect individuals and/or their personally identifiable information (PII). Additionally, the Department should not maintain any system of records the existence of which is not known to the public.*

The FMCSA does not secretly collect or store PII. The FMCSA clearly discloses its policies and practices concerning the PII collected and held associated with the implementation of this rule. The FMCSA will provide notice to individuals through a layered approach including the FMCSA website at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov), the future TPR website, and this PIA published on the DOT's privacy program's website at [www.transportation.gov/privacy](http://www.transportation.gov/privacy). This document identifies the information collection's purpose, FMCSA's authority to store and use the PII, and all uses of the PII stored and transmitted through the TPR.

As the new TPR database will retrieve an individual's training record by a unique identifier, the registry is considered a system of Records under the Privacy Act. A System of Records Notice (SORN) will be published in the Federal Register and on the DOT Privacy Office website before the system is placed into operation.

The ELDT TPRF will be used to electronically collect information related to the training provider and will include statements affirming the training providers' capability and willingness to comply with FMCSA requirements. FMCSA has provided a draft of this form in Appendix A of this document and will seek approval from OMB for a control number.

<sup>5</sup> <http://www.cio.gov/documents/FEA-Security-Privacy-Profile-v3-09-30-2010.pdf>

<sup>6</sup> [http://csrc.nist.gov/publications/drafts/800-53-Appendix-J/IPDraft\\_800-53-privacy-appendix-J.pdf](http://csrc.nist.gov/publications/drafts/800-53-Appendix-J/IPDraft_800-53-privacy-appendix-J.pdf)



## Individual Participation and Redress

*DOT should provide a reasonable opportunity and capability for individuals to make informed decisions about the collection, use, and disclosure of their PII. As required by the Privacy Act, individuals should be active participants in the decision making process regarding the collection and use of their PII and be provided reasonable access to their PII and the opportunity to have their PII corrected, amended, or deleted, as appropriate.*

The FMCSA will develop internal processes for evaluating the validity of certificates in the wide variety of possible situations where such review appears to be appropriate under the statutory standard. This includes review of the data submitted by training providers to the TPR, as well as complaints, field investigations, crash reports, and other sources. In addition, the FMCSA suggests that training providers allow and encourage all drivers to review their information that is collected for reporting to FMCSA via the (draft) Training Certification Information form. This review would help reduce data errors in the form that will be uploaded to the TPR and then electronically transmitted to a driver's CDLIS record. Although FMCSA has the responsibility to ensure that the data is transmitted appropriately, it relies on the accuracy of the data submitted by the training providers. Therefore, if a driver finds that inaccurate information was transmitted to the SDLA, the driver should contact the training provider that conducted his or her training, review the information that was submitted by the training provider, correct the information, and have the training provider resubmit the (draft) Training Certification Information form to the TPR.

FMCSA ensures that an individual has the right to (a) obtain confirmation of whether FMCSA has PII relating to him or her; (b) access the PII related to him or her within a reasonable time, cost, manner, and in a form that is readily intelligible to the individual; (c) obtain an explanation if a request made under (a) and (b) is denied and challenge such denial; and (d) challenge PII relating to him or her and, if the challenge is successful, have the data erased, rectified, completed, or amended. Individuals may request access to their own records that are maintained in a system of records in the possession or under the control of DOT by complying with DOT Privacy Act regulations found in 49 CFR Part 10. Privacy Act requests for access to an individual's record must be in writing (either handwritten or typed), and may be mailed, faxed, or emailed. DOT regulations require that the request include a description of the records sought, the requester's full name, current address, and date and place of birth. The request must be signed and either notarized or submitted under penalty of perjury. Additional information and guidance regarding DOT's FOIA/PA program may be found on the DOT website. Privacy Act requests concerning information in the Training Provider Registry may be addressed to:

Charles Horan, Office Director  
Carrier, Driver and Vehicle Safety Standards  
Federal Motor Carrier Safety Administration  
U.S. Department of Transportation  
1200 New Jersey Avenue SE.  
Washington, DC 20590  
[ELDT@dot.gov](mailto:ELDT@dot.gov)  
Phone number 202-366-2362

## Purpose Specification

*DOT should (i) identify the legal bases that authorize a particular PII collection, activity, or technology that impacts privacy; and (ii) specify the purpose(s) for which its collects, uses, maintains, or disseminates PII.*

MAP-21 requires DOT to regulate ELDT (Public Law No. 112-141, section 32304, 126 Stat. 405, 791 [July 6, 2012]). MAP-21 modified 49 U.S.C. 31305 by adding paragraph (c), which requires FMCSA to issue ELDT regulations addressing the knowledge and skills necessary for safe operation of a CMV that must be acquired before obtaining a CDL for the first time or upgrading from one class of CDL to another. MAP-21 also requires that training apply to CMV operators seeking passenger or hazardous materials endorsements (49 U.S.C. 31305(c)(1) and (2)). Although the statute specifically requires that the regulations address both classroom and behind the wheel (BTW) instruction, MAP-21 otherwise allows FMCSA broad discretion to define the training methodology, standards, and curriculum necessary to satisfy the ELDT mandate.

### Training providers

FMCSA will use the training provider business information or training facility information (which includes an address) submitted to the TPR via the (draft) TPRF (see Appendix A of this document) to list training providers on FMCSA's TPR website (for those providers whose training programs are open to enrollment by anyone seeking to obtain ELDT). This will allow driver-trainees to locate a provider in his or her locality. Additionally, FMCSA will use the training provider information to monitor the provider's competence and performance when providing training to driver-trainees and to uncover instances of fraud. Finally, FMCSA may use the training providers' contact information in order to communicate with them regarding their information in the TPR.

It is important to note that all training providers eligible to deliver training that complies with the final rule will be publicly listed, so that driver-trainee applicants will have a reliable means of confirming the provider's eligibility. Some training providers, including those who provide ELDT only for their own employees or prospective employees, may wish to keep their contact information private and therefore not have it publicly displayed on the TPR website. Accordingly, training providers who do not intend to make their services available to all driver-trainee applicants can elect not to include their contact information in the public listing that appears on the TPR website. This option will be made available at the time of initial registration and can be changed anytime the provider so chooses. If training providers do not wish to be contacted by driver-trainee applicants, they will be listed on the TPR website simply by name, city, and state.

### Driver-trainee

The purpose of collecting, using, maintaining, or disseminating a driver-trainee's information is two-fold. First, it allows the desk agent at the respective SDLA to query the driver's CDLIS record and verify electronically that the applicant completed the applicable training prescribed in subpart F of part 380 when an individual applies for a CDL or endorsement. Second, these actions will provide FMCSA with data sources that it intends to use to assess the impact of ELDT on motor carrier safety and monitor the effectiveness of individual training providers.

## Data Minimization & Retention

*DOT should collect, use, and retain only PII that is relevant and necessary for the specified purpose for which it was originally collected. DOT should retain PII for only as long as necessary to fulfill the specified purpose(s) and in accordance with a National Archives and Records Administration (NARA)-approved record disposition schedule.*

### The DOT/FMCSA

Given that the entry level training may be the only training that a holder of a CDL may receive, the FMCSA proposes to maintain these records for 60 years or until notified that the driver is deceased. This retention period is consistent with other CDL driver records maintained by FMCSA. The records schedule for the TPR records is currently being developed and will be submitted for approval by the National Archives and Records Administration (NARA). All records maintained in the system of records associated with this final rule will be treated as permanent records until the schedule is approved by NARA.

As previously discussed on page four of this document, FMCSA requires five data elements in the Training Provider Certification form. These elements represent the minimum amount of information that will allow an SDLA desk agent to query a driver's CDLIS record and verify electronically that the applicant completed the applicable training prescribed in subpart F of part 380, when an individual applies for a CDL or endorsement.

During the comment period for the "Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators," the American Association of Motor Vehicle Administrators (AAMVA) submitted a comment on Section J-Privacy regarding the statement "The Department will not retain a copy of the trainee certificate in its systems." AAMVA was concerned that there was "no back up process in the event that the SDLA did not successfully receive the push of the certificate. This could mean that an applicant with an eight-year license is depending on the records of a training school that only retains the information for three years. Without a reliable query mechanism for a state to run against FMCSA-retained records, the SDLA would be forced to unnecessarily refuse this applicant."

In response to this comment and other non-privacy related comments, FMCSA decided to retain the training certification information submitted to the TPR. FMCSA believes retention of this information is prudent in the event that data transmission to CDLIS is unsuccessful. Further, FMCSA intends to use the specific training information contained in the training certification information to assess the impact of ELDT on motor carrier safety and to monitor the effectiveness of individual training providers.

## Use Limitation

*DOT shall limit the scope of its PII use to ensure that the Department does not use PII in any manner that is not specified in notices, incompatible with the specified purposes for which the information was collected, or for any purpose not otherwise permitted by law.*

The FMCSA collects and uses data only to the extent necessary to meet its authorized safety mission. Disclosure of PII is limited to the purposes and uses specified in the Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators final rule, except (a) with the express consent of the individual, or (b) as authorized by law.



Specifically, FMCSA intends to share driver training records with the SDLAs so they can verify that a driver completed the applicable training prescribed in subpart F of part 380 when an individual applies for a CDL or endorsement. The SDLA desk agent will not have or need to access the TPR.

If appropriate, additional information regarding the use and disclosure of information collected will be made in accordance with the U.S. Department of Transportation (DOT) Prefatory Statement of General Routine Uses published in the Federal Register on July 20, 2012 (77 FR 42796), under “Prefatory Statement of General Routine Uses” (available at <http://www.transportation.gov/privacy>).

## Data Quality and Integrity

*In accordance with Section 552a(e)(2) of the Privacy Act of 1974, DOT should ensure that any PII collected and maintained by the organization is accurate, relevant, timely, and complete for the purpose for which it is to be used, as specified in the Department’s public notice(s).*

FMCSA ensures that the collection, use, and maintenance of PII for implementing the TPR is relevant to the purposes for which the data is to be used and, to the extent necessary for those purposes, it is accurate, complete, and up-to-date.

FMCSA has taken reasonable steps to confirm the accuracy of a driver’s PII that will be submitted to the TPR. The FMCSA suggests that training providers allow and encourage all drivers to review their information that is collected for reporting to FMCSA via the (draft) Training Certification Information form. This review would help reduce data errors in the form that will be submitted to the TPR and then electronically transmitted to a driver’s CDLIS record. Although, FMCSA has the responsibility to ensure that the data is transmitted appropriately, it relies on the accuracy of the data submitted by the training providers. Therefore, if a driver finds that inaccurate information was transmitted to the TPR and subsequently to the SDLA, the driver should contact the training provider that conducted his or her training, review the information that was submitted by the training provider, correct the information, and have the training provider resubmit the (draft) Training Certification Information form to the TPR.

## Security

*DOT shall implement administrative, technical, and physical measures to protect PII collected or maintained by the Department against loss, unauthorized access, or disclosure, as required by the Privacy Act, and to ensure that organizational planning and responses to privacy incidents comply with OMB policies and guidance.*

PII will be protected by reasonable security safeguards against loss or unauthorized access, destruction, usage, modification, or disclosure. These safeguards will incorporate standards and practices required for Federal information systems under the Federal Information System Management Act (FISMA) and are detailed in Federal Information Processing Standards (FIPS) Publication 200, Minimum Security Requirements for Federal Information and Information Systems, dated March 2006, and NIST Special Publication (SP) 800-53 Rev. 4, and Recommended Security Controls for Federal Information Systems and Organizations, dated April 2013. The FMCSA has a comprehensive information security program that contains management, operational, and technical safeguards that are appropriate for the protection of PII. These safeguards are designed to achieve the following objectives:

- Ensure the security, integrity, and confidentiality of PII.
- Protect against any reasonably anticipated threats or hazards to the security or integrity of PII.

- Protect against unauthorized access to or use of PII.

Records in the TPR will be safeguarded in accordance with applicable rules and policies, including all applicable DOT and FMCSA automated systems security and access policies. Strict controls will be imposed on all DOT/FMCSA systems to minimize the risk of compromising the information that is being stored. Access to the computer system containing the records in the TPR will be limited to those individuals who have a need to know the information for the performance of their official duties and who have appropriate clearances and permissions. All records that will be stored in the TPR will be protected from unauthorized access through appropriate administrative, physical, and technical safeguards. All access to the TPR will be logged and monitored.

FMCSA will develop secure processes for the transmission of information, records control and repository, and the ability to retrieve and search records. A secure information system and web interface will be used, by which each training provider in the TPR would receive a unique login ID and password upon its acceptance into the TPR. Training providers will be able to access this information system, but their account privileges would be limited to allow them to only view, edit, and change the training provider's own identification, contact, and training information; request voluntary removal from the TPR; and to securely submit the required training certification information for all drivers receiving instruction from the training provider.

Logical access controls will restrict users of the TPR. These controls are guided by the principles of least privilege and need to know. Role-based user accounts will be created for specific job functions allowing only authorized access necessary to accomplish assigned tasks in accordance with compelling operational needs and business functions of the TPR. Any changes to user roles would require approval from the FMCSA System Manager. Training providers will be able to create their own accounts via an option within the TPR webpage. Those accounts will have limited default system access privileges to carry out specific job functions necessary to perform their roles.

The TPR will maintain an auditing function that will track all user activities in relation to data, including access and modification. Through technical controls including firewalls, intrusion detection, encryption, access control lists, and other security methods, FMCSA will prevent unauthorized access to data stored in the TPR. These controls will meet federally mandated information assurance and privacy requirements.

All FMCSA personnel and FMCSA contractors must attend security and privacy awareness training and role-based training offered by DOT/FMCSA. This will allow individuals with varying roles to understand and retain knowledge of how to properly and securely act in situations where they may use PII in the course of performing their duties. No access will be allowed to the TPR prior to receiving the necessary clearances and security and privacy training as required by DOT/FMCSA.

A security authorization will be performed every year to ensure that the system meets FMCSA and Federal security requirements. The TPR will be assessed in accordance with the Office of Management and Budget (OMB) Circular A-130 Appendix III, Security of Federal Automated Information Resources, NIST SP 800-53 Rev. 4, Recommended Security Controls for Federal Information Systems and Organizations, dated April 2013, and the DOT Cybersecurity Compendium.

## Accountability and Auditing

*DOT shall implement effective governance controls, monitoring controls, risk management, and assessment controls to demonstrate that the Department is complying with all applicable privacy protection requirements and minimizing the privacy risk to individuals.*

FMCSA is responsible for identifying, training, and holding FMCSA employees and contractors accountable for adhering to FMCSA privacy and security policies and regulations. FMCSA will follow the Fair Information Practice Principles as best practices for the protection of PII associated with the implementation of the ELDT final rule. In addition to these practices, additional policies and procedures will be consistently applied, especially as they relate to protection, retention, and destruction of records. Federal and contract employees will be given clear guidance in their duties as they relate to collecting, using, processing, and securing privacy data. Guidance will be provided in the form of mandatory annual security and privacy awareness training as well as the DOT/FMCSA Rules of Behavior. The FMCSA Information System Security Officer and FMCSA Privacy Officer will conduct periodic security and privacy compliance reviews of the TPR consistent with the requirements of the Office of Management and Budget (OMB) Circular A-130, Section 8b(3), Securing Agency Information Systems.

## Responsible Official

Charles Horan, Office Director  
Carrier, Driver and Vehicle Safety Standards  
Federal Motor Carrier Safety Administration

## Approval and Signature

Claire W. Barrett  
Chief Privacy & Information Asset Officer  
Office of the Chief Information Officer

## Appendix A – DRAFT Training Provider Registration Form and DRAFT Training Certification Information Form

Form MCSA-5896  
Expiration Date

OMB Control Number: 2126-00XX



U.S. Department of Transportation  
Federal Motor Carrier  
Safety Administration

# INSTRUCTIONS FOR COMPLETING THE FMCSA ENTRY-LEVEL DRIVER TRAINING PROVIDER REGISTRATION FORM

## TOPICS

- I. Federal Motor Carrier Safety Administration (FMCSA) Overview.
- II. Submission of Training Provider Registration Form
- III. Step-By-Step Instructions
- IV. Where can I get additional help and information?

### **I. Federal Motor Carrier Safety Administration (FMCSA) Overview.**

The FMCSA requires that training entities submit to FMCSA an Entry-Level Driver Training Provider Registration Form and attest that the training provider meets all the applicable requirements to obtain a unique Training Provider Registry (TPR) number, as set forth in 49 CFR Part 380, Subpart G, Registry of Entry-Level Driver Training Providers.

### **II. Submission of Training Provider Registration Form**

Training providers will electronically complete the Training Provider Registration Form online to begin the registration process to obtain a unique TPR number, file a biennial update, or update key information.

### **III. Step-By-Step Instructions**

These instructions will assist in preparing a complete and accurate Entry-Level Driver Training Provider Registration Form. When completing the form, please provide all necessary information. Forms that are incomplete or unsigned will not be accepted. This will cause a delay in the receipt of a training provider's TPR number.

### **IV. Where can I get additional help and information?**

If you have questions regarding how to fill out this form, contact FMCSA's Driver and Carrier Operations Division via telephone, 202-366-4325, or by e-mail, [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

**Reason for Filing** – The information in the table below represents the valid reasons for submitting this form. Review the four choices below and mark the corresponding box at the top of the electronic form under “Reasons for Filing.”

If you would like to:	Select the following under “Reason for Filing” :
Obtain a Training Provider Registry Number – first time filer	NEW REQUEST FOR LISTING ON THE TPR
File the Biennial Update and/or update key information, as described in § 380.719.	BIENNIAL UPDATE OR CHANGES
Notify FMCSA that the entity is no longer operating as a Training Provider	OUT OF BUSINESS NOTIFICATION
Reapply after training entity has been removed from the TPR	REAPPLICATION (AFTER REMOVAL FROM TPR)

**Availability of Training Provider Business Information:** If you do not want your contact information publicly available, check the box “I do not want my contact information publicly displayed on the Training Provider Registry.” For training providers who choose this option, only the provider’s name, city, and state will be publicly displayed on the TPR.

### **Training Provider Business Information**

- 1. Legal Name:** This is the legal name of the training entity that owns/controls the training provider. The name entered here should be the full legal business name (the name on the incorporation certificate, partnership agreement, tax records, etc.).

For example, if the company is a:

- Sole Proprietorship/Individual, enter the legal name, e.g., John A. Doe.
- Partnership, enter the legal names of all partners, e.g., John A. Doe and Jane B. Smith.
- Corporation, enter the name on the incorporation certificate (this name must include the type of corporation), e.g., John Doe Inc. or John Doe LLC.

- 2. DBA (Doing Business As) Name:** Enter the training entity’s trade name if it is different from the legal name stated in Item 1. For example, if you entered “John A. Doe” in item 1 as the entity’s official business name, but the trade name or “Doing Business As” name is “John’s Trucking Company,” you would enter “John’s Trucking Company” in this field.

- 3. Location of Business:** Enter the address where the training entity’s required records, as described in § 380.725, are maintained. FMCSA will use this address for on-site visits to training entities for the purpose of conducting an audit of the provider. For this reason, do not enter a P.O. Box as the Location of Business or processing of the entity’s report will be delayed.

- 4. Mailing Address:** Enter the mailing (this may be a P.O. Box). If this address is the same as the Principal Location of Business (item 3) write “SAME” in this item. However, if ANY parts of the mailing and physical addresses differ, complete item #4.



5. **Principal Telephone Number:** Enter the primary telephone number for the training provider, including area code. This may be a cell phone number.
6. **Principal Fax Number:** Enter the training provider's fax number, including area code, for the location provided as "Principal Location" listed in Item 3. If there is no fax number, leave this item blank.
7. **Website:** Enter the website for the training provider, if applicable.
8. **E-Mail Address:** Enter the e-mail address for the official point of contact.

**Training Facility Information** *(fill out if training facility is at a different location from the above information in box #1 or if a training entity has multiple locations, fill out a separate form for each facility)*

9. **Legal Name:** This is the legal name of the training entity that owns/controls the training provider. The name entered here should be the full legal business name (the name on the incorporation certificate, partnership agreement, tax records, etc.)

For example, if the company is a:

- Sole Proprietorship/Individual, enter the legal name, e.g., John A. Doe.
- Partnership, enter the legal names of all partners, e.g., John A. Doe and Jane B. Smith.
- Corporation, enter the name on the incorporation certificate (this name must include the type of corporation), e.g., John Doe Inc. or John Doe LLC.

10. **Location of Training Facility:** Enter the physical address of where the training is performed. FMCSA will use this address for on-site visits to training entities for the purpose of conducting an audit or investigation of the provider. For this reason, enter the physical address, not a P.O. Box, as the Location of Business.

If a training provider has more than one campus or training location, the training provider must submit a registration form for *each* training location and obtain a unique TPR number for each location.

11. **Mailing Address:** Enter the mailing address (this may be a P.O. Box).
12. **Principal Telephone Number:** Enter the primary telephone number for the training provider, including area code. This may be a cell phone number.
13. **Principal Fax Number:** Enter the training provider's fax number, including area code, for the location provided as "Principal Location" listed in Item 10. If there is no fax number, leave this item blank.

**Additional Training Provider Registration Information**

14. **Dun & Bradstreet Number** (if applicable): If the training entity has a Dun & Bradstreet identifier number, enter it. If you do not know the number, visit <http://www.dnb.com>, or call Dun & Bradstreet at 1-800-999-3867. If there is no D & B number, leave this item blank.
15. **IRS/Taxpayer Identification Number:** Enter either the Internal Revenue Service (IRS) Employer Identification Number (EIN) or the owner's Social Security Number (SSN).
16. **Training Provider Registry Identification Number** (if applicable): For those training providers who are (1) submitting their required biennial update, (2) updating their key information, (3) notifying FMCSA that the company is no longer operating as a training entity, or (4) reapplying after a training entity has been removed from the TPR; please enter the unique TPR Identification Number that FMCSA previously assigned you.

- 17. USDOT Identification Number** (*if applicable*): If the training entity is a carrier that already has a USDOT number, enter the entity's USDOT number.
- 18. State Motor Carrier Identification Number** (*if applicable*): If the training entity is a carrier that already has a State Motor Carrier Identification Number, enter that number.
- 19. Federal Transit Administration (FTA) National Transit Database Identification Number (NTD ID)** (*if applicable*): If the training entity is public transit agency that receives funding from FTA and therefore has been assigned a unique NTD ID number by FTA, enter that FTA ID number. For additional details regarding NTD ID numbers, visit <http://www.ntdprogram.gov/ntdprogram/ntdid.htm>.
- 20. U.S. Department of Education National Center for Education Statistics (NCES), Public School District NCES Identification Number** (*if applicable*): If the training entity is a public school district that provides its own directly operated school bus transportation, please enter the NCES Identification Number of the public school district in this box. For additional details regarding NCES Identification Numbers, visit <https://nces.ed.gov/ipeds/data/districtsearch/>.
- 21. Training Provider type:** Respondent must answer **ALL** four questions by marking either "Yes" or "No". Respondents typically will mark more than one "Yes" response. The response categories are outlined below with several examples to assist you in completing the form.
- **"In-House" Training Provider:** An *In-House* training provider may, for example, be a motor carrier transporting property or passengers, a public school district providing its own directly operated school bus transportation, a transit agency, or similar type of transportation provider that trains its own employee entry-level drivers or prospective employee entry-level drivers with its own in-house training staff.
  - **"Not In-House" Training Provider:** A *Not In-House* training provider trains entry-level drivers that are not its own employee entry-level drivers or prospective employee entry-level drivers. Note that a "not in-house" training provider may be either for-hire (e.g., a training school that charges tuition), but could also be not-for-hire (e.g., a union-sponsored training program that does not charge tuition, or an individual who trains a family member or friend at no cost).
  - **"For-Hire" Training Provider:** A *For-Hire* training provider is a training provider open to anyone who seeks entry-level CDL driver training and that charges tuition or a fee for providing this training (e.g., a not in-house training school that charges tuition, or an in-house training program at a motor carrier that also trains other drivers who are not its own employees or prospective employees and charges them tuition).
  - **"Not-for-Hire" Training Provider:** A *Not-for-Hire* training provider does not make itself available on a for-hire basis to anyone who seeks entry-level CDL driver training (e.g., a motor carrier who only offers in-house training at no charge to its own employee drivers or prospective employee drivers, or a union-sponsored training program that does not charge tuition to union members).

**EXAMPLES OF TRAINING PROVIDERS AND THEIR APPLICABLE TRAINING PROVIDER TYPE CATEGORIES:**

- A CDL training school open to anyone who seeks entry-level CDL driver training and charges tuition or a fee would answer "Yes" to *Not In-House* and "Yes" to *For-Hire*.

- A community college that has an entry-level CDL training course of study and charges tuition or a fee would answer “Yes” to *Not In-House* and “Yes” to *For-Hire*.
- A union that provides training to union members only and does not charge tuition would answer “Yes” to *Not In-House*, and “Yes” to *Not-for-Hire*.
- An owner-operator or small carrier that does not charge tuition (e.g., trains friends or family members and does not hire these drivers as employees) would answer “Yes” to *Not In-House*, and “Yes” to *Not-for-Hire*.
- A public school district that does not charge tuition or a fee, hires these drivers as its own employees, and does not make itself available for-hire to train other drivers, would answer “Yes” to *In-House* and “Yes” to *Not-for-Hire*.
- A property-carrying or passenger-carrying motor carrier that does not charge tuition, hires these drivers as its own employees, and does not make itself available for-hire to train other drivers, would answer “Yes” to *In-House* and “Yes” to *Not-for-Hire*.
- A property-carrying or passenger-carrying motor carrier that does not charge tuition to some of its students and also hires these drivers as its own employees, but also makes itself available for-hire to train other drivers that it does not hire as employees and charges these students tuition or a fee, would answer “Yes” to *In-House*, “Yes” to *Not In-House*, “Yes” to *For-Hire*, and “Yes” to *Not-for-Hire*.

**22. Types of CDL Training Offered:** Please mark an “X” in the box of the type of training your entity expects to provide. Class A or B, theory and/or BTW, or P, S, and/or H endorsements.

**23. Third-Party Affiliations:** Enter whether you are a member of any of the organizations listed in this section. An entity is not required to be a member of one of these organizations in order to be listed on the TPR. These questions are being asked for general informational purposes only. Also indicate whether you are subject to other government oversight, including but not limited to, for example, a State education or transportation department, a State or local professional & vocational licensing board, or a State Driver Licensing Agency (SDLA). Finally, indicate whether you have any Joint Labor-Management or Union oversight.

**24. Additional Information:** For questions a. through g., check the box(es) that best describe(s) your program. Note that questions a. and d. refer to the total number of hours, on average, that driver-trainees spend to complete the applicable theory and BTW curricula.

**25. Enter Name(s) of Authorized Officials for the Training Provider:** Enter the name and position of (an) individual(s) who will be signing the statement on page 10 of this form.

**26. Training Provider Certification Statement:** Read, review, and sign to indicate that your entity meets all of the requirements to be listed on the TPR.

Once FMCSA determines that your submitted form meets the requirements, it will provide you with your unique TPR number and your entity will be publicly listed on the TPR website.

# FMCSA Entry-Level Driver Training Provider Registration Form

Reason for Filing (mark only one)	
<input type="checkbox"/> New Request for Listing on the Training Provider Registry (TPR)	<input type="checkbox"/> Biennial Update or Changes
<input type="checkbox"/> Out of Business Notification	<input type="checkbox"/> Reapplication (After Removal from TPR)
<b>Training Provider Business Information</b> <input type="checkbox"/> I do not want my contact information publicly displayed on the Training Provider Registry	
1. Legal Name:	
2. Doing Business As:	
3. Location of Business (Street, City, State, and Zip Code):	
4. Mailing Address (Street or P.O. Box, City, State, and Zip Code):	
5. Principal Telephone Number:	6. Principal Fax Number:
7. Website:	8. E-mail Address:
<b>Training Facility Information</b> (fill out if different from the above information for each facility)	
9. Legal Name:	
10. Location of Training Facility (Street, City, State, and Zip Code):	
11. Mailing Address (Street or P.O. Box, City, State, and Zip Code):	
12. Principal Telephone Number:	13. Principal Fax Number:
<b>Training Provider Registration Information</b>	
14. Dun & Bradstreet Number (if applicable):	15. IRS/Taxpayer Identification No.:

<b>16. Training Provider Registry Identification No.</b> (if applicable):	<b>17. USDOT Identification No.</b> (if applicable):	<b>18. State Motor Carrier Identification No.</b> (if applicable):	<b>19. Federal Transit Administration, National Transit Database (NTD) Transit Agency ID No.</b> (if applicable):	<b>20. U.S. Department of Education, National Center for Education Statistics (NCES), Public School NCES District ID No.</b> (if applicable):	
<b>21. Training Provider Type</b> (Answer <b>ALL</b> four questions marking either "Yes" or "No". More than one "Yes" response will usually apply)					
<b><u>In-House</u></b>  Yes: <input type="checkbox"/> No: <input type="checkbox"/>	<b><u>Not In-House</u></b>  Yes: <input type="checkbox"/> No: <input type="checkbox"/>	<b><u>For-Hire</u></b>  Yes: <input type="checkbox"/> No: <input type="checkbox"/>	<b><u>Not-for-Hire</u></b>  Yes: <input type="checkbox"/> No: <input type="checkbox"/>		
<b>22. Types of CDL Training Offered</b>					
<b>CDL Class or Endorsement</b> (Check all the applicable boxes)	<b>Class A</b> Theory: <input type="checkbox"/> BTW: <input type="checkbox"/>	<b>Class B</b> Theory: <input type="checkbox"/> BTW: <input type="checkbox"/>	<b>Passenger (P)</b> Theory: <input type="checkbox"/> BTW: <input type="checkbox"/>	<b>School Bus (S)</b> Theory: <input type="checkbox"/> BTW: <input type="checkbox"/>	<b>Hazardous Materials (H)</b> Theory: <input type="checkbox"/>
<b>23. Third-Party Affiliations</b>					
<b>Is this training location a member of one or more third-party certification or accreditation organizations (check all that apply):</b>					
National Association of Publicly Funded Truck Driving Schools (NAPFTDS)			<input type="checkbox"/>		
Commercial Vehicle Training Association (CVTA)			<input type="checkbox"/>		
Professional Truck Driver Institute (PTDI) Certified Course			<input type="checkbox"/>		
Other accreditation or certification organizations (please specify)			<input type="checkbox"/>		
Name: _____					



**Government Oversight** (Identify any Federal (Department of Education), State or local government oversight that your training program is subject to, e.g., a State education department, State or local professional and/or vocational licensing board, or a SDLA, etc.):

**Joint Labor-Management or Union Oversight** (Identify any Union oversight your program is subject to):

**24.****Additional Information****a. Total number of theory training hours:**

☐ 0-20   ☐ 21-40   ☐ 41-60   ☐ 60-80   ☐ 80+

**b. Theory Training Materials** (Check all that apply)

☐ videos   ☐ lectures   ☐ handbooks/textbooks   ☐ simulation devices

**c. Range type**

☐ private   ☐ public parking lot   ☐ warehouse   ☐ abandoned area   ☐ other

**d. Total number of BTW (range and public road) training hours**

☐ 0-10   ☐ 11-15   ☐ 16-20   ☐ 21-30   ☐ 31+

**e. Average tuition cost (\$)**

☐ 0-2000   ☐ 2001-3000   ☐ 3001-4000   ☐ 4001+

**f. Number of students trained per year:**

☐ 0-50   ☐ 51-100   ☐ 101-150   ☐ 151-200   ☐ 201+

**g. Number of BTW instructors**

☐ 0-10   ☐ 11-20   ☐ 21-30   ☐ 31+

**25. Enter Name(s) of Authorized Officials for the Training Provider** (e.g., president, treasurer, general partner, limited partner):

1. _____	_____
(Name)	(Title)
2. _____	_____
(Name)	(Title)
3. _____	_____
(Name)	(Title)
4. _____	_____
(Name)	(Title)

**26. Training Provider Certification Statement** *(to be completed by authorized official)*

I, \_\_\_\_\_, certify that I am knowledgeable of FMCSA's Entry-Level Driver Training regulations under 49 CFR Part 380, will deliver training that covers all the required modules in the applicable FMCSA curriculum, that the training entity I represent meet all applicable eligibility requirements, and that I can document compliance with such requirements to the Agency upon request \_\_\_\_\_ (Insert name of entity) agrees to allow FMCSA or its representatives to: visit my training facilities and observe theory, range, and/or road instruction; interview current and former students concerning the quality of the training provided; and review and copy records that I am required to maintain. I understand that failure to deliver training that covers the required modules in the FMCSA's curriculum; meet the requirements of 49 CFR 380 Subpart G, Registry of Entry-Level Driver Training Providers; and allow FMCSA or its authorized representatives to have access to my facilities, students, and records, could result in removal from the Training Provider Registry.

I declare under penalty of perjury under the laws of the United States of America that I have knowledge of the information on this form and that the information on this form is true and correct. I understand that providing false information can violate federal felony statutes, including 18 United States Code Section 1001, which is punishable by up to 5 years imprisonment and a fine of up to \$250,000.

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Entity/Training Provider: \_\_\_\_\_

Form MCSA-XXXX

OMB Control Number: 2126-00XX

Expiration Date



U.S. Department of Transportation  
Federal Motor Carrier  
Safety Administration

## Training Certification Information

1. Training provider's business name:

2. Training Provider's Registry Identification Number:

3. Driver-trainee's name:  
birth

4. Driver-trainee's date of birth

5. Driver-trainee's State of licensure:

6. Driver-trainee's driver license number:

Type of Training Completed (Enter Completion Date For All that Apply)	Total number of BTW clock hours	Completion Date (DD/MM/YYYY)
Class A (Theory & BTW)		
Class A (Theory Only)		
Class A (BTW Only)		
Class B (Theory & BTW)		
Class B (Theory Only)		
Class B (BTW Only)		
Passenger (Theory & BTW)		
Passenger (Theory Only)		
Passenger (BTW Only)		
School Bus(Theory & BTW)		
School Bus (Theory Only)		
School Bus (BTW Only)		
Hazardous Materials (Theory Only)		