



August 28th, 2025

The Honorable Sean P. Duffy
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Duffy:

On behalf of the Commercial Vehicle Training Association (CVTA) and the National Association of Publicly Funded Truck Driving Schools (NAPFTDS), we write to thank you and the U.S. Department of Transportation (USDOT) for your urgent attention to highway safety and for your recent remarks at the August 26th press conference, underscoring the urgent need to address illicit licensing practices within the truck driver training and testing system.

As you stated, ***“When an individual comes in to take their CDL skills test, it should be clear if a driver doesn’t understand road signs or speak the language. Yet somehow, they are still passing the skills test. That is unacceptable.”***

We strongly agree that systemic failures in CDL testing and licensing processes are unacceptable—and we believe that fraudulent and non-compliant training providers are also a critical part of this same problem. As you further noted, ***“we’re examining how these tests are being administered. Are the rules being followed? Or is there gaming of the system that we need to address? ... This is about keeping our American roads safe.”*** CVTA and NAPFTDS echo that charge, and we urge USDOT and FMCSA to expand this enforcement push to include removal of fraudulent, non-compliant training providers on the Entry-Level Driver Training (ELDT) Training Provider Registry (TPR).

To that end, we offer the following *administrative and congressional* recommendations to support USDOT’s efforts and accelerate enforcement:

Critical Recommendations

1. **Mandatory Re-Registration** – Require re-registration of providers so FMCSA can swiftly identify and prevent bad actors from self-certifying.
2. **Expedited Removal of Non-Compliant Entities** – Expand FMCSA’s authority to conduct immediate emergency removals of training providers.
3. **Allow States to Remove Bad Actors from the TPR** – Authorize states to temporarily suspend or remove illicit providers.
4. **Create Monetary Fines for ELDT Violations** – Grant FMCSA explicit administrative penalty power to deter serious infractions and malfeasance.
5. **Regular and Unannounced Audits** – Establish substantial oversight, with state partners equipped to assist in ensuring compliance.
6. **Swift Senate Confirmation of FMCSA Leadership** – Confirm FMCSA Administrator-nominee Chief Derek Barrs to lead FMCSA and clean up the TPR.

Brief Overview of the Entry-Level Driver Training Rule and TPR Enforcement

The Entry-Level Driver Training (ELDT) Rule¹ was designed to deliver concrete safety gains by ensuring every new commercial driver meets a uniform national baseline before testing—combining standardized theory instruction, verified behind-the-wheel proficiency, and transparent recordkeeping through the Training Provider Registry. By replacing uneven, patchwork state requirements with a single proficiency-based framework, ELDT aims to reduce novice-driver crashes, improve CDL test readiness, and give employers and the public greater confidence that newly licensed drivers can operate safely.

To translate Congress’s directive to set minimum training standards into practice, FMCSA convened the Entry-Level Driver Training Advisory Committee (ELDTAC)—a negotiated-rulemaking body that brought together a wide range of stakeholders, including motor carriers of all sizes, public and private training schools, state driver-licensing agencies, labor, safety advocates, and industry associations such as CVTA and NAPFTDS. That diverse coalition forged consensus on a balanced, performance-driven standard that could be implemented nationwide.

Slow Pace of TPR Enforcement Harms New Drivers and Threatens Highway Safety

Since the TPR² went live in February 2022 there has been a proliferation of substandard training entities; operating at the fringes of the CMV training community and violating the Entry-Level Driver Training rules. But FMCSA’s enforcement through the Training Provider Registry (TPR) has not kept pace with the scale of non-compliance. According to FMCSA’s own data, there are **over 13,000 private entities** on the Registry (excluding governments and municipalities which are unlikely to be bad actors).

But despite the rule’s intent and FMCSA’s recognition that strong oversight is essential to reduce crashes and prevent fraudulent training, bad actors continue to operate. These entities exploit prospective students and jeopardize public safety with inadequately prepared drivers. While FMCSA has begun building oversight infrastructure—adding reporting channels, improving transparency, and issuing guidance—actual enforcement outcomes remain remarkably limited.

To that point, as of April 11, 2025, only **four** providers had been removed from the TPR and only **twenty-five** entities had received Notices of Proposed Removal, despite **hundreds of complaints** from citizens and state agencies. Between August 11th and August 27th, the number of removed providers crept to **eighty-six** and the list of proposed removals stands at **twenty-six**.

This slow pace and lack of follow through leaves non-compliant providers active on the Registry and greatly frustrates state partners who submit evidence to FMCSA without timely actions. In turn, the broken process subjects unfortunate students to pay for substandard training that leaves them unable to pass CDL skills tests, secure employment, or operate safely.

¹ *Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators*, 81 Fed. Reg. 88732 (Dec. 8, 2016) (codified at 49 C.F.R. pts. 380, 383, and 384).

² <https://tpr.fmcsa.dot.gov/>

CVTA³ & NAPFTDS⁴ Recommendations

While CVTA and NAPFTDS warmly support USDOT’s recognition of the urgent need for stronger enforcement of English Language Proficiency requirements on the highway, further action is necessary to ensure that these steps translate into lasting reform. Scrutiny into the CMV training space will also showcase another segment of English Language Proficiency violators, those who train hundreds if not thousands of individuals without concern for compliance with English proficiency compliance or the required ELDT curriculum.

1. Implement Mandatory Re-Registration for Nongovernmental Entities

Biannual re-registration is already required by the ELDT rule, but an emergency rulemaking, aimed solely at re-registration of nongovernmental entities would allow FMCSA to scrutinize training providers that pose the greatest risk to the industry. Providers must be required to submit licensure documents indicating that they are permitted to train in their respective states. This will prevent and eliminate “one-day” fly by night entities.

2. Expedite Removal of Non-Compliant Training Entities

Current delays in TPR enforcement compromise safety. As of August 28th 2025, FMCSA has removed only **eighty-six** entities from the registry, despite hundreds of complaints.

- FMCSA should establish a 30-day decision timeline for FMCSA to act on substantiated complaints for emergency removals.
- States should be granted temporary suspension authority to immediately block bad actors while FMCSA completes review.
- Create an interim suspension mechanism so when credible evidence of severe misconduct is submitted FMCSA should be able to immediately suspend the provider’s TPR listing pending full investigation.

3. Allow States to Remove Bad Actors from the TPR

In the Surface Transportation Reauthorization, Congress should authorize states to temporarily remove or suspend Training Provider Registry listings upon a substantiated finding under state law, with prompt notice to FMCSA and an expedited federal review. State driver-licensing agencies are closest to the facts—licensing records, fraud referrals, and consumer complaints—and already must notify FMCSA of violations of state commercial motor vehicle laws under the ELDT framework. Empowering states as first-line enforcers would make FMCSA a better partner, speed action against known bad actors, and respect states’ role as the final legal arbiter of state-law violations.

4. Create Monetary Fines for ELDT Violations

Congress should expressly authorize FMCSA to impose administrative civil penalties for serious Entry-Level Driver Training (ELDT) violations and malfeasance. After the *Riojas*⁵ decision, penalty

³ Founded in 1997, **CVTA** is the largest association of truck driver training programs in the nation, with four hundred member locations in forty-six states, **training over 100,000 entry level drivers each year.**

⁴ **NAPFTDS** was formed in 1990 and currently has 142 school members in thirty-six states that **train over 50,000 students a year.** <https://napftds.org/>

⁵ In the Matter of Darlene Riojas, Manuel J. Riojas, Four Star Trucking, Inc., and 7 Star Transport, LLC, FMCSA-2012-0174 (DOT Agency Decisionmaker by Delegation, “Order Granting Extension of Time,”

authority cannot be expanded by executive order; only legislation can restore or clarify administrative enforcement power⁶. Today FMCSA can remove providers from the Training Provider Registry and pursue false filings, but lacks a direct, scalable fine regime that deters systemic non-compliance by entities and individuals. A narrow statutory amendment would allow FMCSA to assess meaningful fines for egregious ELDT breaches, complementing removals and DOJ referrals, and delivering timely, proportional accountability.

5. Begin Immediate Audits of Entities on the Training Provider Registry

To our knowledge there are currently no federal audits of training providers. FMCSA should implement an audit plan that ensures training providers are immediately subject to oversight.

- Audits should be conducted on a rolling cycle by region, with unannounced inspections for high-risk providers that train the public, e.g., “one-day” training entities.
- States should be trained and empowered to conduct supplemental audits, so oversight does not stall during any federal staffing backlogs.

6. Senate Confirmation of FMCSA Leadership

Swift Senate confirmation of FMCSA Administrator-nominee Chief Derek Barrs will support USDOT efforts to surge on the Training Provider Registry issue. Barrs’ law-enforcement background equips him to accelerate audits, remove non-compliant providers, and institutionalize transparent enforcement—ensuring compliant schools are protected, unsafe actors are deterred, and highways are safer.

CVTA’s ELDT Task Force - History

Over the past three years, CVTA’s ELDT Task Force has worked consistently in partnership with FMCSA to strengthen the integrity of the Entry-Level Driver Training (ELDT) rule and the Training Provider Registry (TPR).

In **January 2025**, CVTA hosted a pivotal FMCSA briefing where, for the first time, national TPR data was released to stakeholders. That engagement directly led to new public transparency measures, including “Removed” and “Under Review” designations on the TPR website, creation of a public complaint intake channel, and verification of state licensure as part of provider registration. Building on that momentum, on **April 11, 2025**, CVTA joined with NAPFTDS to send a joint letter⁷ to USDOT, pressing for faster removals of non-compliant providers and resolution of long-pending cases.

In **May 2025**, CVTA publicly supported Secretary Duffy’s announcement of renewed English-language-proficiency enforcement, tying it directly to the need for removing fraudulent schools from the TPR. That advocacy carried into Congress: on **July 25, 2025**, noting the importance of TPR

June 14, 2019), https://downloads.regulations.gov/FMCSA-2012-0174-0059/attachment_1.pdf. (holding that FMCSA lacked subject-matter jurisdiction to impose certain fines, and that “commercial regulations” violations must be pursued in federal district court—thereby marking the beginning of USDOT’s loss of direct administrative penalty authority in this area).

⁶ Federal Motor Carrier Safety Administration. *Unlawful Brokerage Activities — Report to Congress*. July 19, 2024.

⁷ <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:691cf4ec-c033-4e6b-a80e-ca3059fd752c>

enforcement during the Senate surface transportation reauthorization hearing. Most recently, at its **August 2025 Board retreat in Washington, DC**, CVTA centered its agenda on TPR enforcement, pressing FMCSA partners to do more to accelerate removals while mapping the Task Force's next advocacy steps.

These efforts extend beyond federal policymaking. Since **mid-2022**, CVTA has worked with state licensing agencies to implement FMCSA guidance on reporting non-compliant providers, creating clearer channels for violations to flow into federal enforcement. Together, these state and federal improvements have increased transparency into accountability and provided new tools for regulators to respond to bad actors.

The Task Force's work builds on CVTA's long history of leadership. From **2014 to 2016**, CVTA played a significant role on FMCSA's Entry-Level Driver Training Advisory Committee (ELDTAC), helping design the performance-based framework that became the 2016 Final Rule and the creation of the TPR. When the ELDT Rule finally took effect in **February 2022**, CVTA was already prepared to support compliance among its members while holding bad actors accountable.

Conclusion

The Entry-Level Driver Training (ELDT) Final Rule was decades in the making, born out of congressional mandates, court orders, and industry consensus. Yet without robust enforcement, its promised safety benefits remain unrealized. FMCSA's limited oversight has allowed non-compliant providers to persist, undermining both public safety and the credibility of the Training Provider Registry (TPR).

Your recent words, Secretary Duffy, make clear that USDOT is committed to rooting out fraud and corruption in the licensing process. We sincerely thank you and urge you to extend that same vigilance to the training sector—ensuring that only compliant, high-quality training providers remain on the TPR. Together, these reforms will close enforcement gaps, protect compliant organizations, and keep unsafe providers out of the system—allowing ELDT to achieve its core purpose: safer drivers and safer highways.

Thank you for your leadership on this critical issue, and for your consideration of the applicable administrative actions that are within the scope of USDOT's authority. To support that effort, we would welcome a discussion with you and your staff to offer insights into the truck driver training industry.

Sincerely,



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Executive Director, CVTA



Martin Garsee
Executive Director, NAPFTDS