



Commonwealth of Pennsylvania

February 4, 2022

The Honorable Pete Buttigieg
Secretary
United States Department of Transportation

The Honorable Robin Hutcheson
Deputy Administrator
Federal Motor Carrier Safety Administration

Dear Secretary Buttigieg and Deputy Administrator Hutcheson:

Pennsylvania commends the Federal Motor Carrier Safety Association (FMCSA) action to allow states the option of temporarily waiving certain ‘under the hood’ requirements from the school bus skills testing portion of the commercial driver’s license (CDL) application process. The Pennsylvania Department of Transportation (PennDOT) is committed to addressing the school bus driver shortage but, after much review, they have determined that it is not feasible to implement the FMCSA temporary waiver in Pennsylvania for the following reasons:

- **Timeframe** – There is not enough time for PennDOT to change processes, incorporate the required restrictions, and update training and testing procedures by March 31, 2022.
- **‘School bus only’ restriction** – States implementing the waiver are required to apply a ‘school bus only’ restriction to CDLs issued under the waiver. Pennsylvania doesn’t currently have a ‘school bus only’ restriction. To implement this, PennDOT would be required to make multiple system modifications that are not feasible in the allotted timeframe.
- **All ‘under the hood’ requirements are not waived** – School bus driver applicants are still required to know ‘under the hood’ components for the skills test. The removal of only some of the requirements would not completely address this barrier to entry for some applicants.
- **Intrastate restriction** – This restriction creates additional complexities and concerns. Pennsylvania has many instances where school bus drivers are required to cross state lines to transport students. If Pennsylvania adopts the waiver, there is a possibility that some districts might have to offer two types of CDLs – one with this temporary waiver and one without the waiver for those crossing state lines. The waiver also fails to address the license transfer process should a driver move to another state.

Though this temporary waiver is a step in the right direction, it does not fully get to the heart of the school bus driver shortage issue. A useful tool to attract new drivers or retain existing drivers must be comprehensive. Pennsylvania strongly recommends the implementation of a school bus driver specific CDL. It has been observed that school bus drivers are leaving school districts to work for private trucking and transportation companies, leaving school districts to feel like a training ground for the private sector. While we understand the pursuit of job opportunities, a school bus driver specific CDL would allow districts a greater chance of driver retention. It would also serve to reduce the exodus of school bus drivers to other industries while building experience and ancillary training for drivers specific to the education sector.

While the pandemic and the supply chain crisis have certainly magnified the school bus driver shortage issue, the situation in Pennsylvania is dire and on pace to be much worse as we look towards Spring. School districts across our state have done what they can to mitigate the issue – offering signing bonuses, pay raises, additional benefit options, and retention bonuses to attract and retain school bus drivers. There have even been a few districts where the administrators themselves, including superintendents, have obtained their CDL, so that

they can be a substitute driver when needed. Unfortunately, these efforts have not been enough to resolve the issue. The shortage is not a temporary issue, but one that we are likely to see for years to come absent any meaningful changes to the CDL process at the federal level. For the sake of our children, it is critical that we take effective actions to mitigate the shortage. Pennsylvania implores you to please strongly consider the implementation of a school bus driver specific CDL and would be willing to work with you and your agencies to do this in a way that builds on the safety of our children.

Pennsylvania recognizes that our request for a school bus driver specific CDL will take time to develop, pilot, and deploy. In the interim, there is action that FMCSA could take now that would help provide relief for the school bus industry as well as other industries that rely on CDL drivers. The American Association of Motor Vehicle Administrators (AAMVA) is leading the CDL Test Modernization program, which is currently being pilot tested with FMCSA's support in Maryland, New Hampshire, and Virginia. FMCSA's focus on and willingness to expedite the final approval would allow states to deploy this new CDL testing protocol sooner. This sustainable process improvement, followed by the implementation of the school bus driver specific CDL test, will strengthen the overall testing process while increasing the availability of qualified school bus CDL drivers.

Thank you for your time and consideration and we look forward to your feedback on our recommendations. Please direct any questions to The Honorable Representative Rosemary Brown (Rbrown@pahousegop.com or 717-260-6171).

Kind regards,

Megan E. Smith
Pennsylvania Association of School Business Officials
Advocacy Manager

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CC: U.S. Senate Committee Leadership
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