

April 10, 2025

The Honorable Sean Duffy  
Secretary of Transportation  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
Washington, D.C. 20590-0001

**Re: Commercial Vehicle Safety and Licensing Standards**

Dear Secretary Duffy:

On behalf of the American Trucking Associations (ATA), we congratulate you on your recent confirmation to lead the United States Department of Transportation and the recent nomination of Derek Barrs to lead the Federal Motor Carrier Safety Administration (FMCSA). ATA is committed to working with you and your team to increase highway safety among all road users and to address the top transportation challenges facing the trucking industry. We are already in the process of obtaining feedback from our membership in support of President Trump's deregulatory initiative, and we look forward to submitting our contributions.

In addition to our forthcoming deregulatory comments, and in the context of recent concerns raised about highway safety, ATA has also identified several key areas where we believe that enhanced enforcement and resource prioritization can make a big difference, forgoing the need for additional regulatory change. As such, we would like to take this opportunity to highlight three key areas the Agency should prioritize.

First, safety concerns have been raised relating to Commercial Driver's License (CDL) issuance, particularly involving training and qualifications of new CDL holders. ATA has long supported the Entry Level Driver Training (ELDT) program that took effect on February 7, 2022. While we believe ELDT has made a significant, beneficial impact, more work can be done to ensure the integrity of the program.

ATA is concerned that the Training Provider Registry (TPR) is still insufficiently robust to shield prospective drivers and the motoring public from fraudulent and non-compliant training entities that fast-track CDL applicants with minimal, if any, training. ATA believes that these providers serve as a venue for individuals to obtain a CDL simply by paying a fee, circumventing the structured curriculum established by ELDT. While FMCSA has made progress in establishing tools for ELDT enforcement, FMCSA's ELDT/TPR website shows that only *four* training providers have been removed from the TPR since 2023. However, ATA has been informed that non-compliant training entities likely remain on the TPR.

We believe FMCSA's safety monitoring, auditing, and enforcement actions need to increase to ensure that unlicensed and unqualified entities are immediately removed from the TPR. In addition, we encourage FMCSA to begin better tracking the number of *new* CDLs issued on a state-by-state basis, including, but not limited to, the number of non-domiciled CDLs that are issued on an annual basis.

Second, FMCSA should immediately review its directives related to enforcement of the English proficiency standard established in 391.11(b)(2). ATA has received reports that enforcement of this provision is inconsistent and that the requirement is often misinterpreted. ATA believes this is primarily

the result of FMCSA enforcement memorandum #MC-ECE-2016-006 dated June 15, 2016. FMCSA should immediately provide an updated enforcement memorandum to ensure that this provision is enforced consistently during roadside inspections and on-site reviews. We encourage the Agency to work with the Commercial Vehicle Safety Alliance (CVSA) to ensure that proper enforcement action is taken.

Finally, while we recognize this is not within FMCSA's immediate purview, we urge you to work with the Homeland Security Investigations Office of the U.S. Immigration and Customs Enforcement to better patrol violations of international drivers operating domestically with a B-1 visa. This is an ongoing issue that we have raised with various law enforcement organizations over the last several years. While ATA fully supports the legal use of B-1 drivers to transport international freight from Canada and Mexico into and out of the United States as part of an international trip, we believe that some U.S. trucking companies unlawfully employ these drivers to perform cabotage, *i.e.*, to move domestic freight within the borders of the United States.

Not only is cabotage illegal, but it can also have significant economic and labor impacts on law-abiding motor carriers operating in the United States. We believe that FMCSA can work with the Department of Homeland Security and U.S. law enforcement agencies to better patrol and enforce cabotage prohibitions against B-1 drivers and trucking companies.

Thank you for the opportunity to work with the DOT and FMCSA to address these important matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Spear". The signature is fluid and cursive, with the first name "Chris" being more prominent than the last name "Spear".

Chris Spear  
President & CEO  
American Trucking Associations