

**Department of Transportation
Federal Motor Carrier Safety Administration**

**SUPPORTING STATEMENT FOR EMERGENCY APPROVAL
“Strengthening the Standards for Initial Listing on the Training Provider Registry (TPR)”
ICR, OMB Control No. 2126-NEW**

SUMMARY

- This is an emergency request for a new emergency collection of information covering the collection of information from entities wishing to be listed as training providers on the Training Provider Registry (TPR), or currently listed training providers wanting to add new locations to their TPR listing.
- The Federal Motor Carrier Safety Administration (FMCSA) is asking for the need to publish a federal register notice for the emergency request to be waived due to time constraints and because the Agency will publish a 60-day federal register notice for the full 3-year ICR approval of the emergency IC as soon as approval of the emergency request is granted.

INTRODUCTION

This is to request the Office of Management and Budget’s (OMB) emergency approval for the emergency information collection titled, “Strengthening the Standards for Initial Listing on the Training Provider Registry (TPR)” (OMB Control No. 2126-NEW).

Part A. Justification

1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY

FMCSA is required to develop and establish minimum driver training standards for applicants for a commercial driver’s license (CDL) and/or certain CDL endorsements by the “Moving Ahead for Progress in the 21st Century Act” (MAP-21) (Pub. L. 112–141, 126 Stat. 405, 791), codified at 49 U.S.C. 31305(c) (Attachment B). These standards are set forth in 49 CR part 380, subparts F and G, and in five Appendices to part 380. The standards include two separate information collection actions: (1) Training providers must electronically submit information to FMCSA’s Training Provider Registry (TPR) to ensure that they meet the training provider eligibility requirements and may therefore be listed on the TPR; and (2) after an individual driver-trainee completes training administered by a training provider listed on the TPR, that training provider must electronically submit training certification information regarding the driver-trainee to the TPR.

The Federal Motor Carrier Safety Administration (FMCSA) is requesting emergency clearance for a revision to the new collection referenced above, to allow for additional information collection that will strengthen the standards for a training provider’s initial listing on the TPR. Since the inception of the Entry Level Driver Training (ELDT) program in February of 2022,

training providers are listed on the TPR through a self-certification process, rather than a review of documentation to ensure compliance.

During a 2025 enforcement blitz known as “Operation Driver Training,” the agency performed an assessment of more than 1,300 training providers included on the TPR, all of whom completed the self-certification process. During the operation the Agency identified widespread operational deficiencies, localized fraud, and compliance failures, resulting in the removal of more than 600 training providers from the TPR, which accounted for nearly 50% of the providers audited.

Following the first operation, “Operation Driver Training II” took place in July and August of 2026 and focused on training providers that had driver-trainees who were later involved in a fatal crash. FMCSA looked at 2,981 crashes from 2022 to May of 2026 and identified 366 provider’s locations whose drivers were involved in fatalities. Preliminary findings of this operation indicate at least 45% of the providers investigated will be receiving a removal action for non-compliance.

As part of the Agency’s enforcement processes, training providers who are listed on the TPR may be issued a Notice of Emergency Removal due to fraud, criminal behavior, or willful disregard of the regulations. Many of these bad actors will report hundreds of “completed” theory and behind the wheel training that led to commercial vehicle licenses across the country, despite never conducting the training. At least three providers removed in the last year had fraudulently certified more than 800 drivers as completing their driver training, with one provider fraudulently certifying more than 2,400 drivers, with “completed” training records.

Under the current rules covering the TPR, when a provider is issued a Notice of Emergency Removal, they are able to log on to the TPR, self-certify with new training provider information, and thus be listed again on the TPR and continue to perpetuate fraud. If none of the basic information (i.e. email, address) matches the removed provider, these bad actors return under a new name and begin reporting under the same fraudulent, criminal, or willful disregard as was discovered in their original business model until discovered through state non-compliance, operations, or complaints.

The only effective way to combat fraudulent behavior and rebuild trust in the TPR is to initiate a proactive approach, rather than a reactive one. As a result, FMCSA initiated a rulemaking project to revise the regulations covering the TPR (RIN 2126-AD00, “Minimum Training Requirements for Entry-Level Driver Training (ELDT) for Commercial Motor Vehicle Operators: Strengthening the Standards for Initial and Continued Listing on the Training Provider Registry (TPR or Registry) and Behind the Wheel Training”). This NPRM, when issued, will include a number of additional collections of information. However, FMCSA cannot wait for the rulemaking process to begin vetting new applicants to the TPR. As noted above, enforcement operations revealed that for every two providers that register, one of them will have a non-compliant program that is putting new, unqualified drivers on the road every day. Allowing for the regulatory process to conclude would open the door not only for new, non-compliant training programs, but also for previously removed training providers who are able to reincarnate and reapply to the TPR.

Thus, FMCSA requests an emergency ICR in order to require the below documentation as part of the initial vetting of new providers and every time a provider adds a new location in accordance with 49 CFR 380.703(a)(7). Documentation and information collected would include:

1. The lesson plans for theory and BTW (range and public road) training curricula, as applicable.
2. Proof of compliant training vehicles, (such as meeting the requirement that they be in the same group and type that driver-trainees intend to operate for their CDL skills test), as applicable.
3. Instructor qualification documentation indicating driving and/or training experience, as applicable, for each instructor and copies of commercial driver's licenses and endorsements held by BTW instructors or theory instructors, as applicable.
4. Proof that the provider is licensed, certified, registered, or otherwise authorized to provide training in accordance with the applicable laws and regulations of any State where in-person training is conducted.
5. Documentation detailing what facilities are being utilized for applicable in-person training to comply with 49 CFR 380.709.

The documents collected will be reviewed for compliance prior to training providers being listed in the TPR. Issuing an emergency ICR to include the collection of documentation at the time of initial application will ensure training providers have a complete and compliant training program before drivers are receiving training while the NPRM moves through its process.

Title 49, section 380.725 of the CFR specifically requires training providers on the TPR to maintain instructor qualification documentation and lesson plans. In addition, 49 CFR 380.719 requires training providers on the TPR to maintain documentation of their State licensure or certification (if applicable), to allow FMCSA to conduct an audit if requested, and to ensure all documentation required under section 380.725 is made available to FMCSA upon request. FMCSA intends to use this authority to request the above-listed information from training providers at the time that they first apply for listing on the TPR, or when a currently listed training provider applies to add a new training location. This emergency ICR will allow FMCSA to conduct this information review for all applicants, without having to rely upon the investigatory exemption to the PRA.

This emergency ICR supports the DOT strategic goal of safety and organizational excellence by ensuring that training providers are eligible to be listed on the TPR, and that fraudulent training providers are not able to transmit results in the TPR for driver-trainees as proficient in ELDT without actually providing training. This is critical for public safety and health because 10% of provider locations have put driver-trainees on the roads that later were involved in a crash¹. This is further compounded by the fact that 50% of audited or investigated providers as part of ongoing operations receive a removal action due to non-compliance or non-existent programs.

2. HOW, BY WHOM, AND FOR WHAT PURPOSE IS THE INFORMATION USED

Training providers applying to be included in the TPR, as well as currently listed training providers looking to add new locations to their TPR listing, would be required to submit the

¹ There are 2,921 locations with associated driver-trainees that were involved in crashes out of 31,007 total provider locations.

information covered by this emergency IC after they complete their initial training provider registration form² within the TPR. FMCSA would then use the information to vet the application and ensure that the training provider is not attempting to circumvent prior removal actions.

The new information collections outlined in this supporting statement will also be found in a future NPRM titled “Minimum Training Requirements for Entry-Level Driver Training (ELDT) for Commercial Motor Vehicle Operators: Strengthening the Standards for Initial and Continued Listing on the Training Provider Registry (TPR or Registry) and Behind the Wheel Training.” The NPRM would specifically require that training providers applying for inclusion in the TPR upload a list of current instructors and the Motor Vehicle Record for each instructor into the TPR and provide updates if any changes occur. Training providers would also be required to upload their training materials and all test scores (passing and failing) into the TPR. Finally, training providers would be required to update their TPR registration annually (as opposed to the current biennial requirement), including justification for remaining on the TPR if no training was completed during the preceding year. These proposed requirements go further than what is being included in this emergency ICR, as the emergency request is based on current regulatory authority.

Both this emergency collection and the new ICs included in the NPRM would be in addition to the already approved collections in OMB control number 2126-0028 “Training Certification for Entry-Level Commercial Motor Vehicle Operators.” FMCSA intends to use the rulemaking to revise the emergency IC and provide for the full 3-year IC approval. After the rulemaking is final, FMCSA will merge this new collection into the existing collection.

3. EXTENT OF AUTOMATED INFORMATION COLLECTION

Minimum training standards for entry-level drivers (in 49 CFR part 380, subpart F and five Appendices to 49 CFR part 380), and requirements for training providers (in 49 CFR part 380, subpart G), have been in effect since February 7, 2022. Training providers must be listed on the TPR that was developed by FMCSA. The TPR is an online web-based information system that training providers must use to submit information to FMCSA to ensure that they meet the training provider eligibility requirements and can therefore be listed on the TPR. In addition, after an individual driver-trainee completes training administered by a training provider listed on the TPR, that training provider must submit training certification information regarding the driver-trainee to the TPR. The Agency does not have hardcopy “Training Provider Registration” forms, or hardcopy “Driver Training Certification” forms available and does not accept any such hardcopy documents as part of this collection of information.

Submission of the information covered by this emergency collection is expected to occur either via email form or in-person reviews until the TPR can be updated to perform this function. From January 1, 2026 to May 6, 2026 (18 weeks), 2,372 provider applications were received with 1,036 becoming active on the TPR. Many were rejected due to being duplicate accounts associated with removals, self-revolutions, or inability to access due to changes in users. Additionally, 2,722 listed provider new location applications were received, with 1,489 locations becoming active on the TPR. It is anticipated, based on these numbers, that during the six months of this ICR, approximately 3,400 provider applications will be received, and

² Note that there is no actual “form,” but rather a series of interactive questions within the TPR. FMCSA uses the term “form” for ease of understanding.

approximately 3,900 new locations for providers will be received. Based on current audit and investigation outcomes, it is anticipated that for every two providers that register, one will have a non-compliant program that will be stopped or corrected before being added to the TPR. This in turn will prevent incomplete or non-existent training programs from certifying compliance records for driver-trainees that have not been properly trained.

4. EFFORTS TO IDENTIFY DUPLICATION

FMCSA knows of no duplicative regulations or any similar information already available that could be used or modified for the purposes described in Section 2 above.

5. EFFORTS TO MINIMIZE THE BURDEN ON SMALL BUSINESSES

Minimum training standards for entry-level drivers (49 CFR part 380, subpart F and five Appendices to 49 CFR part 380), and requirements for training providers (49 CFR part 380, subpart G), have been in effect since February 7, 2022. This collection of information impacts certain training providers that are small entities. The use of an electronic submission (i.e. e-mail) for this collection of information is expected to reduce burden on respondents, including those that are small entities. Potential burden savings for respondents as compared to collecting information using hardcopy paper methods are expected to include reductions in burden time, office and storage space, materials, and office equipment. For example, specific types of savings could include purchasing less paper and toner/ink, printing fewer documents, requiring fewer file cabinets or document boxes for storage of paper documents, using less space for storage of paper documents, expending less labor time in activities such as handling and filing of paperwork, expending less labor time in identifying and retrieving documents, and transmitting fewer paper documents by mail or courier services.

6. IMPACT OF LESS FREQUENT COLLECTION OF INFORMATION

Under the minimum training standards for entry-level drivers and new requirements for training providers that have been in force since February 7, 2022, “Training Provider Registration” information may be collected from training providers to ensure that they meet training provider eligibility requirements and can therefore be listed on the TPR. Under the current rules, this information is collected when FMCSA initiates an investigation of the training provider, requesting proof of continued eligibility and the various documentation required to be retained. This has resulted in the serious fraudulent activities described above.

If this emergency collection of information is not approved, FMCSA would be unable to request the information from all TPR applicants, as such a request would fall outside of the investigation exemption to the PRA. This would allow fraudulent actors to continue to take advantage of the TPR and continue transmitting results in the TPR for driver-trainees as proficient in ELDT without actually providing training. Having CMV drivers on the road who are not trained impacts safety.

7. SPECIAL CIRCUMSTANCES

There are no special circumstances related to this information collection.

8. COMPLIANCE WITH 5 CFR 1320.8:

FMCSA will publish a 60 day notice in the Federal Register within 90 days of the approval of this emergency ICR, in order to ensure the collection remains valid while the Agency completes

a rulemaking titled “Minimum Training Requirements for Entry-Level Driver Training (ELDT) for Commercial Motor Vehicle Operators: Strengthening the Standards for Initial and Continued Listing on the Training Provider Registry (TPR or Registry) and Behind the Wheel Training.” The proposal for that rulemaking would include the information collections outlined in this emergency ICR, along with additional ICs. FMCSA intends to use the rulemaking process to make the collections in this emergency ICR part of a larger collection, which will be submitted to OIRA for a full 3-year approval under the procedures outlined in 5 CFR 1320.11.

9. PAYMENTS OR GIFTS TO RESPONDENTS

Respondents are not provided with any payment or gift for this collection of information.

10. ASSURANCE OF CONFIDENTIALITY

The information collected as part of this emergency ICR will be kept private to the extent allowed under the Freedom of Information Act, the Privacy Act, and any other applicable Federal law.

11. JUSTIFICATION FOR COLLECTION OF SENSITIVE INFORMATION

The information requested and collected is not of a sensitive nature (e.g., sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private).

12. ESTIMATE OF BURDEN HOURS FOR INFORMATION REQUESTED

Training Provider Registration information is collected by FMCSA from each training provider for each training location by means of the online TPR. The TPR is an online, web-based information system that training providers must use to submit information to FMCSA to ensure that they meet the training provider eligibility requirements and can therefore be listed on the TPR. Some training provider organizations provide training at only one location, while others may provide training at more than one location. Training providers must register each training location in the TPR, and each training location will be assigned a unique TPR identification number by FMCSA. Traveling training providers do not have a location of their own, but rather provide training at a location supplied by a third party that hires the training provider on a one time or recurring basis. As such, traveling training providers do not need to include a training location at the time of registering for the TPR, but they must update the TPR with training locations as soon as that information is known.

This emergency information collection includes disclosure and documentation requirements for applicants seeking verification of eligibility for listing on the TPR, or for currently listed training providers to add a new location to the TPR. To prevent fraud, these applicants will be asked to provide the following:

- Lesson plans for theory and behind-the-wheel (range and public road) training curricula, as applicable.
- Proof of compliant training vehicles (such as meeting the requirement that they be in the same group and type that driver-trainees intend to operate for their commercial driver’s license skills test), as applicable.
- Instructor qualification documentation indicating driving and/or training experience, as applicable, for each instructor and copies of the commercial driver’s license and endorsements held by the theory and behind-the-wheel instructor.

- Evidence of compliance with applicable State requirements or an authorized exemption for the State where training is conducted.
- Documentation detailing what facilities are being utilized for applicable in-person training to comply with 49 CFR 380.709.

The primary cost associated with this collection is the incremental administrative time burden imposed on new training providers to gather and submit this documentation. Currently, in the approved information collection “Training Certification for Entry-Level Commercial Motor Vehicle Operators” (OMB control number 2126-0028) the Agency estimates that completing an initial TPR application requires 2 hours of administrative time. Incorporating these new disclosures increases this time burden to an estimated 2.5 hours per training provider.

The burden hours are monetized using the Bureau of Labor Statistics (BLS) median wage for a Training and Development Manager (\$63.94; SOC 43-9061). To calculate a fully loaded hourly wage, this base rate is increased by a fringe benefit rate of 51.23% and a composite industry overhead rate of 21% (derived from 2015 Service Annual Survey data for subsectors 484 and 485). This results in a fully loaded hourly wage of \$110.12.

The incremental time burden per new TPR applicant is 30 minutes (0.5 hours), which equates to a total of 1000 burden hours for 2000 respondents. There is a cost of \$55.06 per provider ($\110.12×0.5 hours). Forecasting the exact volume of future TPR registrations is difficult due to historical volatility and the likelihood that these stringent new requirements will naturally deter “CDL mills” from attempting to register. For context, active providers decreased from 18,758 in 2022 to 17,659 by May 2026 due to industry churn and enforcement removals. To avoid underestimating the burden, the Agency estimates a maximum of 2,000 new, first-time training providers annually. Consequently, the total incremental administrative cost burden for first-time registrants will not exceed \$110,120 annually (2,000 providers $\times$ \$55.06).

Table 1. Summary of Burden

Collection	Number of Respondents	Number of Responses per year	Burden per Response	Total Annual Burden Hours	Total Annual Wage-Related Burden Costs
Application Disclosures & information	2,000	1	30 minutes	1000	\$110,120

13. ESTIMATE OF TOTAL ANNUAL COSTS TO RESPONDENTS

FMCSA estimates that there is no cost burden to respondents resulting from these requirements beyond the hour burden already reflected in Section 12. With regards to capital or start-up costs, FMCSA believes that virtually all training providers own or have access to computer technology such as a personal computer, tablet device, or smartphone, and that access to these types of devices is nearly ubiquitous among both individuals and businesses in the U.S. and would be available as part of customary and usual business or private practices, thus providing sufficient access to the TPR. Therefore, this collection of information would not impose any new cost

burden upon respondents for capital or start-up costs associated with the purchase of computers or software. There is also no cost burden to respondents for operation and maintenance or purchase of services related to these new requirements.

14. ESTIMATE OF COST TO THE FEDERAL GOVERNMENT

FMCSA intends to use currently employed staff at both the headquarters and field levels to review the information submitted under this emergency IC. These employees will conduct the reviews as part of their full time duties, and as such there are no additional costs to FMCSA for this emergency collection.

15. EXPLANATION OF PROGRAM CHANGES OR ADJUSTMENTS

This is a new collection of information, therefore there are no changes or adjustments.

16. PUBLICATION OF RESULTS OF DATA COLLECTION

A training provider's legal name and location is publicly available in the TPR. If the training provider chooses, it may also make its phone number, website address, and the type of ELDT publicly available.

17. APPROVAL FOR NOT DISPLAYING THE EXPIRATION DATE OF OMB APPROVAL

FMCSA is not seeking this approval.

18. EXCEPTIONS TO CERTIFICATION STATEMENT

FMCSA is claiming no exception to any element of the certification statement identified in Item 19 of OMB Form 83-I.