



**U.S. Department
of Transportation**

**Federal Motor Carrier
Safety Administration**

**1200 New Jersey Ave, SE
Washington, DC 20590**

September 16, 2026

ACTION MEMORANDUM TO THE OFFICE OF MANAGEMENT AND BUDGET

To: Dominic Mancini
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Subject: “Strengthening the Standards for Initial Listing on the Training Provider Registry (TPR), Information Collection” ICR, OMB Control No.2126-NEW

ACTION REQUESTED

I request the Office of Management and Budget (OMB) to provide an emergency clearance for a new Information Collection, to be titled “Strengthening the Standards for Initial Listing on the Training Provider Registry (TPR).” 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.

SUMMARY

FMCSA is requesting emergency clearance for 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. As we explain below, FMCSA cannot reasonably comply with the normal clearance procedures because public harm is reasonably likely to result. In this case, the public harm is having noncompliant training providers certifying drivers as meeting the training

standards for operating a commercial motor vehicle (CMV) when those drivers have not done so. Allowing these drivers to operate a CMV presents a safety risk to the public.

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.

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.

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; and
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.

BACKGROUND AND LEGAL AUTHORITY

The ELDT program supports the DOT strategic goal of economic strength while maintaining DOT's and FMCSA's commitment to safety. Since it started in 2022, the TPR was designed to help commercial driver's license (CDL) applicants connect with training providers to complete the required entry-level driver training. Current regulations on requirements (49 CFR 380.703) for listing on the Training Provider Registry (TPR) state that in order to be eligible a training provider must:

- (1) Follow a curriculum that meets the applicable criteria set forth in appendices A through E of part 380,
- (2) Utilize facilities that meet the criteria set forth in § 380.709;
- (3) Utilize vehicles that meet the criteria set forth in § 380.711;

- (4) Utilize driver training instructors that meet the criteria set forth in § 380.713;
- (5) (i) Be licensed, certified, registered, or authorized to provide training in accordance with the applicable laws and regulations of any State where in-person training is conducted.

This information is a self-certification process that does not include a review of the requirements for listing. The only items reviewed during listing include;

- The Provider and location account registration was filled out correctly and/or Completely (*i.e. Company Name/DBA, Training Facility Address, Contact Information, Additional Oversight, etc.*), that there is no profanity, the website works, and will crosscheck in other FMCSA systems if the provider is also a motor carrier with a USDOT number.
- There are no duplicate accounts for the same or similar Provider or location.
- If a state requires registration, those will be vetted by the state.

None of the required vetting items except for those performed at the state level review the training provider's program or compliance with regulations. However, 49 CFR 380.725 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 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.

FMCSA will solicit comments on the collection of this information within 90 days to gain a full 3-year approval. The Agency will also, as part of the rulemaking process, seek approval of a revision to the new collection during that process.

RECOMMENDATION

I recommend that OMB review and approve the revisions to approved collection 2126-0028, titled "Training Certification for Entry-Level Commercial Motor Vehicle Operators." Due to FMCSA's urgent need to strengthen the standards for initial listing on the TPR, FMCSA requests that OMB approve this request by September 25, 2026.

The Office of Management and Budget

APPROVED: _____

DATE: _____

COMMENTS: _____