

# Safe Driver Apprenticeship Pilot Program: In Brief

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## Safe Driver Apprenticeship Pilot Program: In Brief

The Department of Transportation's (DOT's) Federal Motor Carrier Safety Administration (FMCSA) develops and issues standards for states' testing and licensing of commercial motor vehicle (CMV) drivers. FMCSA has the authority to establish pilot programs to test changes to commercial driver licensing requirements. FMCSA established the Safe Driver Apprenticeship Pilot (SDAP) Program on January 14, 2022, to meet requirements in Section 23022 of the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58). Section 23022 of the IIJA requires the Secretary of Transportation to submit a report to Congress in March 2026 that is to provide a recommendation, based on data collected, of whether the level of safety achieved by the pilot program is similar or more than the level of safety, as determined by FMCSA, for CMV drivers aged 21 years or older. The SDAP program is the second congressionally directed pilot program for truck drivers under 21 years of age. Since 2014, there has been federal support for programs to train CMV drivers under 21 years old due to concerns of an aging workforce and employee turnover. Between 2014 and 2024, there has been a decline of 8.5%, or nearly 114,000 drivers, in the truck transportation industry.

FMCSA began receiving applications for the SDAP program from motor carriers, apprentices, and experienced drivers on July 26, 2022, and is to conclude the pilot program in November 2025. Although not statutorily required, FMCSA has made program enrollment data publicly available. Based on these data, participation in the SDAP program did not rise rapidly in the first calendar year, 2023. In 2023, the program received a total of 36 applications for apprentices, or commercial driver's license (CDL) holders between 18 and 20 years of age, all of whom were enrolled in the program. The 36 apprentice participants comprise 1.2% of the allowed number of apprentice participants (3,000) from Section 23022 of the IIJA. During the same period, the program enrolled 34 motor carriers, or 3.4% of allowed motor carriers (1,000) expected by DOT. In 2023, DOT received a total of 112 motor carrier applications, and 30.4% (34 motor carriers) were approved for participation in the SDAP program. Other motor carrier applicants either did not meet DOT's qualifications (33.9%) or met DOT's qualifications but did not register their apprenticeship program with the Department of Labor (DOL) (32.1%). In 2024, Congress modified the SDAP program through provisions in the Consolidated Appropriations Act, 2024 (P.L. 118-42). As a result of the changes, DOT can no longer require motor carriers to register their apprenticeship programs with DOL or require them to use inward/rear facing cameras to collect safety data. As of October 2024, FMCSA has not published program enrollment updates for 2024.

In advance of the SDAP program's termination, Congress may wish to consider various policy options that would change the existing trajectory of the program. Congress could provide further oversight of the SDAP program, establish a permanent apprenticeship program, initiate a new pilot program, or discontinue the SDAP program. If Congress decides to provide further oversight of the program prior to termination, Congress could direct DOT to complete preliminary reporting of SDAP program performance in advance of DOT's statutory reporting requirements in Section 23022 of the IIJA. If Congress is satisfied with the results of the SDAP program, Congress may wish to establish a permanent apprenticeship program. If Congress were to establish a permanent apprenticeship program, Congress may consider administration alignment between DOT and DOL to improve the administrative efficiency of apprenticeships. Alternatively, Congress may wish to direct DOT to initiate a new pilot program based on the findings from related studies and reports. If Congress decides to discontinue the SDAP program, CMV drivers under 21 years old would not be allowed to participate in interstate commerce per existing regulatory standards.

## Contents

Introduction .....	1
Federal Motor Carrier Safety Administration Authority .....	1
Safe Driver Apprenticeship Pilot Program .....	2
Department of Transportation Program Requirements .....	2
Program Enrollment in 2023 .....	3
Motor Carrier Applicants .....	3
Experienced Driver Applicants .....	4
Apprentice Driver Applicants and Program Progress .....	5
Pilot Program Report to Congress.....	6
Policy Options for Congress.....	7
Additional Oversight.....	7
Establish a Permanent Safe Driver Apprenticeship Program .....	7
Initiate a New Pilot Program .....	8
Discontinue the Pilot Program .....	8

## Tables

Table 1. SDAP Motor Carrier Application Determinations, 2023.....	3
Table 2. SDAP Experienced Driver Application Determinations, 2023.....	4
Table 3. SDAP Apprentice Driver Application Determinations, 2023 .....	5
Table 4. SDAP Apprentice Driver Progress, 2023.....	6

## Contacts

Author Information.....	8
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## Introduction

According to the Bureau of Labor Statistics, the U.S. truck transportation industry experienced an 8.5% decrease in drivers (114,000 people) between 2014 and 2024 due to attrition and turnover.<sup>1</sup> To attract younger drivers to the trucking workforce, Section 23022 of the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58) requires the Secretary of Transportation to establish a three-year apprenticeship pilot program for commercial drivers. The program is intended to allow apprentices—commercial driver’s license (CDL) holders between 18 and 20 years of age—to operate a commercial motor vehicle (CMV) in interstate commerce under the supervision of an experienced driver (see “Experienced Driver Applicants”). The Department of Transportation’s (DOT’s) Federal Motor Carrier Safety Administration (FMCSA) established the Safe Driver Apprenticeship Pilot (SDAP) Program on January 14, 2022, to meet the requirements of the IIJA.<sup>2</sup> The program is to conclude in November 2025.<sup>3</sup> The SDAP program is the second congressionally directed pilot program for truck drivers under the age of 21.<sup>4</sup>

This report provides a brief overview of the SDAP program. The report first explains FMCSA’s role, then presents SDAP program enrollment data for 2023. It also identifies policy options for congressional consideration.

## Federal Motor Carrier Safety Administration Authority

FMCSA was established within DOT in 2000 pursuant to the Motor Carrier Safety Improvement Act of 1999 (P.L. 106-159). FMCSA develops and issues standards—known as Federal Motor Carrier Safety Regulations (FMCSRs) and found at 49 C.F.R. §§350-399—for states’ testing and licensing of CDL holders. Prior to FMCSA’s establishment, the Federal Highway Administration (FHWA) promulgated regulations for highway safety. In 1970, FHWA issued 49 C.F.R. §391.11(b)(1) requiring that CMV operators engaged in interstate commerce be at least 21 years of age, among other qualifications.

FHWA oversight of the CDL licensing process came later. In the Commercial Motor Vehicle Safety Act of 1986 (Title XII of P.L. 99-570), Congress required DOT to issue regulations establishing minimum uniform standards for states’ issuance of CDLs and commercial learner’s permits (CLPs). States are not allowed to issue an unrestricted CDL to anyone who does not meet the driver qualifications stated in 49 C.F.R. §391.11. Additionally, the act authorized the Secretary of Transportation to grant waivers and exemptions from the FMCSRs and conduct pilot programs

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<sup>1</sup> U.S. Bureau of Labor Statistics, “Employment, Hours, and Earnings from the Current Employment Statistics survey (National),” accessed October 7, 2024, [https://data.bls.gov/timeseries/CES4348400001?amp%253bdata\\_tool=XGtable&output\\_view=data&include\\_graphs=true](https://data.bls.gov/timeseries/CES4348400001?amp%253bdata_tool=XGtable&output_view=data&include_graphs=true).

<sup>2</sup> U.S. Department of Transportation (DOT), Federal Motor Carrier Safety Administration (FMCSA), “Safe Driver Apprenticeship Pilot Program To Allow Persons Ages 18, 19, and 20 To Operate Commercial Motor Vehicles in Interstate Commerce,” 87 *Federal Register* 2477, January 14, 2022.

<sup>3</sup> DOT, FMCSA, “Safe Driver Apprenticeship Pilot (SDAP) Program Quarterly Updates,” last updated January 25, 2024, <https://www.fmcsa.dot.gov/registration/commercial-drivers-license/sdap/safe-driver-apprenticeship-pilot-sdap-program> (hereinafter FMCSA, “SDAP Program Quarterly Updates,” last updated January 25, 2024).

<sup>4</sup> DOT, *Military Under 21 Pilot Program*, <https://www.transportation.gov/individuals/privacy/military-under-21-pilot-program>.

“to evaluate alternatives to regulations relating to, or innovative approaches to, motor carrier, commercial motor vehicle, and driver safety.”<sup>5</sup>

The Under 21 Military CDL Pilot Program, the first congressionally directed pilot program for younger CMV drivers, was legislated in 2015 in Section 5404 of the Fixing America’s Surface Transportation Act (FAST Act; P.L. 114-94). The FAST Act directed DOT to develop a pilot program to allow a limited number of individuals between 18 and 20 years of age to operate CMVs in interstate commerce if they received heavy-vehicle driver training while serving in the military. From 2019 to 2022, FMCSA carried out the FAST Act pilot program, which also allowed individuals who received military-based heavy vehicle driver training to be hired by a participating motor carrier for the pilot program.<sup>6</sup>

## Safe Driver Apprenticeship Pilot Program

The SDAP program is the second congressionally directed pilot program for CMV drivers under the age of 21.<sup>7</sup> In contrast to the first pilot program, authorized by the FAST Act, drivers participating in the SDAP program must hold an intrastate CDL to be eligible for the program. Normally, an individual between 18 and 20 years of age is issued a CDL with a “K” restriction for intrastate-only use in accordance with 49 C.F.R. §383.153(a)(10)(vii). Drivers under 21 years of age cannot operate a CMV in interstate commerce without an exemption from the K license restriction. Under Section 23022 of the IIJA, Congress directs FMCSA to provide exemptions from the K license restriction through a formal pilot program process for apprentice participants aged 20 years and under. The SDAP program meets this requirement.

## Department of Transportation Program Requirements

Until March 2024, motor carriers that wished to participate in the SDAP program were required to complete four tasks as part of the application process: (1) submit an application demonstrating achievement of eight safety qualifications; (2) commit to submitting monthly data on apprentices as required by Section 23022 of the IIJA; (3) register their apprenticeship program with the Department of Labor (DOL); and (4) provide their program’s DOL registered apprenticeship number to DOT.<sup>8</sup> (See “Motor Carrier Applicants.”)

On March 14, 2024, Congress enacted provisions in the Consolidated Appropriations Act, 2024 (P.L. 118-42), that changed the SDAP program requirements enforced by DOT in 2023. Section 422 of the act states that “none of the funds made available by this or any other Act may be used to require the use of inward facing cameras or require a motor carrier to register an apprenticeship program with the Department of Labor as a condition for participation in the Safe Driver Apprenticeship Pilot Program.” On May 14, 2024, FMCSA published a notice of revision to the pilot program in the *Federal Register* that revised motor carrier participation requirements to

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<sup>5</sup> The Federal Motor Carrier Safety Regulations (FMCSRs) are located at 49 C.F.R. §§350-399. Under 49 U.S.C. §31315 and §31136(e), the Secretary of Transportation is authorized to grant waivers and exemptions from the FMCSRs and to conduct pilot programs.

<sup>6</sup> DOT, FMCSA, “Commercial Driver’s Licenses; Proposed Pilot Program To Allow Persons Between the Ages of 18 and 21 With Military Driving Experience To Operate Commercial Motor Vehicles in Interstate Commerce,” 81 *Federal Register* 56745, August 22, 2016.

<sup>7</sup> CRS completed a search of the *Federal Register* for FMCSA-administered pilot programs for drivers under 21 years of age. CRS found two programs, the military pilot program for drivers under 21 and the SDAP program, in that search.

<sup>8</sup> DOT, FMCSA, *Safe Driver Apprenticeship Pilot Program Quarterly Program Update – End of Fourth Quarter 2023*, <https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2024-01/SDAP%204Q-2023%20PM%20SDAP.pdf> (hereinafter FMCSA, *SDAP Program Quarterly Update – End of Fourth Quarter 2023*).

reflect these provisions.<sup>9</sup> Although motor carriers are no longer required to register their apprenticeship program with DOL, they still must submit an application including the safety qualification criteria and commit to monthly data reporting.<sup>10</sup>

## Program Enrollment in 2023

FMCSA publicly reports program enrollment data. As of August 2024, FMCSA had made all quarterly reports for 2023 publicly available.<sup>11</sup> As of October 2024, FMCSA has not published program enrollment updates for 2024. FMCSA presents quarterly data in four categories: Motor Carriers, Experienced Drivers, Apprentice Drivers, and Apprentice Driver Progress. These data are presented below.

Enrollment figures for 2023 show there were 1.2% (36 apprentices) of the maximum number of apprentice drivers allowed under the law (3,000) and 3.4% (34 motor carriers) of motor carriers (1,000) allowed that enrolled in the pilot. At the end of 2023, there were 34 participating motor carriers, 80 participating experienced drivers, 27 apprentice drivers who had completed, or were completing, two probationary periods as required under the program (discussed below).

## Motor Carrier Applicants

Per 49 U.S.C. §13201, a *motor carrier* is a “person providing motor vehicle transportation for compensation.” The phrase “motor carrier” is also used to describe a trucking company of any size. FMCSA received 112 total applications from motor carriers in calendar year 2023 and approved 30% of the total applications received. Nearly 34% of motor carrier applicants were not approved because they did not meet FMCSA’s safety qualification criteria. Of all motor carrier applicants, 32% were determined prequalified for the program by successfully submitting an application and committing to monthly data collection but were not approved due to their failure to register their apprenticeship program through DOL and provide that program number to DOT as was required in 2023. FMCSA received 75% of all applications submitted in 2023 in the first quarter of the year, with a general decline in applications received over the remainder of the year. **Table 1** provides data on motor carrier application determinations.

**Table 1. SDAP Motor Carrier Application Determinations, 2023**

Quarter	Received	Determinations		
		Approved	Not Approved	Prequalified <sup>a</sup>
1	84	23	29	28
2	18	6	7	5
3	8	4	0	3
4	2	1	2	0

<sup>9</sup> DOT, FMCSA, “Safe Driver Apprenticeship Pilot Program To Allow Persons Ages 18, 19, and 20 To Operate Commercial Motor Vehicles in Interstate Commerce; Revision to Program Requirements,” 89 *Federal Register* 42054, May 14, 2024; and DOT, FMCSA, “Safe Driver Apprenticeship Pilot Overview,” 2024, <https://www.fmcsa.dot.gov/sdap>.

<sup>10</sup> DOT, FMCSA, “Safe Driver Apprenticeship Pilot Program To Allow Persons Ages 18, 19, and 20 To Operate Commercial Motor Vehicles in Interstate Commerce; Revision to Program Requirements,” 89 *Federal Register* 42054, May 14, 2024.

<sup>11</sup> FMCSA, *SDAP Program Quarterly Program Update – End of Fourth Quarter 2023*.

Quarter	Received	Determinations		
		Approved	Not Approved	Prequalified <sup>a</sup>
<b>Total</b>	<b>112<sup>b</sup></b>	<b>34</b>	<b>38</b>	<b>36</b>

**Source:** CRS based on Federal Motor Carrier Safety Administration (FMCSA), “Safe Driver Apprenticeship Pilot (SDAP) Program Quarterly Updates,” last updated January 25, 2024, <https://www.fmcsa.dot.gov/registration/commercial-drivers-license/sdap/safe-driver-apprenticeship-pilot-sdap-program>.

**Notes:** FMCSA maintains a public list of approved motor carriers organized by state.<sup>12</sup>

- a. Prequalification status was issued to motor carriers that had met qualifications for program participation in their application but had not provided their Department of Labor Registered Apprenticeship number to FMCSA for SDAP participation approval. A notice at 89 *Federal Register* 42054 removed this requirement for motor carrier applicants.
- b. At the time of reporting, FMCSA had not made a determination about four applications (3.5%).

## Experienced Driver Applicants

The SDAP program defines an *experienced driver* as an individual who is older than 26 years of age with a minimum of five years of experience driving a CMV in interstate commerce.<sup>13</sup> Experienced drivers must apply through an approved motor carrier to participate.<sup>14</sup> An apprentice driver is required to be accompanied by an experienced driver sitting in the passenger seat of the CMV during the apprentice’s probationary periods.<sup>15</sup> Experienced drivers can serve for a maximum of two years. Throughout the entirety of the service period, experienced drivers must hold a CDL, have no preventable accidents reported to DOT, and have no pointed moving violations.<sup>16</sup>

**Table 2** provides data on experienced driver applications for the SDAP program. Experienced drivers submitted 81 applications in 2023; one application was not approved. Total applications received fluctuated throughout the year, with FMCSA receiving and approving the greatest numbers of experienced driver applications in the first and third quarters of 2023.

**Table 2. SDAP Experienced Driver Application Determinations, 2023**

Quarter	Received	Determinations	
		Approved	Not Approved
1	32	32	0
2	13	13	0

<sup>12</sup> DOT, FMCSA, “Safe Driver Apprenticeship Pilot (SDAP) Program Job Opportunities,” last updated September 17, 2024, [https://www.fmcsa.dot.gov/registration/commercial-drivers-license/sdap/safe-driver-apprenticeship-pilot-sdap-program-job?utm\\_source=qr\\_code\\_guide&utm\\_medium=print\\_materials&utm\\_campaign=sdap24](https://www.fmcsa.dot.gov/registration/commercial-drivers-license/sdap/safe-driver-apprenticeship-pilot-sdap-program-job?utm_source=qr_code_guide&utm_medium=print_materials&utm_campaign=sdap24).

<sup>13</sup> P.L. 117-58, §23022(a)(5).

<sup>14</sup> DOT, FMCSA, “Safe Driver Apprenticeship Pilot Program Frequently Asked Questions,” press release, March 1, 2024, <https://www.fmcsa.dot.gov/registration/commercial-drivers-license/sdap/safe-driver-apprenticeship-pilot-program-frequently#collapse13596>.

<sup>15</sup> P.L. 117-58, §23022(b)(2)(C)(ii).

<sup>16</sup> Per 49 C.F.R. §385.3, a *preventable accident* is an accident involving a commercial motor vehicle (CMV) that could have been averted by the motor carrier or driver. *Pointed moving violations* are infractions including speeding, improper turns, and reckless driving that accrue penalty points to a driver’s license. Per 49 C.F.R. §392.2, drivers must obey the rules of their jurisdiction.



Quarter	Received	Determinations	
		Approved	Not Approved
3	24	24	0
4	12	11	1
<b>Total</b>	<b>81</b>	<b>80</b>	<b>1</b>

**Source:** CRS based on FMCSA, “SDAP Program Quarterly Updates,” last updated January 25, 2024.

**Note:** In 2023, no experienced drivers were removed from the program for safety reasons.

## Apprentice Driver Applicants and Program Progress

Apprentice drivers are individuals under the age of 21 who hold a CDL.<sup>17</sup> Apprentice drivers must complete two probationary periods: a 120-hour period, which includes at least 80 hours of driving time, followed by a 280-hour period, which includes at least 160 hours of driving time. Both probationary periods have performance benchmarks against which to measure an apprentice’s competency.<sup>18</sup> Interested eligible drivers are to apply directly to an approved motor carrier for an apprenticeship position and await approval by FMCSA for acceptance to the program.<sup>19</sup>

FMCSA approved all apprentice driver applications that were received in 2023 for the SDAP program. The first and third quarters had nearly the same number of applicants. Total applications received fluctuated throughout the year similarly to experienced driver applications received (see **Table 2**). **Table 3** provides data reported by FMCSA on apprentice driver applications. **Table 4** provides an update on the progress of apprentice drivers in the SDAP program.

**Table 3. SDAP Apprentice Driver Application Determinations, 2023**

Quarter	Received	Determinations	
		Approved	Not Approved
1	13	13	0
2	3	3	0
3	14	14	0
4	6	6	0
<b>Total</b>	<b>36</b>	<b>36</b>	<b>0</b>

**Source:** CRS based on FMCSA, “SDAP Program Quarterly Updates,” last updated January 25, 2024.

**Note:** One apprentice driver was removed from the program for safety reasons in the fourth quarter of 2023.

At the end of 2023, 13 apprentices had completed both probationary periods (36%), and 14 apprentices were in the process of completing their probationary periods (39%). The remaining

<sup>17</sup> P.L. 117-58, §23022(a)(1).

<sup>18</sup> P.L. 117-58, §23022(b)(2); 29 C.F.R. §29.5(b)(2) describes training standards of a registered apprenticeship. A registered apprenticeship can be at least 2,000 hours of on-the-job training (time-based), the attainment of competency (competency-based), or a combination of time-based and competency-based approaches (hybrid). The SDAP program takes a hybrid approach.

<sup>19</sup> FMCSA, *How to Apply to the FMCSA Safe Driver Apprenticeship Pilot (SDAP) Program*, FMCSA-SSL-24-001, April 2024, [https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2024-05/FMCSA\\_SDAP%20How%20to%20Apply-508c.pdf](https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2024-05/FMCSA_SDAP%20How%20to%20Apply-508c.pdf).



nine apprentices (25%) either aged out of the program (8%), voluntarily left the program (14%), or were removed for safety reasons (3%).

**Table 4. SDAP Apprentice Driver Progress, 2023**

Quarter	Completed Probations	In Probation	Aged Out	Voluntarily Left	Removed for Safety Reasons
1	2	8	1	2	0
2	3	7	1	1	0
3	6	13	0	1	0
4	2	14	1	1	1
<b>Total</b>	<b>13</b>	<b>—<sup>a</sup></b>	<b>3</b>	<b>5</b>	<b>1</b>

**Source:** CRS based on FMCSA, “SDAP Program Quarterly Updates,” last updated January 25, 2024.

**Notes:** The table shows data for apprentices who completed both probationary periods; apprentices who were currently enrolled in probation periods in 2023; those who became 21 years old while participating in the program; those who voluntarily left the program; and those who were removed for safety reasons.

- a. The number of apprentices that are reported as “in probation” were in the process of completing probation in the quarter that the information is reported. This column is not summed to avoid inaccurately counting the same apprentices several times. An apprentice that was in probation in the first quarter of 2023 also could have been in probation in the fourth quarter of 2023, for example.

## Pilot Program Report to Congress

At the conclusion of the pilot program, the Secretary of Transportation is statutorily required in Section 23022(g) of the IIJA to submit a report within 120 days addressing six items:

1. the findings and conclusions of the pilot program;
2. an analysis of the safety record of apprentice drivers who participated in the program;
3. the number of drivers who discontinued participation in the apprenticeship program before completion;
4. a comparison of the safety records of participating drivers before, during, and after the probationary periods;
5. a comparison, for each participating driver, of average on-duty time, driving time, and time spent away from their home terminal before, during, and after the probationary periods; and
6. a recommendation, based on the data collected, on whether the level of safety achieved by the pilot program is equivalent to or greater than the level of safety for equivalent CMV drivers aged 21 years or older, as determined by the agency.<sup>20</sup>

DOT is to use the program participant data to make recommendations about the level of safety achieved by the pilot program compared with normal licensing conditions. In response to the changes of program participation requirements in Section 422 of P.L. 118-42, FMCSA stated that no change was expected in the number of respondents, responses, or the overall burden of

<sup>20</sup> P.L. 117-58, §23022(g).

information collection.<sup>21</sup> FMCSA expects to collect enough information to assess whether the conditions of the SDAP program promote safe driving practices.

## **Policy Options for Congress**

Congress may wish to maintain the statutory and regulatory framework of the SDAP program by maintaining current policy and procedures. If Congress is not satisfied with the pilot program's trajectory in advance of its conclusion, Congress may consider several policy options. This report covers four possible policy options, though additional options may exist. Congress could provide additional oversight of the SDAP program, it could establish a permanent apprenticeship program by statute, it could choose to initiate a new pilot program, or it could discontinue the program ahead of schedule.

### **Additional Oversight**

As discussed in the previous section, the Secretary of Transportation is required to provide Congress with a report following the conclusion of the SDAP program describing the program's performance. If it were interested in enrollment of the program in advance of the report based on what is known about program participation in 2023, Congress could provide additional oversight of the SDAP program until its expected conclusion in November 2025 by directing DOT to complete preliminary reporting of program performance. Preliminary reporting could, for example, suggest ways to modify or improve the program while it is still active.

Congress provided some further guidance to the program by enacting Section 422 of P.L. 118-42, changing some of DOT's requirements for program participation. Congress could direct DOT to specifically assess the impact of those changes on the program or driver safety. For example, Congress could direct DOT to include in its performance report a study of the SDAP program that would compare the experience of participants of DOL registered apprenticeship programs with the experience of participants of non-DOL registered apprenticeships.

### **Establish a Permanent Safe Driver Apprenticeship Program**

If Congress is satisfied with the results of the SDAP program, it could create a permanent apprenticeship program along the same lines. This could involve legislation directing DOT to promulgate regulations to provide exemptions from K license restrictions to 18-20-year-old CDL holders who participate and complete an approved apprenticeship program. Program requirements could be based on those in Section 23022 of the IIJA and the SDAP program requirements. In considering such a program, Congress may be interested in the federal administration required to carry it out. Were such a permanent program to be established, Congress could direct DOT to solely regulate the apprenticeship program approval process. Because DOL regulates registered apprenticeship programs through 29 C.F.R. §29, there may be potential for duplication of federal efforts between DOT and DOL. Alternatively, Congress could choose to require that motor carriers receive joint approval from DOT and DOL to carry out a registered apprenticeship program.

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<sup>21</sup> DOT, FMCSA, "Agency Information Collection Activities; Renewal of an Approved Information Collection Request: Safe Driver Apprenticeship Pilot Program," 89 *Federal Register* 50403, June 13, 2024.

## Initiate a New Pilot Program

Congress could pursue a new or separate apprenticeship pilot program for CLP holders between the ages of 18 and 20 following the conclusion of the SDAP program in November 2025. Some organizations have expressed interest in offering apprenticeship opportunities for pursuers of CDLs in addition to early career CDL holders. On February 23, 2023, FMCSA announced that Pitt Ohio Express, LLC, filed an application for an exemption from the CDL requirements for SDAP participants under 21 years of age stating that the exemption would increase SDAP apprentice driver participation.<sup>22</sup> On May 9, 2024, FMCSA announced its denial of the exemption application from Pitt Ohio Express, LLC, due to insufficient information available to determine safety.<sup>23</sup> To provide earlier training opportunities to pursuers of a career in truck operation, Congress could direct DOT to initiate a pilot program, for example, that would offer exemptions from the entry-level driver training requirements (49 C.F.R. Part 380 Subpart F) for CLP holders under 21 years of age who complete the apprenticeship pilot program. Congress also could, for example, initiate a new pilot program that replicates the SDAP program and would similarly serve as a pilot program for drivers under 21 years of age who participate in interstate commerce.

## Discontinue the Pilot Program

Congress could choose to discontinue the SDAP program in advance of the November 2025 termination date. Congress also could choose not to authorize a new apprenticeship program under DOT following the anticipated termination of the SDAP program in November 2025. Pursuing either case would maintain statutes and regulations that predate the SDAP program. States would continue issuing CDLs with K restrictions to individuals who are under 21 years of age. CDL holders with a K restriction because of age would follow their state's process to remove the restriction upon reaching 21 years of age if the driver pursues interstate commerce.

If Congress wishes to maintain the status quo, registered apprenticeship programs may exist as a legacy of the SDAP program. In 2023, at least 34 motor carriers had registered programs with DOL in accordance with 29 C.F.R. §29.<sup>24</sup> When the pilot program ends in November 2025, Congress may wish to ensure that any registered apprenticeship programs established as part of the SDAP program also are deactivated by directing DOL to terminate those programs. As an alternative to terminating the registered apprenticeship programs, Congress may direct DOL, in consultation with DOT, to verify that such programs can operate in compliance with federal CDL laws after the SDAP program's termination.

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<sup>22</sup> DOT, FMCSA, "Commercial Driver's License: Pitt Ohio Express, LLC; Application for Exemption," 88 *Federal Register* 11503, February 23, 2023.

<sup>23</sup> DOT, FMCSA, "Commercial Driver's License Standards: Application for Exemption; Pitt Ohio Express, LLC," 89 *Federal Register* 39680, May 9, 2024.

<sup>24</sup> FMCSA, *SDAP Program Quarterly Program Update – End of Fourth Quarter 2023*.

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