

November 2, 2021

The Hon. Pete Buttigieg
Secretary
United States Department of Transportation
1200 New Jersey Ave SE
Washington, D.C. 20590

Dr. Kilolo Kijakazi
Acting Commissioner
Social Security Administration
1300 D St SW
Washington, D.C. 20004

Dear Secretary Buttigieg and Acting Commissioner Kijakazi:

This letter conveys four specific recommendations for changes in federal policy that will help abridge the current shortage of school bus drivers, which is adversely affecting our nation's K-12 schools and students. The organizations listed below represent school transportation providers, school superintendents, school principals, teachers and other educators that are uniquely positioned to share these recommendations with you.

No doubt you have read and heard stories about the myriad ways district leaders and transportation providers are attempting to address this year's shortages, ranging from pay raises, expanded benefits, signing and retention bonuses, stipends for referrals and safe driving records, to calling in the National Guard to drive our children. These well-intended responses have not resolved the crisis and, unfortunately, will not be enough to address school district demand for qualified drivers this year and in the long-term.

To that end, we offer four specific recommendations for federal action that we believe will provide meaningful relief and purposefully and safely expand the school bus driver labor supply:

Recommendation 1 - Delay Start Date for DOT's Entry-Level Driver Training (ELDT) Regulations

The ELDT regulations are set to take effect on February 7, 2022 and may countervail our efforts to expand the supply of CDL license holders able and willing to drive a school bus. The February implementation will ratchet up the requirements of the CDL for all new/first time drivers at the exact same time that policy should instead be focused on eliminating barriers to driving school buses. We ask the Department of Transportation to work with its Federal Motor Carrier Safety Administration to grant at least a one-year delay in the ELDT rule.

Recommendation 2 - Create an Entry Level Commercial Driver License (CDL) in School Transportation

After passing a Department of Transportation (DOT) physical exam at one of the approved providers on the National Registry of Certified Medical Examiners, a potential school bus driver must pass a written test that evaluates his/her general knowledge of CDL rules. After passing the written exam, the candidate receives a Commercial Learners Permit (CLP), which is valid for up to 180 days. The CLP enables the CDL candidate to operate a commercial motor vehicle while supervised by a valid CDL holder. The CLP holder is not permitted to take the CDL driving skills test for a minimum of 14 days after obtaining the CLP, during which time she/he is theoretically learning how to drive the commercial vehicle.

We encourage you to expeditiously evaluate three modifications to these rules that we believe will expand the supply of CDL license holders able and willing to ultimately drive a school bus:

1. Extend the duration of the CLP to 365 days when the candidate is hired to drive a school bus.
2. Enable the CLP holder to take the CDL driving skills test in 7 days after obtaining a CLP.

3. Enable the CLP holder to operate a school district-approved vehicle with a gross vehicle weight rating (GVWR) of 10,000 pounds or less (smaller than a traditional yellow school bus) without a CDL holder riding along.

We believe each of these actions are needed urgently and would not result in diminished safety for the children who ride school buses.

Recommendation 3 - Allow Third Parties to Administer Both Knowledge and Skills Test for CDL

Implementation standards for the CDL allow for third-party providers to administer the skills test, but not the knowledge test. The historic concern with reliance on third-party testing has been messaged as quality control and fraud prevention. We applaud you for your work to support the ability of state transportation agencies to provide 50,000 CDL licenses each month in calendar year 2021. However, the inability of states to partner with third parties for both the knowledge and skills portion of the testing creates unnecessary friction in the pipeline of candidates. We are not discounting the concerns for quality control and fraud prevention, but instead are confident we can help you provide oversight of quality standards and provide appropriate guardrails. We ask the Department of Transportation to revise its guidance to state Departments of Motor Vehicles to allow third party administration of both the knowledge and skills test for the CDL.

Recommendation 4 - One-Year Exemption to Social Security Earning Limitation

Under current Social Security Administration policy, any retiree that collects social security payments before the age of 67 sees a subsequent reduction in social security benefits, where they lose one dollar of SSI for every two dollars they earn over \$18,960. We urge you to coordinate with the Social Security Administration (SSA) to raise the income cap to \$23,500. This adjustment would reflect the average cost of a part-time driver salary and would incentivize eligible candidates in the pool of potential candidates to work part-time without facing financial penalty.

To put our recommendations in context, the shortage of CDL license holders able and willing to drive a school bus have been a significant and challenging but manageable problem in school systems across the country for years. Nonetheless, school systems and their contract service providers typically transport more than 25 million students to and from school each school day and do so with a remarkable, consistent safety performance that the National Highway Traffic Safety Administration (NHTSA) acknowledges as best in ground transportation. This year, however, the shortage of CDL license holders able and willing to drive a school bus has led to a variety of atypical logistical challenges, each of which has continued to further disrupt the lives of children and their families already reeling from abnormalities brought about by the pandemic. The impact is particularly severe for children in low-income rural and urban communities where the school bus may be the only option for getting to school safely.

On the heels of the COVID-19 pandemic, the nation has appropriately prioritized getting our schools ready for a return of in-person instruction. The severe and multi-faceted school bus driver shortage has added to the challenges faced by school systems intent on bringing all students back to their classrooms. As a result, some students are being forced to attend school remotely again and schools are having to deal with the adverse impact of late student arrivals. We are therefore eager to advance the recommendations included in this letter and are committed to working collaboratively with the Department and the Congress to provide meaningful policy relief for our schools and for school bus transportation.

We look forward to your consideration of and feedback to these recommendations. Please direct any questions to Noelle Ellerson Ng (nellerson@aasa.org).

Sincerely,

AASA, The School Superintendents Association
American Federation of School Administrators

Association of Educational Service Agencies
Association of Latino Administrators and Superintendents
Association of School Business Officials International
Council of Administrators of Special Education
Council of Chief State School Officers
National Association for Pupil Transportation
National Association of Elementary School Principals
National Association of Secondary School Principals
National Association of State Directors of Special Education Directors
National Rural Education Advocacy Consortium
National Rural Education Association

CC: Federal Motor Carrier Safety Administration
Senate Committee Leadership
House Committee Leadership