

MAINE STATE LEGISLATURE

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Department of the Secretary of State

Bureau of Motor Vehicles

Shenna Bellows
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December 20, 2023

The Honorable Benjamin Chipman, Senate Chair
Joint Standing Committee on Transportation
100 State House Station
Augusta, ME 04333-0100

The Honorable Lydia Crafts, House Chair
Joint Standing Committee on Transportation
100 State House Station
Augusta, ME 04333-0100

Dear Senator Chipman, Representative Crafts and Members of the Committee,

L.D. 1030, Resolve 2023, Chapter 40, *Resolve, Directing the Secretary of State to Report on the School Bus Driver Shortage*, “directs the Secretary of State to submit a report by January 3, 2024, to the Joint Standing Committee on Transportation with any findings related to the school bus driver shortage, the efforts the Secretary of State has made to alleviate the shortage and any recommendations, including suggested legislation to alleviate the shortage.”

Since the conclusion of the first session of the 131st Legislature, Maine’s Bureau of Motor Vehicles has engineered a number of inventive collaborations to address licensing aspects of the school bus operator shortage. In close coordination with colleagues from the Maine Department of Education, the Maine Association of Pupil Transporters, and various national and state stakeholders outside of Maine, our efforts largely proceeded along three major lines:

- 1) outreach and increased education to school districts on licensing options;
- 2) practical experimentation to accelerate the licensure process; and
- 3) initiatives to reduce barriers in state and federal legislation.

Outreach to School Districts

At the invitation of the Maine Association of Pupil Transporters (MAPT), BMV both attended and presented during the first two days of the 2023 MAPT annual conference. BMV leadership facilitated a 1-hour discussion with nearly 20 of Maine’s MSAD/SAD Transportation Directors, discussing examination trends, CDL training options, and emerging thinking on alternate licensing programs.

Interestingly, at that conference, three of Maine’s schools bus dealers/manufacturers brought an electric bus for conference attendees to experience. It became clear that the under-the-hood

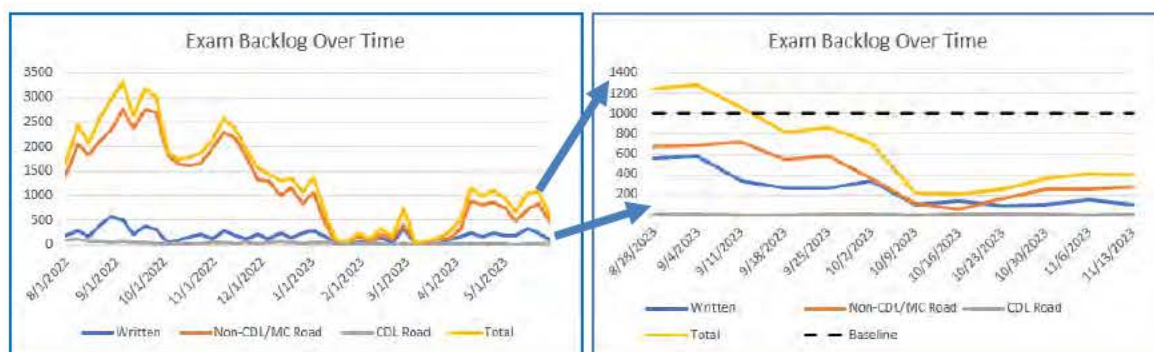
inspection portion of a BMV-administered CDL skills test would be significantly different with an e-bus than with a traditional gas/diesel bus. We flagged this point to our colleagues at the American Association of Motor Vehicle Administrators (AAMVA) and the Federal Motor Carrier Safety Administration (FMCSA) asking for updated guidance on how to administer a skills exam (pre-trip inspection) for an e-bus. As this is a national phenomenon, we expect to receive guidance on how to modify the federally-controlled skills examination.

Building from the collaboration at the MAPT conference, our colleagues at the Department of Education invited leadership in our Driver/Rider Education unit to present information to school districts as part of a “lunch and learn” virtual event on October 11, 2023. The presentation offered clarification on options for school district transportation leaders to provide CDL instruction to their applicants/new employees. This approach to meeting the federal training requirements can save school districts significant time and money, as opposed to sending their employees to formal CDL training school that typically cost multiple thousands of dollars.

Additionally, we sat down with Auburn Schools Superintendent, Dr. Cornelia Brown, in the first week of July. She was the originating source behind Sen Brakey’s LD on multi-function school activity buses. Dr. Brown wanted to procure smaller vehicles that don’t require CDL drivers, to move kids to/from extracurricular events. We showed her what those vehicles would need to look like, and what the licensing path would be. We offered her the same analysis in writing so she could evaluate her procurement options with the Department of Education. Please see the last section of this memo for an update on how BMV is working to clarify state law on this issue.


Accelerate the School bus Licensure Process

One of the central elements fueling frustration on the school bus driver shortage in 2022 was the timeliness of CDL exams administered by BMV. Due to a confluence of events – which included pandemic-driven backlogs, additional federal mandates, and seasonal summer surge in demand to name a few – BMV worked to bring down a 3,000-exam backlog in Fall of 2022 to a sustainable level in 2023. Please see the two charts below.



The Transportation Committee played a key role in enabling this turnaround. At the Department’s request, the Committee funded an additional Examiner and also approved a pilot program to contract written exam proctors during our peak summer season. Coupled with other process changes put in place by BMV leaders, these Committee decisions have helped push the exam backlog for all exam applicants, including school bus operators, to a sustainable level.

As we advertised to the Committee during public hearing in the last session, we executed two school bus skills/road exam surge moments this summer – one in Bangor in late July, and one in Scarborough in early August. The original advertisement that went out to school districts and private school bus operating businesses is below:



2023 School Bus CDL Exam Surge

In response to Maine's ongoing school bus driver shortage, Maine BMV convened a working group with multiple school districts, Cvr Bus lines, the Maine Association for Pupil Transportation (MAPT), and Maine's Department of Education (DOE).

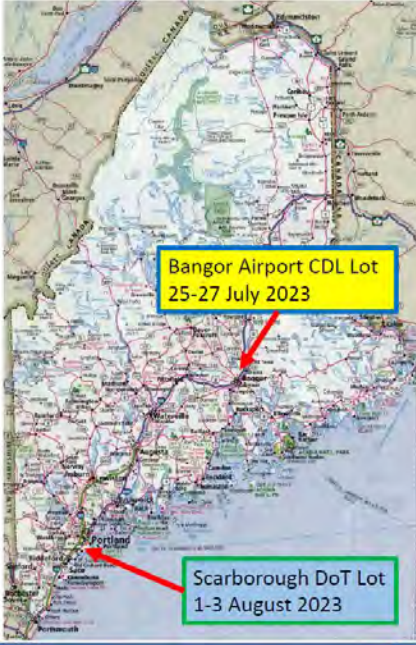
As an outcome of those discussions, Maine BMV will hold two "surge" events to help school bus applicants accomplish their skills/road exams, and provide a single rapid re-test opportunity if needed. Locations and dates were selected by the working group, and were chosen to avoid other key summer activities in the school bus community.

Examiners will "surge" to conduct up to 15 daily exams during the first 2 days at each site.

BMV will distribute, via MAPT and DOE, final process instructions by 5 June.

Timelines: ***Note the milestones are different for each location***

Bangor Airport CDL Lot	Scarborough DoT Lot
5 July – Employers send names to BMV	12 July – Employers send names to BMV
5 July – Applicant must have CLP	12 July – Applicant must have CLP
17 July – BMV verifies ELDT completion	24 July – BMV verifies ELDT completion
25 & 26 July – Initial Skills/Road Exams	1 & 2 August – Initial Skills/Road Exams
27 July – Re-tests if needed	3 August – Re-tests if needed



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1100 am, 3 May 2023 Department of the Secretary of State...Bureau of Motor Vehicles 1

In Bangor, we received applications for three examinees. Since the demand was so low, we elected to conduct the exams closer to the applicants' home station (i.e., Searsport for two of them). All three passed on the first attempt so no re-tests were needed. In Scarborough, five applications were submitted. All five also passed the skills and road tests, so no re-tests were required. We wanted to note, our Examiner even had a non-school bus CDL driver call in that morning, and since the Examiner had available time on his schedule for the day, he was able to support a no-notice add-on at the last minute.

We are hoping that the school bus community can help us determine a better method and season before we attempt to offer this again next year. We advertised nearly 90 hours of examiner availability, and based on the number of applicants, we put aside 32 employee hours for the two locations. Based on the pass rate of the applicants, we only utilized 12 of those 32 hours for school bus practical exams. This solution works best when there is a volume of applicants.

Lastly, BMV worked with the Maine Motor Transport Association and three of Maine's CDL schools to develop an experiment to provide rapid retesting for CDL school students. Since January 2023, BMV has partnered with three of Maine's schools (large, medium and small) to offer their students who fail a written test a chance to re-test the following week. The schools had verbalized that their paying students (to include students chasing a school bus license) were falling behind on their syllabi while waiting to re-attempt their written exams. Over the course of the experiment, 635 students were entered into this process, and 60 of them were seated for a rapid retest the following week. As a result of the positive feedback, BMV leaders have now offered that program to all CDL schools across the state.

Initiatives to Reduce Barriers in State and Federal Legislation

As mentioned above, the BMV team recognized that language in Title 29-A, §2301 and §2310 regarding multi-function school activity buses (MFSABs) is not clear. To address this, the Department has proposed language as part of our department bill submission for the second legislative session to make clear what vehicles are considered MFSABs. In doing so, we aim to offer all schools (public and private) options to move students between events safely and without

the burden of requiring formal CDL-trained drivers. Please note that this will *not* allow MFSAbs to be used to on-load and off-load students on the roadside going to/from school. That function is strictly regulated by FMCSA.

Perhaps the most impactful initiative BMV has taken-on is an attempt to petition FMCSA for a new category of CDL license: a license that will allow the operator to only drive a school bus. We believe this initiative has the potential to reduce some of the perceived barriers to entry, and also help school transportation directors retain trained drivers.

BMV drafted a paper describing the proposed licensure path with an eye to ultimately soliciting FMCSA for permission to conduct a multi-year pilot program. Central to this effort is convincing FMCSA that the pilot program accepts no additional risks beyond the current program of record. BMV leaders informally vetted their proposal with MMTA leaders, as well-as mid-level CDL experts at FMCSA and AAMVA. Colleagues in other states have also expressed interest and support for our initiative.

Rep. Gary Drinkwater also approached the office of Senator Susan Collins this fall, to engender their support for the initiative. BMV presented the concept to Sen. Collins' team in October, and our team has since shared the paper with her staff. As we move forward with the proposal, we would be happy to brief the Committee on the initiative.

Last, we want to reiterate that while there are initiatives we can – and will – pursue to make the school bus licensure process smoother, there are many employment-related issues our Department cannot address. We would encourage the Committee to consider a collaborative approach with counterparts on the Labor and Housing, or Education and Cultural Affairs committees to attack this problem holistically.

I look forward to working with you as you consider this report, and as our Department continues to work in support of Maine's school districts, and ultimately, the education of our children. Please feel free to contact me at 626-8400 if I can provide you with any additional materials, answer any questions, or assist you in any way.

Sincerely,


Shenna Bellows
Secretary of State

Cc: Rep Gary Drinkwater, LD1030 Sponsor