



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION

Senate Transportation Committee
Public Hearing on Commercial Vehicle Safety and Nondomiciled CDLs
Dr. Lynette Kuhn, Deputy Secretary and Commissioner for Postsecondary and
Higher Education
December 9, 2025

Introduction

Good morning, Chair Ward, Chair Flynn, and esteemed members of the Senate Transportation Committee. My name is Dr. Lynette Kuhn, and I have the pleasure of serving as the Deputy Secretary and Commissioner for Postsecondary and Higher Education within the Pennsylvania Department of Education (PDE). On behalf of the department, thank you for the invitation to testify about commercial vehicle safety and Commercial Driver's License (CDL) training provider oversight in Pennsylvania.

Oversight of CDL Training Providers

PDE's Division of Postsecondary Proprietary Training provides technical assistance to the Commonwealth's non-degree granting postsecondary institutions, referred to as private licensed schools. The Division also serves as the staff of the State Board of Private Licensed Schools, which is responsible for licensing all private licensed schools in the Commonwealth. A private licensed school is any entity that offers postsecondary instruction to prepare individuals for entry-level employment and charges tuition for that instruction. These schools must undergo a comprehensive approval process that reviews curriculum, instructor qualifications, financial stability, student consumer protections, and compliance with state regulations.

In Pennsylvania, [CDL training providers](#) are required to be licensed by the State Board of Private Licensed Schools, unless they qualify for an exemption. Only after receiving school licensure may a provider lawfully advertise or offer CDL training programs here in the Commonwealth. Once licensed, CDL training providers may register with the [Federal Motor Carrier Safety Administration's \(FMCSA\) Training Provider Registry](#) as an entry-level driver training program. Federal registration alone does not grant CDL training providers permission to operate in Pennsylvania; school licensure and program approval through the State Board of Private Licensed Schools must occur first.

Pennsylvania law includes some exemptions to licensure mandates, such as training specific to school bus drivers or employer-based training offered exclusively to a company's own employees at no cost. However, these exemptions represent a limited number of the providers listed on FMCSA's Training Provider Registry. To be clear, of the 1,273 Pennsylvania entities listed on the federal registry, only 40 are currently licensed through the State Board of Private Licensed Schools; the remainder are either exempt or unlicensed. While the information available through FMCSA's registry makes it challenging to verify an entity's exempt status, PDE's investigations into complaints of unlicensed activity have revealed that many of the

unlicensed providers on the registry falsely claim exemption from licensure requirements, resulting in widespread non-compliance.

This issue persists because FMCSA does not require evidence of licensure or exemption in order for providers to appear on the Training Provider Registry. Registration is a self-certifying process, and an applicant only needs to check a box attesting that they have met all applicable state requirements. Additionally, FMCSA registration does not require a physical or mailing address, phone number, email address, website, business information, or an individual's personal information, making it extremely difficult to locate a provider based on the registry. As a result, unlicensed training providers can appear legitimate to consumers, employers, and state regulatory agencies.

Unlicensed CDL Training Centers

Because FMCSA does not vet providers prior to adding them to its Training Provider Registry, PDE's authority to proactively prevent unlicensed providers from appearing in the federal registry is extremely limited. Once a provider is listed in the Training Provider Registry, only FMCSA has the authority to remove that provider from the registry. The only recourse PDE has is to identify non-compliant unlicensed providers and request that they be removed from the registry. To remove a provider, FMCSA currently requires the State Board of Private Licensed Schools to adjudicate the case with a finding of unlicensed activity and to provide notice to cease and desist. There are many barriers throughout this process, which takes an average of 6-18 months to be resolved, with some cases lasting for years due to appeals, evidentiary requirements, and provider noncompliance. This administrative and enforcement process creates significant operational delays. In the interim, FMCSA has been reticent to remove unlicensed providers even with significant documentation and allows providers that the State Board of Private Licensed Schools has ordered to cease and desist operations to remain on the Training Provider Registry.

Despite these limitations, PDE's Division of Postsecondary Proprietary Training actively investigates every report of unlicensed activity submitted to the department. Current statutory authority permits the State Board of Private Licensed Schools to impose civil penalties and a five-year moratorium on licensure for providers engaging in unlicensed activity after a notice to cease and desist has been issued. Fines for unlicensed activity are limited by section 15 of the act of December 15, 1986 (P.L. 1585, No. 174), known as the Private Licensed Schools Act, to a cumulative maximum of \$2,500, which in many cases is not a sufficient deterrent. As a point of comparison, the current cost for licensure as a CDL training provider is \$8,250. These licensing fees, which are paid by legitimate, licensed providers, are used to support the department's oversight and enforcement efforts. In September 2024, PDE's Division of Postsecondary Proprietary Training added a new position to strengthen the department's pursuit of unlicensed training providers. PDE also maintains routine coordination with FMSCA staff to share enforcement outcomes, cease and desist orders, and investigative findings.

However, under current law and federal process, PDE cannot directly remove providers from the FMCSA Training Provider Registry and cannot compel immediate federal action, even after a case is fully adjudicated. Furthermore, while FMSCA has recently promoted the removal of nearly 3,000 training providers from the registry and the placement of an additional 4,000 providers on notice for noncompliance, these providers were either inactive or not abiding by federal regulations. These removals did not take into account any state noncompliance issues.

Recommendations and Conclusion

The Commonwealth's efforts to address the issues that unlicensed CDL training providers present should include:

- Strengthening collaboration with FMCSA to address the existence of unlicensed providers on the Training Provider Registry.
- Considering legislative solutions, such as increasing penalties to effectively deter unlicensed activity. The maximum fine for unlicensed activity is currently \$2,500, while the cost of licensure is \$8,250 at a minimum.

Thank you again for inviting PDE to participate alongside our colleagues at PennDOT and the Pennsylvania State Police to consider commercial vehicle safety in the Commonwealth. We look forward to working together to ensure that Pennsylvania roads remain safe and Pennsylvania's students have clear access to legitimate, licensed training providers.