

117TH CONGRESS
2D SESSION

S. 4766

To amend title 38, United States Code, to revise the rules for approval by the Secretary of Veterans Affairs of commercial driver education programs for purposes of veterans educational assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2022

Mrs. FISCHER (for herself and Mr. PADILLA) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to revise the rules for approval by the Secretary of Veterans Affairs of commercial driver education programs for purposes of veterans educational assistance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MODIFICATION OF RULES FOR APPROVAL OF**
4 **COMMERCIAL DRIVER EDUCATION PRO-**
5 **GRAMS FOR PURPOSES OF VETERANS EDU-**
6 **CATIONAL ASSISTANCE.**

7 (a) IN GENERAL.—Section 3680A(e) of title 38,
8 United States Code, is amended—

1 (1) by redesignating paragraphs (1) through
2 (3) as subparagraphs (A) through (C), respectively;

3 (2) in the matter before subparagraph (A), as
4 redesignated by paragraph (1), by inserting “(1)”
5 before “The Secretary”;

6 (3) in paragraph (1)(B), as redesignated by
7 paragraph (1), by inserting “except as provided in
8 paragraph (2),” before “the course”; and

9 (4) by adding at the end the following new
10 paragraph (2):

11 “(2)(A) Subject to this paragraph, a commercial driv-
12 er education program is exempt from paragraph (1)(B)
13 for a branch of an educational institution if the commer-
14 cial driver program offered at the branch by the edu-
15 cational institution—

16 “(i) is appropriately licensed; and

17 “(ii) uses the same curriculum as a commercial
18 driver education program offered by the educational
19 institution at another location that is approved for
20 purposes of this chapter by a State approving agen-
21 cy or the Secretary when acting in the role of a
22 State approving agency.

23 “(B)(i) In order for a commercial driver education
24 program of an educational institution offered at a branch
25 described in paragraph (1)(B) to be exempt under sub-

1 paragraph (A) of this paragraph, the educational institu-
2 tion shall submit to the Secretary each year that para-
3 graph (1)(B) would otherwise apply a report that dem-
4 onstrates that the curriculum at the new branch is the
5 same as the curriculum at the primary location.

6 “(ii) Reporting under clause (i) shall be submitted
7 in accordance with such requirements as the Secretary
8 shall establish in consultation with the State approving
9 agencies.

10 “(C)(i) The Secretary may withhold an exemption
11 under subparagraph (A) for any educational institution or
12 branch of an educational institution as the Secretary con-
13 siders appropriate.

14 “(ii) In making any determination under clause (i),
15 the Secretary may consult with the Secretary of Transpor-
16 tation on the performance of a provider of a commercial
17 driver program, including the status of the provider within
18 the Training Provider Registry of the Federal Motor Car-
19 rier Safety Administration when appropriate.”.

20 (b) IMPLEMENTATION.—

21 (1) ESTABLISHMENT OF REQUIREMENTS.—Not
22 later than 180 days after the date of the enactment
23 of this Act, the Secretary of Veterans Affairs shall
24 establish requirements under section

1 3680A(e)(2)(B)(ii) of such title, as added by sub-
2 section (a).

3 (2) APPLICABILITY.—The amendments made
4 by subsection (a) shall apply to commercial driver
5 education programs on and after the date that is
6 180 days after the date on which the Secretary es-
7 tablishes the requirements under paragraph (1) of
8 this subsection.

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