



Owner-Operator Independent Drivers Association

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April 6, 2020

The Honorable Mitch McConnell
Senate Majority Leader
S-230, The Capitol
Washington, DC 20510

The Honorable Chuck Schumer
Senate Minority Leader
S-221, The Capitol
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker of the House
H-232, The Capitol
Washington, DC 20515

The Honorable Kevin McCarthy
House Minority Leader
H-204, The Capitol
Washington, DC 20515

Dear Speaker Pelosi, Senators McConnell and Schumer, and Representative McCarthy;

As our country continues to recover from the impacts of COVID-19, members of the Owner-Operator Independent Drivers Association (OOIDA) have been on the front lines of response and recovery efforts – delivering critical supplies to communities across the country. OOIDA represents 160,000 small-business truckers and professional drivers, who have sacrificed their own wellbeing to keep our country healthy, safe and productive.

In reality, our nation's truck drivers do this on a daily basis. They were delivering important medical supplies, groceries and manufacturing materials long before COVID-19, and will continue to do so long after the U.S. has recovered from the current crisis. Unfortunately, it has taken a global pandemic for the media, the general public and Congress to truly appreciate everything they do.

While trucking is a demanding profession under normal circumstances, COVID-19 is testing even the most experienced drivers. Finding a place to park, eat, shower, and use the restroom has proven to be exceptionally difficult for our members. To some extent, we understand why conditions have been more challenging during this time. However, we shouldn't assume these problems will simply evaporate when the crisis is over, because they have long been a part of drivers' daily struggles.

It won't be too long before COVID-19 is a distant memory for many Americans. Eventually, the media will move on to the next big story. The public will turn its attention to the return of baseball, concerts, dining out and commuting to work. But truckers will still be hauling freight across the country, away from their families and the comforts of home, saddled with excessive

taxes, regulatory burdens, poor working conditions, low wages, and a forgotten appreciation from the American people.

Lawmakers have been quick to express their gratitude for truckers, but professional drivers can't afford to have you think praise is a sufficient response to their hard work. While those accolades are important, now is the time to address issues that have plagued truckers for decades. Now is the time to show them that you truly care. Now is the time for action.

To begin, Congress must pass H.R. 6104, the Truck Parking Safety Improvement Act - bipartisan legislation that would provide dedicated funding for projects that expand truck parking capacity. The lack of truck parking has been its own national crisis for far too long. Matters have been made worse by COVID-19, as states, localities and individual facilities further restrict parking options. The lack of truck parking is a complex problem, but H.R. 6104 is a simple first step toward improving conditions for drivers.

Congress must support the Federal Motor Carrier Safety Administration's (FMCSA) efforts to modernize and improve hours-of-service (HOS) regulations. In response to COVID-19, many HOS requirements have been waived or amended to expedite the movement of freight - without much (if any) opposition from elected officials. Yet, when truckers advocate for slightly more flexibility in HOS standards, they are often met with strong resistance on Capitol Hill. Drivers have been telling Congress for years they need relief from existing HOS requirements because they are overly rigid and counterproductive. Truckers shouldn't just get this relief when the nation needs their help responding to an emergency.

Congress must take steps to address the persistent problem of excessive detention time, which reduces driver wages, slows the movement of freight and has been linked to increased crash rates. Many drivers spend countless unpaid on-duty hours being detained due to the inefficiency of others within the supply chain. Unfortunately, these unchecked inefficiencies are also likely preventing emergency supplies from being delivered as quickly as possible today. In these times where speed is demanded, the problem is even worse. Creating a financial incentive for shippers and receivers to improve the loading and unloading of trucks would likely help reduce excessive detention. Such incentives should also help ensure drivers are being appropriately paid no matter the circumstances. Another way to improve conditions over the long-term would be to collect more data on detention at specific shipping and receiving facilities and work to make this information public. OOIDA strongly supports publicizing expected loading, unloading, and delay times at individual locations to incentivize shippers and receivers to improve their operations.

Congress must repeal the overtime exemption for employee drivers in the Fair Labor Standards Act (FLSA). The average truck driver works 60-70 hours per week, which is rarely - if ever- reflected in their compensation. Instead, they should be paid for all the work they do, not just the time they spend driving. Many drivers are working longer hours during the COVID-19 crisis, but have little to show for their extraordinary efforts and sacrifices. Congress must also explore ways to provide drivers hazard pay during national or regional emergency declarations. As COVID-19 is showing, many risk their own wellbeing while moving critical supplies for the rest of us.

Congress must waive the 2020 payment of the Heavy Vehicle Use Tax (HVUT) [Form 2290] to provide immediate tax relief to owner-operators, many of which are struggling to keep their businesses operational during the crisis and will continue to do so after. Assistance for truckers included in the most recent relief package could be helpful, but any economic slowdown as a result of the virus could jeopardize the existence of countless small trucking businesses, which comprise 96% of registered motor carriers. A straightforward way to help keep owner-operators in business would be a one-time waiver of the \$550 fee most of our members pay per vehicle.

While many weight restrictions have been waived across the country for commercial motor vehicles, Congress must avoid any permanent modifications to current federal standards. Permitting trucks to operate at a higher gross vehicle weight would have immediate and negative economic implications for hundreds-of-thousands of small trucking businesses, who would be pressured to increase their hauling capacity just to stay competitive – potentially in the midst of an economic downturn. Unlike large carriers, who could transition their fleets over time while maintaining business, smaller trucking companies and owner-operators would be forced to immediately modify their equipment at great cost just to remain viable. To make matters worse, previous weight increases demonstrated heavier trucks don't lead to higher paychecks for professional drivers.

Based on our members' experiences during COVID-19, OOIDA has many additional recommendations that will help expedite the movement of freight during a national emergency, while protecting American workers and small businesses. As the nation begins recovering from this crisis, we anticipate our members will face many new and unexpected challenges. When Congress returns to Washington, we encourage you to prioritize hearings focusing on emergency response and recovery needs within the trucking industry.

We appreciate your time and consideration. We also look forward to working with you to address many of these issues in a meaningful and productive way. Please contact Collin Long, Director of Government Affairs, at collin_long@ooida.com should you have any questions, require additional information, or wish to schedule a meeting.

Sincerely,



Todd Spencer
President & CEO
Owner-Operator Independent Drivers Association

cc: Members of the U.S. Senate
Members of the U.S. House of Representatives