

Trucker Reality By OOFI • Aug 08, 2022

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As academics and regulators offer solutions for freight efficiency from 30,000 feet up. We will look at these solutions from 6 ft. up from the

pavement in the driver's seat at the realities of trucking.

AB5 is in effect for California: what does it

mean for owner-operators?



impacts California owner-operators, it's ramifications may impact all independent owner-operators who deliver loads into or out of California.

I don't live in California: The potential impact may be far greater as many other states may adopt similar regulations.

owner-operator status of thousands of truckers. While this directly

 Simply put, if you are an owner-operator leased to a carrier, you will be reclassified as an employee.

You and the carrier you are leased to are subject to all the

- requirements of an employee-employer relationship.

 It isn't known what or how it will impact owner-operators under their
- **Yes, but:** There is still much that is unknown at present about enforcement and whether there will be exemptions.

 What's next: The California Trucking Association and OOIDA will pursue other legal issues to try and protect the independent

own authority.

contractor status.

- Here are some potential options being discussed:

 Business as usual and wait and see what enforcement does
 - check for the driver. Driver must declare truck income separately
 Carrier may become a broker and use owner-operators with their

Carriers cancel leases and report you as an employee

own authority
Business to Business model (B2B)—Unlikely as there is another test

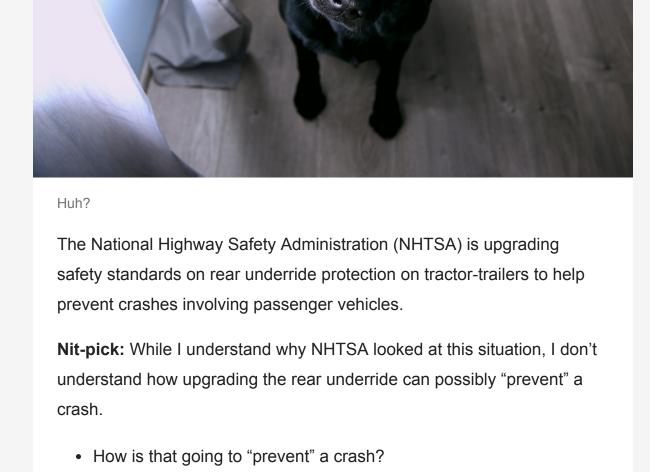
2-check model—One check for the use of the truck and another

To go deeper: Updated summary of AB5:

I know it is nit-picking but let's get it right.

that must be met to claim (Borello test)





It can only mitigate the damage and possibly the severity of injuries

to the occupants of a passenger vehicle that rear ends a trailer.

Safety Advocates are upset that NHTSA didn't mandate stricter

standards including requiring underride protection on the sides of all

Drivers of passenger vehicles that hit the back of a trailer are more than likely at fault for such a crash.

mph or less from going under the trailer.

vehicle is intruding further under the trailer (Fault).

trailers and the front of the truck.

trailer to the extent that the end of the trailer enters the passenger compartment of the colliding vehicle.

Another nit-pick: Ok, I again understand what they are saying but the trailer is not entering into the passenger compartment, the passenger

• The new standard will protect passenger vehicles that are going 35

When making the case for the new standard, NHTSA states that in

extreme underride crashes the passenger vehicle can underride the

up over 35 mph and crashed into a passenger vehicle and the trailer intruded into the passenger compartment.

So explain the reasoning behind the Advocates statement:

"Unfortunately, today's action allows trucking companies to choose a less

The bottom line: I might suggest that Advocates lobby for a required

safe course of action at the expense of road user safety".

I cannot think of one underride crash where the truck was backing

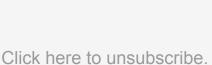
course on driving around big trucks before one is allowed to obtain a driver's license—might work better and make more sense.

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