

Regulatory Burden with no link to Safety

Between 2010 and 2016, the Federal Motor Carrier Safety Administration has promulgated 71 final rules upon the truck and bus industries,¹ many of which have had no positive effect on safety. While the total number of crashes consistently decreased by 27.5 percent from 2004 to 2009, crashes have increased by 39 percent from 2010 to 2014 despite the influx of federal regulations. OOIDA contends that a decrease in flexibility, along with an intensification of regulatory burdens, has created an unsafe and unrealistic environment for the trucking industry, especially the small business trucker who represents 96 percent of the industry.

In early 2017, OOIDA launched a survey to gather the thoughts and views of thousands of professional truck drivers regarding excessive regulations that are negatively impacting the industry. Over 3,000 truckers have responded to the questionnaire.

Regulation	Average	Rank
ELD Mandate	1.79	1
Speed Limiter Mandate	2.84	2
Hours-of-Service 14-Hour Clock Provision	4.23	3
Hours-of-Service Split Sleeper Berth Restriction	4.58	4
Hours-of-Service Rest Break Provision	4.80	5
EPA Emission Rules (rollback to pre-2010)	5.29	6
Sleep Apnea Testing/Guidance	5.65	7
Fair Labor Standards Act (overtime exemption for truckers)	6.47	8
Beyond Compliance (implementation of safety technologies...)	6.80	9
Certified Medical Examiner Registry	7.30	10
Self-Insured Carriers	7.53	11
Unified Carrier Registration System	7.98	12
Diabetes Waiver Program	8.19	13
DOT Annual Inspection	8.83	14

The top regulations that truckers found detrimental to the industry which were not mentioned in the above list were the Compliance, Safety, and Accountability program (25%), the 70-hour rule (10.3%), differential speed limits (10%), the California Air Resource Board (9%), truck lane restrictions (8%), and detention time (7.4%).

The Owner-Operator Independent Drivers Association Foundation is only one of several research organizations such as the Government Accountability Office, the American Transportation Research Institute, and Wells Fargo, which have found no causal link between actual highway safety and several of FMCSA's regulations.

¹ <https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/Bob-Miller-Regulatory-Agenda-1-10-2017-508C.pdf>