



Owner-Operator Independent Drivers Association

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February 26, 2020

The Honorable Rob Woodall
1724 Longworth House Office Building
Washington, DC 20515

The Honorable Sanford Bishop
2407 Rayburn House Office Building
Washington, DC 20515

Dear Representatives Woodall and Bishop,

The Owner-Operator Independent Drivers Association (OOIDA) is the largest trade association representing the views of small-business truckers and professional truck drivers. OOIDA has more than 160,000 members located in all fifty states, including over 11,000 members throughout Georgia. OOIDA's mission is to promote and protect the interests of its members on any issues that might impact their economic well-being, working conditions, and the safe operation of commercial motor vehicles (CMVs) on our nation's highways.

We are opposed to your recently introduced legislation, H.R. 5773, the Freight Restriction Elimination for Safer Hauling (FRESH) Act of 2019, which we view as an attempt to pick industry winners and losers while making highways more dangerous for all road users by establishing split speed limits. This legislation would increase truck gross vehicle weight (GVW) standards on the Interstate for only select industries, thereby accelerating the deterioration of highway infrastructure and negatively impacting small trucking businesses. Furthermore, your bill would open the door to an industry-wide speed limiter mandate that would decrease safety and harm small-business operators. Even more problematic, we believe the technical requirements of this legislation are not compatible with the actual operation of speed limiting devices.

Your legislation would allow for unlimited weight limit increases on Interstates, as states can waive the federal weight limit for trucks hauling perishable commodities. Increasing GVW standards would accelerate the deterioration of highway conditions at a time when our infrastructure is already in an unsafe state of disrepair. With Washington struggling to find ways to pay for the existing maintenance backlog, we believe it is counterproductive to allow for increased truck weights that will only exacerbate this problem.

Permitting trucks to operate at higher GVW would also have immediate economic implications for hundreds-of-thousands of small trucking businesses, who would be forced to increase their hauling capacity to stay competitive. Unlike large carriers, who could transition their fleets over

time while maintaining business, smaller trucking companies and owner-operators would be compelled to immediately modify their equipment at great cost just to remain viable. Unfortunately, previous weight increases have demonstrated heavier trucks don't lead to higher paychecks for professional drivers. Considering these factors, increasing GVW is all cost and no benefit for small businesses.

Compounding our concerns, this legislation also requires that CMVs are equipped with a speed limiter in order to waive GVW limits. The use of speed limiters creates dangerous speed differentials between CMVs and other vehicles. Decades of highway research shows greater speed differentials increase interactions between truck drivers and other road users. In turn, studies have consistently demonstrated that increasing interactions between vehicles directly increases the likelihood of crashes.

For years, OOIDA has pushed back against speed limiter mandates not only because of these safety concerns, but also because they would be particularly harmful for small-business truckers. While we understand that this bill does not mandate the use of speed limiters on all CMVs, this legislation would potentially require truckers to use these devices if pressured by carriers who would like to utilize the GVW exemptions and also opens the door to future expansion of the problematic mandate.

We also believe the speed limiter mandate in this bill is functionally impossible, rendering the entire bill unworkable. Under the legislation's requirements, a CMV must have a speed limiter that is set to the lesser of either the posted speed limit or 65 miles per hour. This would seemingly require a driver to continually update his or her speed limiter device throughout their trip, but given the way that maximum speeds are set with this technology, this would not be possible.

Instead of focusing on exemptions to increase profitability for select industries, we hope that we can work with you on ways to improve safety and driving conditions for truckers and all road users.

Thank you,

A handwritten signature in black ink, appearing to read "Todd Spencer". The signature is fluid and cursive, written over a light blue horizontal line.

Todd Spencer
President & CEO
Owner-Operator Independent Drivers Association, Inc.