



Owner-Operator Independent Drivers Association

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April 6, 2020

Mr. Larry Minor
Associate Administrator for Policy
Federal Motor Carrier Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Docket # FMCSA-2020-0101 "Motion Picture Compliance Solutions Application for Exemption from the Drug and Alcohol Clearinghouse Pre-Employment Full-Query"

Dear Associate Administrator Minor:

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 that collectively own and operate more than 240,000 individual heavy-duty trucks. 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.

The Congressionally mandated Drug and Alcohol Clearinghouse (Clearinghouse) was created to improve highway safety by establishing a centralized online database containing information about commercial driver's license and commercial learner's permit holders' drug and alcohol violations. As part of this objective, the Clearinghouse can identify drivers who commit drug/alcohol violations while working for one employer, but who then fail to subsequently inform another employer. The Clearinghouse helps ensure that drivers with violations receive sufficient evaluation and treatment before operating again on public roads. OOIDA opposes the Motion Picture Compliance Solutions (MPCS) exemption application from the Clearinghouse query requirements because it would diminish the intended safety benefits of the program.

In their request, MPCS acknowledges that the motion picture industry, "employs a pool of approximately 12,000 production drivers who are considered "multiple-employer drivers." These drivers often find themselves working for more than one production-related motor carrier in a week and in some instances, two or more in the same day." This type of scenario was one of the reasons the Clearinghouse was enacted, so drivers with drug/alcohol violations cannot simply move around to different carriers. Waiving the pre-employment full query requirements

may prevent carriers from accessing necessary hiring information and allow drivers with drug/alcohol violations to return the road before proper evaluation and treatment is completed.

OOIDA urges FMCSA to deny the MPCCS exemption request. The exemption would not maintain or improve the level of safety that is currently required by the Drug and Alcohol Clearinghouse.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Spencer". The signature is fluid and cursive, with a long horizontal stroke at the end.

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