



Owner-Operator Independent Drivers Association

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May 20, 2020

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

Re: Docket # FMCSA-2020-0116 “Hours of Service of Drivers; Application for an Exemption for PRONTO.AI, INC.”

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.

Our members have a keen interest in the development and deployment of autonomous vehicles (AVs) as these technologies have the potential to drastically change the trucking industry, in particular its workforce. AVs are being touted as a solution by federal and state agencies that regulate the trucking industry to meet their goals of fewer crashes and zero fatalities. However, there is virtually no data supporting these safety claims. As such, OOIDA opposes Pronto.ai, Inc.’s request (Pronto) for a renewable five-year exemption from the 11-hour driving limit and the 14-hour driving window. OOIDA disagrees with Pronto’s assessment that additional driving and duty-period hours for drivers of vehicles equipped with advanced technologies will greatly mitigate the risks of driver distraction and inattentiveness and improve safety.

Pronto’s exemption request asserts that vehicles equipped with advanced driving systems such as automatic emergency brakes (AEB), adaptive cruise control, driver-facing cameras, and lane departure warning systems all enhance safety. In reality, these technologies come with their own dangers and we would argue that they can actually increase the risk of a crash in many cases.

Most AEB systems are designed to only work at low speeds as sudden braking at higher speeds can startle a driver, leading to erratic driving behavior. Most AEB systems also lack sophisticated situational awareness, meaning they may not be able to recognize if an object

ahead is in the current travel lane or the next lane over—and whether it is a temporarily stopped car, a pedestrian, or a bag of garbage. Thus, most systems do not brake for obstacles when the vehicle is traveling at high speeds. Further, AEBs can jeopardize safety in scenarios when the best course of action for crash avoidance is to speed up, not brake. A 2019 study reviewing AEB performance in cars conducted by the American Automobile Association (AAA) found, “Automatic emergency braking systems with pedestrian detection perform inconsistently, and proved to be completely ineffective at night.”¹ The challenges are even more pronounced for CMVs.

Additionally, Pronto states the exemption, “provides an operational “carrot” to encourage adoption of Level 2 ADAS. Parts of the industry, including many professional drivers, resist the idea and integration of ADAS technologies because they are new. In addition, drivers have been vocal and resistant to using technologies that employ the use of video event recorders, especially driver-facing cameras, despite the significant potential for such technologies to help drivers.” OOIDA believes drivers have good reason to resist the implementation of inward-facing cameras. Besides the inherent privacy concerns, inward-facing cameras are another example of costly technology systems that offer no safety benefit and are simply another distraction in the cab. Many of the various behaviors that driver-facing cameras are intended to correct can be better addressed through robust driver training programs.

OOIDA questions Pronto’s contention that, “a distinctive combination of advanced safety technologies would reduce physical and mental stress for the driver, thereby allowing a modest increase in certain HOS parameters.” One of the Federal Motor Carrier Safety Administration’s (FMCSA) chief concerns has been the “time-on-task” that leads to fatigue. Pronto’s exemption would increase the time-on-task without any real justification other than drivers will be driving longer but will have less stress because of safety systems that only work if the driver is fatigued. Certainly, more research must be done before granting any exemptions that would increase the amount of time drivers can spend behind the wheel of automated system equipped vehicles. Even Pronto acknowledges, “Level 2 systems are not yet deployed at a scale where these physical fatigue issues have been studied in enough detail to quantitatively prove this expected reduction in driver fatigue.”

Given the unproven safety benefits of advanced driving systems and their effects on driver fatigue, FMCSA must reject Pronto’s exemption. Granting this exemption would put drivers at risk by exposing them to more hours behind the wheel. As the U.S. Department of Transportation (DOT) considers the framework for automation in the surface transportation system, federal regulators must ensure AV policies are developed in a responsible manner that takes into account the safety and perspective of American truckers.

Clearly, DOT and the FMCSA must continue learning more about the impacts that AVs will have on the trucking industry. Professional drivers might be among the first to experience the technology’s shortcomings or deficiencies outside of controlled testing scenarios, potentially creating serious safety concerns for our members and the motoring public. OOIDA members and

¹ American Automobile Association, *Automatic Emergency Braking With Pedestrian Detection* (October 2019). <https://www.aaa.com/AAA/common/aar/files/Research-Report-Pedestrian-Detection.pdf>

millions more working in other segments of trucking face a particularly uncertain future as technology might first diminish the quality of their jobs and then threaten to displace them completely. OOIDA will continue being part of any stakeholder outreach, especially when it comes to questions and research related to small-business trucking. We eagerly await DOT's upcoming Congressionally mandated report on the impact of AV technologies on the workforce.

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 the first name "Todd" being more prominent than the last name "Spencer".

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