



Owner-Operator Independent Drivers Association

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June 29, 2020

The Honorable Jim Mullen
Deputy Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Docket # FMCSA-2017-0330, "Controlled Substances and Alcohol Testing: State Driver's Licensing Agency Downgrade of Commercial Driver's License – NPRM"

Dear Deputy Administrator Mullen:

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.

FMCSA's Drug and Alcohol Clearinghouse (Clearinghouse) is designed to improve compliance with the drug and alcohol testing program and to improve roadway safety by reducing accidents and injuries involving the misuse of alcohol, or use of controlled substances, by CMV operators. Accordingly, in order to work as intended, the Clearinghouse requires participation from industry stakeholders and regulators. This includes professional drivers, owner-operators, motor carriers, medical review officers, consortium/third-party administrators, the FMCSA, and State Drivers Licensing Agencies (SDLAs). In that regard, OOIDA agrees with FMCSA's belief that Congress intended that States, as the issuers and administrators of commercial driver's licenses (CDLs) and commercial learner's permits (CLPs), should exercise their authority to help keep drug and alcohol program violators off the road until they are legally permitted to operate a CMV.

OOIDA supports FMCSA's "Non-Issuance" and "Preferred Alternative-Mandatory Downgrade" provisions recommended in the NPRM. SDLAs, rather than employers or owner-operators, are best equipped to deny or downgrade CDLs/CLPs based on Clearinghouse information. The options presented in the NPRM would help streamline the intent of the MAP-21 requirements and ensure that drivers with legitimate drug and alcohol violations are not able to operate CMVs until they have satisfied return-to-duty protocols. We believe that this process will improve

highway safety and encourage FMCSA to continue working with industry stakeholders throughout the implementation period.

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.