



Owner-Operator Independent Drivers Association

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October 23, 2020

The Honorable 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-2019-0139, “Entry-Level Driver Training: United Parcel Service, Inc.; Reconsideration of Denial of Application for Exemption”

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 over 150,000 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.

OOIDA has supported national entry-level driver training (ELDT) standards for decades. In our opinion, the best way to promote safety is to improve driver training requirements. Currently, too many new drivers enter the industry without the basic skills to safely operate a CMV. While the ELDT rulemaking that will finally go into effect in 2022 is far from optimal, the regulation does establish adequate minimum qualifications for training instructors. The rule also outlines an essential process for registering training providers that will hold schools and instructors accountable for their performance. For these reasons, OOIDA opposed United Parcel Service’s (UPS) initial 2019 exemption request from requirements that a driver training instructor have two years’ experience and have held a Commercial Driver’s License for two years, as well as the requirement to separately register each training location for a unique Training Providing Registry (TPR) number. OOIDA supported the Federal Motor Carrier Safety Administration’s (FMCSA) decision to deny that exemption and believes the reconsideration request should be denied as well.

UPS fails to present any new information that would warrant an exemption from the ELDT rule. The minimum experience standards for trainers included in the final rule were built on recommendations from the ELDT Advisory Committee, a group of twenty-six stakeholders consisting of industry experts, and are firmly rooted in highway safety. Additionally, the two-year delay of the final ELDT rule issued by FMCSA earlier this year provides sufficient time for all entities, including UPS, to prepare their respective training programs and be in compliance for the February 2022 implementation date.

We also reiterate our opposition to exempting UPS from the requirement to separately register each training location for a unique TPR number. FMCSA expected that the TPR registration process, “would be neither burdensome nor costly, as the process is entirely electronic and captures basic identifying and categorical information.” The agency also saw no rationale under which motor carrier-operated training schools should be permitted to opt out of the TPR registration requirements on the basis of their size or safety record. As noted in the final rulemaking, “this would defeat the very purpose of the registration process, which is to provide FMCSA with identifying information and require that all instructors attest, under penalty of perjury, that they provide training in accordance with the ELDT rule.” OOIDA supports establishing the TPR registry and believes that unique TPR numbers are needed in order to measure the success of approved ELDT programs and individual trainers. FMCSA must ensure that the performance of ELDT instructors is tracked and reviewed or the expected safety outcomes of the rule will be at risk.

There are too many new drivers entering the trucking industry without the basic skills to safely operate a CMV. The ELDT rule sets forth a process for holding training schools and instructors accountable for their performance. If these standards are maintained and enforced, highway safety will undoubtedly improve. As such, FMCSA should deny UPS’ reconsideration request.

Thank you,

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

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