



Owner-Operator Independent Drivers Association

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Federal Motor Carrier Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Docket # FMCSA-2020-0118, “Hours of Service of Drivers: Proposed Regulatory Guidance Concerning the Use of a Commercial Motor Vehicle for Yard Moves”

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.

The updated guidance aims to provide necessary clarity on what settings qualify for yard moves, but should be expanded to specifically include various scenarios when drivers are moving CMVs in locations that are not highways and/or public roads such as truck stops, rest areas, and shipper/receiver facilities. We encourage FMCSA to add truck stops and public rest areas as examples of properties that may qualify as yards. We also recommend that the phrase, “A shipper's privately-owned parking lot,” be amended to “A shipper's and/or receiver’s facilities,” in the list of qualifying properties. These would be practical reforms that better reflect the realities of the trucking industry.

While the guidance can be improved, we support the agency’s effort to help clear up confusion regarding the use of yards moves. Of course, much of the misunderstanding stems from the promulgation of the Electronic Logging Device (ELD) mandate. OOIDA maintains that the needless and burdensome ELD mandate should be repealed, especially for truckers with decades of proven safety performance.

OOIDA agrees that yard moves should be classified as “on-duty, not-driving” when recording hours-of-service. We encourage the agency to include other situations mentioned above in the guidance and we provide the following responses to the questions presented in the docket.

1. Would defining “yard moves” in the Agency's regulations provide necessary clarification and therefore benefit carriers and drivers?

An expanded guidance that includes other additional settings common for truckers would provide sufficient clarification regarding yard moves. A narrow definition of the term in the regulations could prove detrimental to carriers and drivers.

2. Are there other properties or situations where drivers may be in a “yard move” status that should be included as examples in this guidance?

Truck stops and public rest areas should be included as examples where yard moves can be used for drivers. In these instances, drivers are not leaving the facility and should have discretion to record some types of movements as yard moves if necessary.

Additionally, the guidance should capture other possible scenarios where yard moves might be utilized. For example, in the oil industry drivers deliver water, sand, and other supplies to a site on private property. Sometimes they will drive off public roads to make deliveries at those locations. In some cases, these movements should qualify as yard moves. We believe the proposed language that states, “Examples of properties that may qualify as yards include, but are not limited to...” allows for interpretation of these situations where drivers may be performing a “yard move.” We encourage the agency to maintain this language in the updated guidance.

3. Would adding examples of “yard moves” be beneficial for this guidance (e.g., moving a CMV for maintenance)? If so, please provide examples for consideration.

Under an expanded guidance, examples of “yard moves” could be beneficial to help determine what operations can be deemed as yard moves. For example, moving the vehicle from a parking spot to a fueling station within the confines of a truck stop should be appropriate. At a public rest area, if a driver is forced to move the vehicle for safety reasons or is required to move the vehicle by law enforcement personnel, then those should also be considered yard moves as long as the vehicle is staying within the same facility.

4. How should “yard” be defined for the purposes of this guidance?

For the purposes of the guidance, the “yard” should be defined as the property boundaries of any location(s) where yards moves are taking place. In instances where yard moves are being conducted on public roads, then the boundaries should be designated at wherever public access is restricted.

Thank you,



Todd Spencer
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