



Owner-Operator Independent Drivers Association

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August 5, 2021

The Honorable Meera Joshi
Deputy Administrator
Federal Motor Carrier Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Docket # FMCSA-2021-0037, “Parts and Accessories Necessary for Safe Operation: Authorized Windshield Area for the Installation of Vehicle Safety Technology”

Dear Deputy Administrator Joshi:

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.

Only technologies that have been proven to benefit highway safety should be added to the definition of “vehicle safety technology” listed under § 393.5. The agency’s proposal still includes some systems that actually increase the likelihood of crashes and adds others that need more research. We have particular concerns regarding speed management systems, automatic emergency braking (AEB) systems, and other equipment that is being deployed on autonomous vehicles (AV) which are being tested and operated without sufficient oversight.

Speed management systems, also known as speed limiters, create dangerous speed differentials between CMVs and other vehicles. Decades of highway research shows greater speed differentials increase interactions between truck drivers and other road users. Studies have consistently demonstrated that increasing interactions between vehicles directly increases the likelihood of crashes.^{1,2}

¹ David Solomon, *Accidents on Main Rural Highways Related to Speed, Driver, and Vehicle*, Bureau of Public Roads (1964).

² Johnson and Pawar, *Cost-Benefit Evaluation of Large Truck-Automobile Speed Limits Differentials on rural Interstate Highways*, Mack-Blackwell Rural Transportation Center (2005).

Additionally, speed limiters create serious operational challenges and dangers for truckers, including challenges navigating merges and running blockades (known as elephant races) that increase “road rage” among other drivers. Arbitrary speed limits make it difficult for truck drivers to switch lanes to accommodate merging traffic at entrance ramps – or to merge themselves. Other drivers often react to these situations in aggressive and unpredictable ways, creating unnecessary hazards for themselves and our members. Furthermore, speed limiting trucks increases pressure and stress on professional drivers to complete their work. Truckers required to operate below the posted speed limit are forced to drive maximum hours to cover the same distance, which increases their fatigue and places even greater stress on them to comply with burdensome hours-of-service regulations.

AEB systems, especially for heavy vehicles, still have not been perfected and drivers have encountered serious problems with the technology while on the road. We believe all deficiencies should be remedied before the technology is mandated across our industry. OOIDA members have routinely shared practical concerns about AEBs, including difficulty controlling trucks in inclement weather when systems are activated, unwarranted activations, and highly distracting warnings and false alarms.

The agency is prematurely adding equipment being used on AV technology to the § 393.5 definition. These technologies are still years away from being implemented as FMCSA has noted. As the agency continues to develop AV regulations, we recommend prioritizing an approach that ensures safety performance. Given the fact that there have already been a number of crashes involving AV failures on our nation’s roads, both FMCSA and NHTSA must employ standards that are based on verified research and testing data. The use of unproven automated technologies on our highways poses a significant threat to small-business truckers, and we urge you to take action to protect all road users with greater transparency and oversight of their development.

FMCSA must realize that some technologies do not always deliver on their promise. The agency should reject any rush to mandate unproven technology systems such as automatic emergency brakes, speed limiters, or whatever is being promoted as the next magic bullet to improve highway safety. The development of any technology related regulations must be conducted in a thorough manner with comprehensive oversight. If not, professional drivers will be among the first to experience any technology’s shortcomings, potentially creating serious safety concerns for our members and the motoring public.

Thank you,

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.