



**Owner-Operator Independent Drivers Association**

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February 20, 2020

**Re: Docket # EPA-HQ-OAR-2019-0055 “Control of Air Pollution from New Motor Vehicles:  
Heavy-Duty Engine Standards”**

The Honorable Andrew Wheeler  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Wheeler:

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.

OOIDA appreciates the Environmental Protection Agency (EPA) including small-business truckers and other industry stakeholders in the rulemaking process to establish nitrogen oxide (NOx) emission standards for heavy-duty vehicles. We hope this approach will result in practical, cost-effective standards that do not unfairly burden professional truckers. This would represent a welcomed departure from previous emissions rulemakings that proved disastrous for small carriers and owner-operators. Clean air is a priority for everyone, including truckers, but the technology used in heavy-duty trucks to improve air quality has to be affordable and reliable. Owner-operators should not be used as “guinea pigs” for testing new technology, while getting priced out of business in the process, which is what regrettably occurred during previous emissions rulemakings.

The Cleaner Trucks Initiative (CTI) must prioritize affordability for professional drivers who may be required to purchase and install any new equipment. In recent years, the trucking industry has been subjected to numerous federal and state regulations relating to environmental emissions. While some of these standards were necessary and helpful in reducing vehicle emissions, many were short-sighted and have been difficult to implement, especially for smaller motor carriers. The influx of regulations has contributed to higher costs for new trucks with the average price increasing almost 44 percent since

2008.<sup>1</sup> In some cases, these dramatic cost increases can limit the environmental benefits of the regulations by forcing truckers to maintain older vehicles longer than they otherwise would. On average, OOIDA members have stated that emissions and environmental equipment represented approximately \$3,000 of their annual maintenance costs.<sup>2</sup> In past surveys, 59 percent of OODIA members have indicated they did not get a return on investment for installing and using environmental/emissions technologies such as exhaust gas recirculation (EGR) / selective catalytic reduction (SCR) systems and diesel particulate filters (DPF).<sup>3</sup> For small carriers operating on the slimmest of margins, these high costs for purchase and maintenance can be a major deterrent to purchasing newer, cleaner trucks. Additionally, CTI should not include any retrofitting mandates. Any updated emission standards should only apply to newly manufactured trucks. This would eliminate further maintenance and compliance costs that can be devastating for small-business truckers.

Any rulemaking must ensure that drivers and carriers who are purchasing new equipment are getting a fair deal and will not be constantly sidelined from their profession due to costly and repeated breakdowns. OOIDA members have encountered various problems with emissions systems which have had a dramatic impact on their business. These challenges include expensive visits to dealers, lost productivity, poor efficiency, and towing costs. For small carriers, hefty maintenance expenses coupled with the loss of income resulting from downed trucks, can severely jeopardize their ability to remain in business. Some OOIDA members have also experienced emission technology failures that caused their engines to quickly derate, placing truckers and other motorists in unsafe situations. Clearly, the loss of power resulting from a technology failure is a serious safety concern that absolutely must be avoided in future regulations. OOIDA recommends providing a sufficient phased-in implementation period that would allow manufacturers to comprehensively test engines and other equipment to ensure performance and reliability. This would help eliminate higher maintenance costs for drivers and help them keep their trucks on the road instead of in the repair shop.

CTI should emphasize serviceability so that professional drivers can independently identify and repair problems with their engines as much as possible. Many OOIDA members have the resources and means to maintain their trucks, and prefer doing this work themselves. According to the 2018 *Land Line* Reader Survey, 73 percent of owner-operators indicated that they complete minor repairs and maintenance to their truck, engine, and trailer, themselves. Most owner-operators have their trucks on a regular maintenance schedule, as they recognize the necessity of ensuring it is safe to operate on the roadways. The ability to diagnose and fix equipment problems without having to visit a dealership saves small-business truckers both time and a significant amount of money. Unfortunately, many modern heavy-duty vehicles have taken self-maintenance options away from drivers. Newer trucks that incorporate more complex technology and components typically can only be serviced at dealerships, which requires hundreds of dollars per hour simply to inspect the engine, including routine work. OOIDA cautions EPA against proposing any new regulation that forces small-business truckers to visit manufacturers' facilities when anything goes wrong. In fact, the agency should take steps to ensure truckers who are capable of repairing engines have the ability to do so.

OOIDA supports CTI's consideration of restructuring current warranty and extended warranty offers. Given drivers' concerns about emissions technologies, sensible warranty programs are critical for

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<sup>1</sup> *Owner-Operator Member Profile Survey 2018*, OOIDA Foundation (2018).

<sup>2</sup> *Ibid.*

<sup>3</sup> *Owner-Operator Member Profile Survey 2014*, OOIDA Foundation (2014).

encouraging investment and implementation. Standard extended warranty periods of 5 years or 50,000-100,000 miles (depending on engine size) for heavy-duty engines have not been updated for 40 years. Indeed, these warranty periods are insufficient for real-world operations as OOIDA members regularly surpass 100,000 miles in less than a year. OOIDA encourages EPA to update these standards as part of CTI in a way that reflects the realities of trucking. New warranty standards must also come at a reasonable cost. Additionally, OOIDA favors alternative programs that would offer longer, prorated warranties that provide different levels of coverage based on a vehicle's age or mileage. The warranty could be limited to include only certain parts after a certain amount of time, and/or not include labor for some, or even all, of the duration of coverage.

OOIDA supports a 50-State approach towards NOx emissions standards for heavy-duty vehicles and believes EPA should lead the effort. Streamlined standards would be more workable for truckers, especially those who operate across different parts of the country. OOIDA is aware that the California Air Resources Board (CARB) is also attempting to address NOx emissions through their own efforts and rulemakings. A bifurcated system with varying standards, procedures, and requirements would create compliance difficulties, especially for drivers in California. OOIDA supports a process of EPA establishing emission standards through public notice and comment rulemaking, after which CARB would adopt the same standards and test procedures.

OOIDA opposes relying on telematics systems and other real-time information as a method to collect data from vehicles. Manufacturers and other entities should not have access to a vehicle's data unless they have been authorized by the truck's owner. The Advanced Notice of Proposed Rulemaking cites that, "Telematics services are already increasingly used by the industry due to the Department of Transportation's Federal Motor Carrier Safety Administration's Electronic Logging Device (ELD) Rule that requires the use of ELDs by the end of 2019." OOIDA would point out that ELDs can only legally collect data to determine compliance with hours of service regulations. OOIDA cautions against allowing manufacturers to access additional vehicle data that would violate personal and proprietary privacy rights for owner-operators. For trucks that are not equipped with telematics, we believe that manufacturers could certainly access pertinent emissions data from the vehicle during service at their dealerships.

OOIDA believes that industry stakeholders, specifically small-business truckers and owner-operators, will be an invaluable resource for EPA as the agency develops CTI. We appreciate the agency's willingness to hear from professional drivers that have real-world experience with emissions technologies. Moving forward, CTI must prioritize affordability, reliability, and serviceability in order to achieve practical standards that will reduce NOx emissions for heavy-duty vehicles.

Thank you,

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

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