



Owner-Operator Independent Drivers Association

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November 2, 2021

Thomas Keane
Associate Administrator, Office of Research and Registration
Federal Motor Carrier Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Docket # FMCSA-2021-0089, “Agency Information Collection Activities; Proposals, Submissions, and Approvals: National Consumer Complaint Database”

Dear Mr. Keane:

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 approximately 150,000 members located in all fifty states and Canada who collectively own and operate more than 240,000 individual heavy-duty trucks. OOIDA members have experience using the National Consumer Complaint Database (NCCDB) to file complaints against unsafe and unscrupulous companies and/or their employees, including shippers, receivers and transportation intermediaries.

As currently administered, the NCCDB is an inadequate outlet for drivers to report harassment, coercion, and other violations of commercial regulations. Typically, drivers do not receive a satisfactory response level when they call the NCCDB hotline or submit their problem via the online portal. Additionally, there is insufficient follow-up with drivers after they file a complaint. The lack of response from FMCSA results in many unresolved complaints and also discourages drivers from using the NCCDB to report unsafe practices. The agency must increase their response level to drivers after a complaint is filed.

Another primary concern with the NCCDB stems from the ambiguity of the name “National Consumer Complaint Database.” This title does not signify a connection to the trucking industry in any way. OOIDA believes the NCCDB can help improve safety, but many drivers are unaware that the NCCDB is available for them to report violations of commercial regulations, nor are they aware that coercion complaints can be handled through the NCCDB. The various components of the NCCDB (household movers’ complaints, truck complaints, and bus complaints) each deserve their own accurately descriptive name so that the program may better serve those stakeholders it is designed to assist. FMCSA can also do a better job in reaching out

to drivers and making sure they understand that the NCCDB is a beneficial tool that can promote safety and eliminate bad actors from the industry.

In light of the NCCDB's shortcomings, Congress has recently proposed to review the program. Section 23016 of the *Infrastructure Investment and Jobs Act* approved by the U.S. Senate in August would require the Government Accountability Office (GAO) to examine the NCCDB and evaluate the effectiveness of efforts to consider and follow-up on complaints submitted to the database, the types of complaints, and awareness of the database. OOIDA believes a GAO review would produce necessary recommendations that can enhance the overall value of the NCCDB. If section 23016 is enacted into law, we would encourage FMCSA to collaborate with GAO so overdue changes to the NCCDB can be made as soon as possible.

Although this Information Collection Request is necessary for the agency to perform its mission, we hope the survey along with any forthcoming GAO review will expedite FMCSA's efforts to improve the NCCDB. In addition to gathering information from consumers, drivers, and other participants in the motor carrier industry, the agency must prioritize devoting additional resources and staff to quickly fix the NCCDB. Otherwise, the NCCDB will remain a toothless outlet for drivers to report harassment, coercion, and other violations of commercial regulations.

Sincerely,

A handwritten signature in black ink that reads "Todd Spencer". The signature is written in a cursive style with a large, stylized "T" and "S".

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