

Trump Administration Seeks Looser Truck Safety Regulations

FMCSA, Regulations, Transportation Law, Trucking / January 30, 2018

During the Obama administration, the trucking industry experienced a significant increase in safety regulations. The Trump administration is actively seeking to roll back many of these regulations in an industry that has complained of over-regulation. On November 29, the House Small Business Committee, chaired by Representative Steve Chabot (R-OH), held a two hour meeting during which truck drivers and industry representatives aired a wide range of grievances against many motor carrier regulations.

The topic that received the most discussion surrounded the impending implementation of the electronic logging device (ELD) mandate, which is set to take effect on December 18. A representative of the Owner-Operated Independent Drivers Association (OOIDA) estimates that the ELD mandate will cost the trucking industry nearly \$2 billion annually, which would make it the most expensive regulation in trucking history. ELD models are estimated to cost between \$100 and \$1,000 per unit, with monitoring fees ranging from \$30 to \$50 per month. Although the OOIDA representative acquiesced that the adoption of ELD models could save money for larger companies, he represented that the "one size fits all" mandate will constitute a significant cost to smaller trucking companies. Representative Chabot noted that 97% of trucking companies in the United States operate fewer than 20 trucks. However, the opinions of the representative from the OOIDA were met with opposition. A statement submitted by nine different trucking organizations – including the International Brotherhood of Teamsters, the Trucking Alliance, and the National Safety Council – stressed that ELDs are the most cost-effective and proven way to reduce driver fatigue and save lives. The OOIDA and several other organizations representing smaller carriers are asking the Trump administration for a delay in the ELD mandate along with exemptions for drivers with good safety records.

Other topics addressed at the meeting on Capitol Hill included the need to revisit hours of service (HOS) rules as well as the Compliance, Safety, Accountability (CSA) program that was introduced by the Federal Motor Carrier Safety Administration (FMCSA) in December of 2010, and has not been revisited since implementation. The OOIDA complained that HOS requirements fail to take into account loading or unloading delays encountered by shippers and receivers, road construction, traffic congestion, and crashes on roadways.

The Trump administration has already reversed regulations being drafted by the Obama administration FMCSA related to obstructive sleep apnea, a disorder that often causes fatigue. Those regulations would have mandated that drivers be screened and treated for sleep apnea. In August, Trump ordered the FMCSA to halt its efforts with regard to sleep apnea screening. The FMCSA under the Trump Administration also eliminated efforts to revamp the rating system for motor carrier safety and stopped development of a proposed regulation requiring speed-limiting devices on trucks. With the pending confirmation of Ray Martinez – Trump's nominee for FMCSA administration – the trucking industry will soon learn whether more safety provisions are on the cutting block.

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