

Before the Office of the Secretary of Transportation
U.S. Department of Transportation
Federal Motor Carrier Safety Administration

Docket No. FMCSA-2018-0346
Notice and request for comments

Request for Public Comment:
Commercial Driver's Licenses; Pilot Program to Allow Drivers Under 21 to
Operate Commercial Motor Vehicles in Interstate Commerce

Comments of the National Association of Wholesaler-Distributors

Seth Waugh
Associate Vice President, Government Relations
National Association of Wholesaler-Distributors
1325 G Street NW, Suite 1000
Washington, DC 20005(202) 872-0885
swaugh@naw.org

August 13, 2019

In response to the Department's request for comments published in the Federal Register on May 15, 2019, these comments are submitted on behalf of the National Association of Wholesaler-Distributors (NAW). We appreciate the opportunity provided by the Department in this proceeding to show our support for a pilot program to allow drivers under the age of 21 to operate commercial motor vehicles (CMVs) in interstate commerce.

NAW is an employer and a non-profit trade association that represents the wholesale distribution industry. NAW is comprised of direct member companies and a federation of approximately 85 national, regional, state, and local associations and their member firms, which together include approximately 40,000 companies operating in approximately 395,000 locations around the nation. NAW's members form the backbone of the United States economy; the link in the marketing chain between manufacturers and retailers as well as commercial, institutional, and governmental end users. While wholesaler-distributors vary widely in size, the overwhelming majority are small to medium sized, closely held businesses. The wholesale distribution industry generates more than \$6.01 trillion in annual sales volume and provides stable well-paying jobs to more than 5.93 million workers.

Every wholesaler-distributor relies on over-the-road delivery systems in the day-to-day conduct of their enterprise. The ability of the wholesaler-distributor to both obtain products from suppliers in a timely fashion and meet the product needs of customers on a "just-in-time" basis, exists at the very heart of the business' prospects for success in an increasingly competitive and demanding marketplace.

Many NAW members are heavily dependent on trucks and highways to move their products throughout the country. However, the U.S. is currently experiencing a massive shortage of trained drivers. According to the American Trucking Associations, the U.S. experienced a shortfall of 50,000 drivers in 2017, a number that could balloon to 174,000 by 2026. As you know 48 states and the District of Columbia already allow 18,19, and 20-year old commercial driver's license (CDL) holders to operate CMVs in intrastate commerce. This means a 20-year old driver in El Paso can drive the 814 miles to Texarkana but can't make the 30-mile trip into New Mexico.

Wholesaler-distributors rely on suppliers to provide them with product in a timely fashion to enable them to meet customer needs as the customer defines them. In the same

vein, customers rely on wholesaler-distributors to provide them with product in a timely fashion in order to meet goals they have set. In our opinion the current proposal to create a pilot program to allow drivers under 21 years of age to drive in interstate commerce should move forward. This will allow for 18, 19, and 20-year old drivers to help mitigate the current driver shortage, which is being experienced by Wholesale Distributors across the nation.

Further, NAW is a strong supporter of the currently proposed Developing Responsible Individuals for a Vibrant Economy Act (DRIVE-Safe Act), which the FMCSA request for public comments specifically mentions. As the notice currently notes, the DRIVE-Safe Act “proposes to lower the age requirement for interstate drivers to 18 as long as drivers under the age of 21 are participating in an apprenticeship program that includes separate 120-hour and 280-hour probationary periods, during which younger drivers would operate CMVs under the supervision of an experienced driver and must achieve specific performance benchmarks before advancing.” The proposed legislation would also require drivers under the age of 21 to “drive vehicles equipped with active braking collision mitigation systems, forward facing video event capture, and speed limiters set to 65 miles per hour.”

It should also be noted that on December 8, 2016, FMCSA finalized the Entry Level Driver Training (ELDT) Rule which will take effect on February 7, 2020. The ELDT rule standardizes the quality and curriculum of pre-CDL training for all entry level drivers, including 59 specifically enumerated different topics of theory and behind-the-wheel knowledge and skills that all driver-trainees must demonstrate competency in prior to even being able to apply for the CDL skills test.

If FMCSA were to design a pilot program that incorporates the safety and performance enhancing features of the ELDT Final Rule and the DRIVE-Safe Act, we believe that FMCSA should expect to have even better safety performance by 18,19, and 20-year-old pilot participants relative to their older counterparts. However, we would recommend against FMSCA adding additional restrictions or requirements, unless there is compelling data to warrant the restrictions or requirements.

The members of the National Association of Wholesaler-Distributors applaud the Federal Motor Carrier Safety Administration for its willingness to look for commonsense

solutions to addressing the current driver shortage. Further, we support the Administration's efforts to enhance truck safety and with it the safety of all citizens traveling on America's highways. We fully support the current Under 21 Military CDL Pilot Program as well as expanding the program to include civilian drivers under the age of 21. Thank you in advance for your careful consideration of these comments and we stand ready to supply any additional data that FMCSA may request.