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Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue, SE
West Building, Ground Floor, Room W-12-140
Washington, DC 20590-0001

Via Electronic Filing at <http://www.regulations.gov>

RE: Docket No. FMCSA-2018-0346; Commercial Driver's Licenses; Pilot Program to Allow Drivers Under 21 To Operate Commercial Motor Vehicles in Interstate Commerce

The National Association of Chemical Distributors (NACD) appreciates the opportunity to comment on the May 15, 2019, Federal Motor Carrier Safety Administration (FMCSA) Notice and request for comments on a Pilot Program to Allow Drivers Under 21 To Operate Commercial Motor Vehicles in Interstate Commerce

About NACD

NACD is an international association of nearly 430 chemical distributors and their supply-chain partners. NACD members represent more than 85 percent of the chemical distribution capacity in the nation and generate 90 percent of the industry's gross revenue. NACD members, operating in nearly every U.S. state through more than 3,000 facilities, are responsible for more than 75,000 direct and indirect jobs in the United States. NACD members are predominantly small regional businesses, many of which are multi-generational and family owned.

NACD members meet the highest standards in safety and performance through mandatory participation in NACD Responsible Distribution®, the association's third-party-verified environmental, health, safety, and security program. Through Responsible Distribution, NACD members demonstrate their commitment to continuous performance improvement in every phase of chemical storage, handling, transportation, and disposal operations.

Transportation is an integral part of the chemical distribution business. In 2017, NACD members made nearly 5.2 million shipments, were responsible for 30.7 million tons of product, and drove more than 415 million miles while safely making deliveries to customers every 6.1 seconds. In 2017, NACD averaged just one incident for every 8,994 shipments. NACD members include companies that use their own private fleets, third-party logistics providers, or a combination of both.

NACD Supports a Pilot Program for Responsible Drivers Between the Ages of 18 and 21

NACD commends FMCSA for considering a pilot program to allow non-military drivers aged 18, 19, and 20 to operate commercial motor vehicles (CMVs) in interstate commerce. NACD

strongly supports measures such as this pilot to allow younger individuals to drive CMVs across state lines, subject to thorough training requirements and strong safety standards.

Ongoing rail service disruptions and the nation's truck driver shortage are impacting chemical distributors' ability to provide on-time product delivery to their customers. Contributing to the shortage is the slow replacement of retiring drivers because commercial drivers are not permitted to move goods interstate until they have reached 21 years of age.

In addition to the need for additional drivers to support chemical distribution, NACD members believe capable young adults can safely manage the responsibility of this role when provided with proper training, guidance, and oversight, as should be the case for anyone entering a new profession, regardless of their age or other demographic.

The industrial sector provides many reliable, fair-paying career opportunities. All sectors of business, including chemical distribution, strive to attract young talent to improve the competency, long-term stability, and future development of their organizations. This applies as much to supply chain management as it would to any other sector. Reliable, capable, talented young people are an asset to business; and regulations should not prevent career-path opportunities for such individuals and/or prevent companies from supporting the development of the future workforce currently entering the markets.

NACD is pleased to provide the following input on FMCSA's questions regarding a pilot program for drivers between the ages of 18 and 21.

General

NACD encourages FMCSA to work with the states to obtain information on the safety performance of 18- to 20-year-old drivers operating CMVs in intrastate commerce from police records departments and motor vehicles departments.

Regarding insurance, NACD members have not expressed concerns about the ability to obtain insurance coverage for drivers under 21 who operate CMVs in intrastate commerce. This is an issue that is unique and must be specifically addressed between each motor carrier and their insurer.

Training and Experience

NACD believes that in order for a driver under the age of 21 to be admitted to the pilot, he or she should have either three years of driving experience, approved military training, or training from an accredited Commercial Driver's License (CDL) program. As long as the individual is thoroughly trained and holds a valid CDL, there should not be a requirement for experience driving a CMV in intrastate commerce. Nor should there be a minimum amount of time required for a younger driver to hold a Commercial Learner's Permit or CDL. NACD believes the topics covered in FMCSA's Entry Level Driver Training rule are adequate. Finally, the agency should not require participating motor carriers to establish a formal apprenticeship program according to Department of Labor standards. This would create an unnecessary burden and could be a barrier to participation for motor carriers, especially smaller operations.

Operational Requirements

While the concept has merits, it would be a significant operational challenge for motor carriers to impose time or distance restrictions or more limited hours of service on some drivers and not others. It would be more feasible to prohibit pilot program participants from operating CMVs based on specific types of equipment or loads such as double/triple trailers, hazardous materials, or tank vehicles with hazardous materials. There are already procedures for this as many motor carriers already separate drivers with specific endorsements.

Requirements for Participation

NACD believes participating motor carriers and drivers should be required to meet safety standards such as those in FMCSA's Under 21 Military Pilot Program or completion of an accredited CDL training program. Once in the pilot program, if a participant is convicted of violations while operating in interstate commerce, he or she should lose their CDL until they requalify at the age of 21.

Technology Requirements

NACD supports requirements for safety equipment or on-board recording systems in a pilot program for CMV drivers under the age of 21. These should include fully operating electronic logging devices (ELDs) with front and rear cameras. The ELDs should be as near real time as possible for monitoring purposes. The required technologies proposed in the Developing Responsible Individuals for a Vibrant Economy Act (DRIVE-Safe Act) are also appropriate. Additional technologies beyond these measures are not necessary.

Conclusion

Thank you for the opportunity to comment on this notice regarding a CMV driver pilot program for individuals between the ages of 18 and 21. NACD strongly supports measures such as this to help address the driver shortage and attract capable young people to enter the trucking profession. NACD looks forward to working with FMCSA as the agency moves forward with the pilot program.

If you have questions or need additional information, please do not hesitate to contact me.

Sincerely,



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