

November 9, 2020

Docket Operations
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; Proposed Pilot Program to Allow Persons Ages 18, 19, and 20 To Operate Commercial Motor Vehicles in Interstate Commerce

The National Association of Chemical Distributors (NACD) appreciates the opportunity to comment on the September 10, 2020, Federal Motor Carrier Safety Administration (FMCSA) Notice and request for comments on a Proposed Pilot Program to Allow Persons Ages 18, 19, and 20 To Operate Commercial Motor Vehicles in Interstate Commerce.

About NACD

NACD is an international association of nearly 400 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 3,500 facilities, are responsible for nearly 137,000 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 2019, NACD members made 4.84 million shipments, were responsible for 33.3 million tons of product, and drove over 420 million miles while safely making deliveries to customers every 6.5 seconds. In 2019, NACD averaged just one incident for every 8,775 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 proposing 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 a lack of qualified drivers impact chemical distributors' ability to provide on-time product delivery to 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.

NACD members believe capable young adults can safely manage the responsibility of the role of driver to support chemical distribution 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.

Many NACD members have small fleets and/or primarily transport hazardous materials, so they would not be able to participate directly in the younger driver program as proposed by FMCSA. These companies still recognize the benefit of the program as it would attract more individuals to the truck driving profession in general, which would help with future driver recruitment.

NACD is pleased to provide the following input on FMCSA's questions regarding a pilot program for drivers ages 18, 19 and 20.

1. Should FMCSA consider any additional safeguards to ensure the pilot program provides an equivalent level of safety to the regulations without the age exemption?

The safety measures FMCSA has proposed are robust. The only additional item FMCSA could consider is a criminal background check requirement.

2. Would carriers be able to obtain enough drivers to serve in the control group?

Based on input from NACD members, it depends on the size of the company. Those with larger operations would be able to obtain enough drivers, while this would be more challenging for those with limited fleets.

3. Would the vehicle technology requirements proposed for study group drivers limit participation by smaller companies?

The proposed technology requirements would likely limit participation for many smaller companies.

4. Should FMCSA limit the distance that study group drivers should be allowed to operate (e.g., 150 air-mile radius, 250 air-mile radius)?

Given all the other safety measures, NACD does not believe it is necessary for FMCSA to limit the distance study group drivers should be allowed to operate. If FMCSA decides to establish such a limit, a possible approach could be to restrict the driving distance for the first several months and require the driver to start and stop at the same location. This would facilitate coaching and performance review. If the driver meets all performance requirements during this period, he or she would be permitted to drive longer distances while continuing to meet the performance requirements.

5. Are the data collection efforts proposed so burdensome for carriers as to discourage their participation?

The proposed data collection efforts are necessarily robust. Whether or not they would discourage participation depends on the company. Some companies have the capacity to collect the data easily. Other companies would consider the effort to be burdensome but not insurmountable. Finally, for companies with limited staffing and resources, the effort could discourage participation.

6. Should FMCSA limit participation to drivers who have not been involved in a preventable crash?

NACD recommends that FMCSA limit participation to drivers who have not been involved in a preventable crash.

Conclusion

NACD commends FMCSA for pursuing a pilot program for younger drivers. While the proposed stringent requirements and limitations would prevent some NACD members from participating directly, others would be able to take advantage of the program. Strong safety measures such as the ones FMCSA has proposed are critical for a younger driver program. NACD supports the proposal and believes it will provide a needed way to attract new drivers into the trucking profession. This could help more NACD members with driver recruiting in the future and ideally help to address overall driver shortage concerns.

Thank you for the opportunity to comment on this proposal. NACD looks forward to continuing to work 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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