



# **ISSUES IMPACTING THE TRUCKING INDUSTRY**

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## ND Trucking Facts

- 19,692 Jobs
- Average Salary \$40,506
- 2,744 trucking companies
- 71.7% of Manufactured Tonnage Moved
- 46 percent of ND Communities depend exclusively on trucks to move their goods

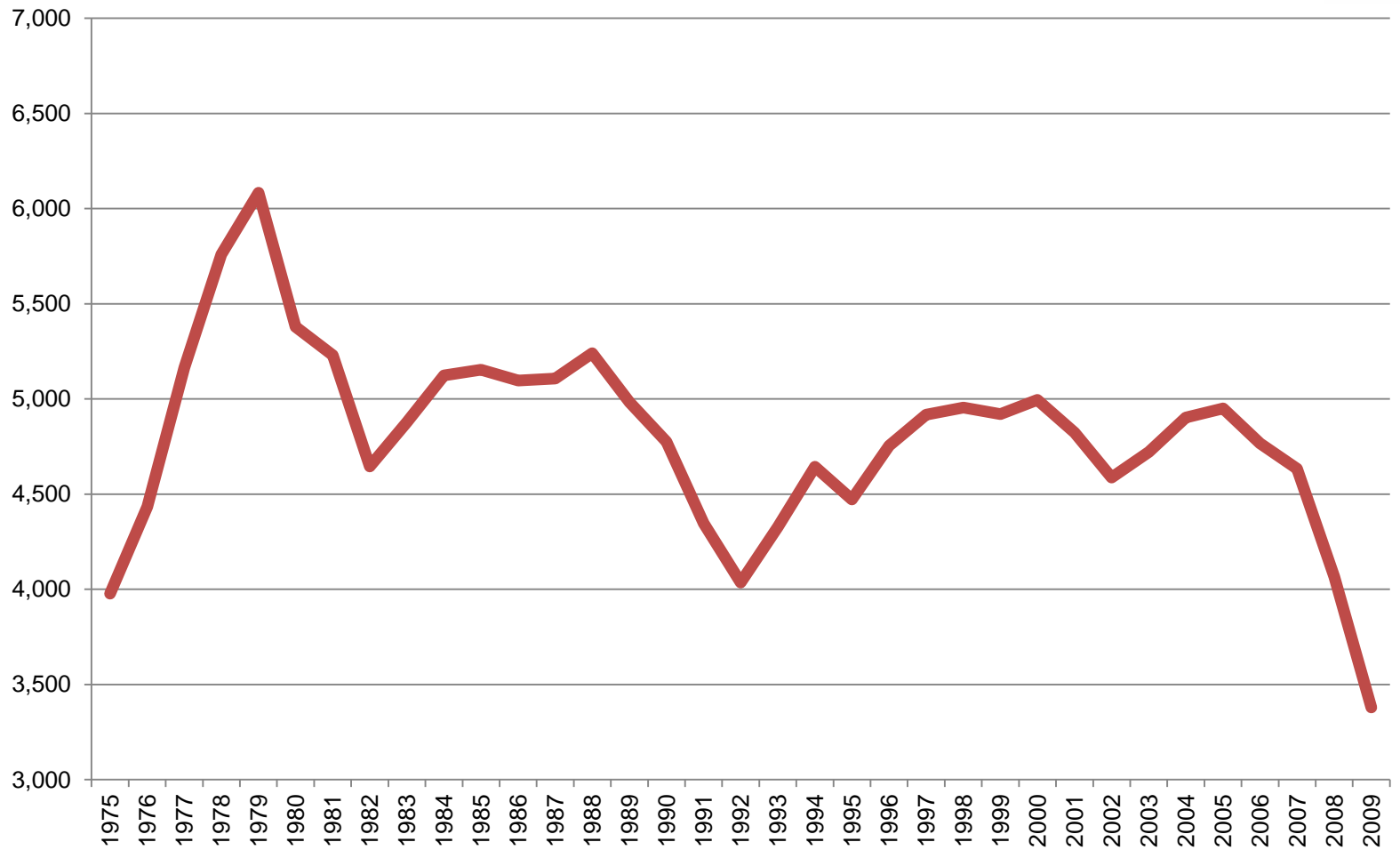


## Taxes & Fees

- \$157 million in Federal and State Roadway taxes and fees
- 48% of all roadway taxes and fees
- 15% of total VMT
- 7.8 billion miles by all motorists, 1.1 billion miles by trucking
- \$5,818 taxes & fees paid per 5-axle combo
- Additional \$8,959 in federal fees & taxes



## Large Truck-Involved Fatalities 1975 to 2009





# Issues

- Highway Funding
- Safety & Regulations
- Labor



# Highway Funding

- Issues Impacting the Highway Trust Fund
  - **Collections vs Outlays**
  - **CAFÉ Standards**
  - **Tolls**
  - **VMT Fee**
  - **Congestion Pricing**
  - **Privatization of Toll Facilities**



# Safety & Regulations

## CSA

- Limitations
- What's Next

## Hours of Service

- Proposed Changes
- What To Expect

## EOBRs

- Political Environment
- Proposed Rule
- Obstacles to Implementation

## Driver Distractions

- Texting
- Cell Phone Use

## Other Issues

- Med Exam and CDL
- Medical Examiner Registry
- Drug/Alcohol Clearinghouse

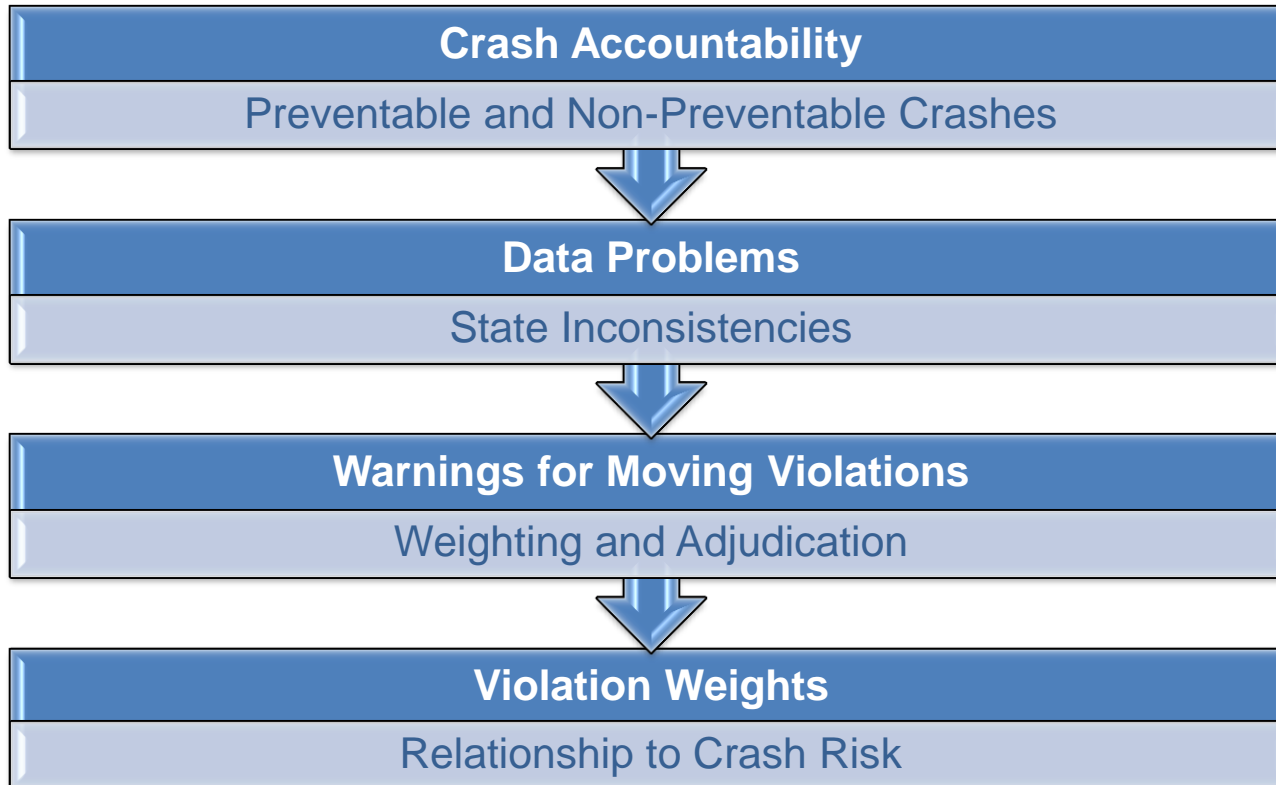


# Compliance, Safety, Accountability (CSA)





## *CSA Limitations*





# Hours of Service



## *Proposed Changes*

### ▶ Driving Time

- 10 Versus 11 Hours

### ▶ Work Day – “Driving Window”

- 14 Hours

### ▶ Rest Breaks

- 30 Minutes Within the First 7 Hours
- Another 30 Minute Break

### ▶ On-Duty Time

- 13 Hours

### ▶ Restart Restrictions

- Two Nighttime Periods
- Only Once in 7 Days



## *What Next? ...And When?*

### Final Rule By October 28, 2011

- Required By Settlement Agreement

### Agency Must Consider Comments and Draft Rule

- Over 20,000 Comments
- Many From Swift, TRANSFLO Express, Members of ATA Coalition

### OMB Must Approve Before Publication

- Must Meet Cost/Benefit Analysis
- Difficult Considering Edgeworth and Cappuccio Reports



## *What's Next ....and When?*

### Changes Likely

- Rest Breaks
- Longer Restarts
- Driving Time?

### Not Immediately Effective

- Effective Date 6 – 18 Months Later

### Litigation Likely

- ATA's Odds Are "Good"



# Electronic Logging Devices



## *The Political Environment*

### Regulatory and Legislative Environment

FMCSA Rulemakings

Senate Legislation

ATA , NTTCC, TCA and Others Support

National Transportation Safety Board



## *EOBR Rules*

### Mandate for Non Compliant Carriers

- Scheduled Effective Date June 2012
- Implementation Likely Delayed
- OOIDA Lawsuit
- Technical Concerns

### Proposed Mandate for All Drivers Currently Using Paper Logs

- Was to Be Finalized by Mid-2012
- 3 -Year Implementation Period
- Delay Also Likely





# Distracted Driving



## *New and Proposed Rules*

### Ban on Texting

### Proposed Ban on Hand-Held Phone Use

- Use While Driving
- Dialing
- Reaching
- Hands Free Use

### Future ANPRM on Other Distracting Devices

- Fleet Management/Communication Devices
- Navigation Systems



## Other Issues



## *Other Issues*

Medical Exam Tied to CDL

Registry of Medical Examiners

Employer Notification System

Drug & Alcohol Test Clearinghouse

Warning Technologies



# Labor

- Driver Turnover
- Average Driver Age
- Incoming Labor Force
- 500,000 Jobs
- NLRB
- Owner Operator Model vs IRS



# QUESTIONS AND ANSWERS