



## Owner-Operator Independent Drivers Association

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November 19, 2015

To: The Honorable Peter DeFazio  
The Honorable Bill Nelson  
The Honorable Bill Shuster  
The Honorable John Thune

Cc: Highway Bill Conferees

Re: Highway Bill/House Bill Section 1446

Dear Conferees,

On behalf of the more than 150,000 hardworking men and women who are proud to call themselves owner-operators and professional drivers, we write you to convey our opposition to language included in the House version of the Highway Bill. Section 1446 of the STRR Act is in part a response to a 9th Circuit Court decision to enforce a California law pertaining to “meal and rest breaks” for employees. However, subsection (B) includes a “piece rate” pay provision that would limit the states’ ability to allow for any other form of driver compensation except mileage pay. This stipulation does not recognize that drivers are required to perform a variety of tasks that go uncompensated. The Owner-Operator Independent Drivers Association (OOIDA) opposes this language.

As you are aware, economics and safety go hand in hand in the trucking industry. The subsection threatens highway safety by not compensating drivers for the time they spend working, which includes routine operations like truck inspections, addressing maintenance issues – and most importantly waiting to be loaded or unloaded. This language would ensure that drivers are only compensated when the wheels of the truck are moving, even though many drivers spend the equivalent of 4-6 weeks each year waiting to be loaded or unloaded. This unpaid time creates undue pressure incentivizing drivers to drive farther and faster in order to remain economically viable.

OOIDA is the only national trade association representing the interests of all professional truck drivers and small-business trucking companies. Our average member has close to 2 million miles of safe driving history and deserves to be compensated for his/her experience and expertise. We should encourage the safest drivers behind the wheel to stay in the profession and in order to do that, we must make sure they are fairly paid. One of the reasons why drivers leave the profession is because of the economic pressures, not the least of which is mileage pay. OOIDA is committed to improving highway safety and believes the “piece rate” pay provision in section 1446 jeopardizes that safety. Please reject this provision of Section 1446 in the House version of the Highway Bill.

Sincerely,

Todd Spencer  
Executive Vice President