July 11, 2019

The Honorable Johnny Isakson
131 Russell Senate Office Building
Washington, DC 20510

The Honorable Chris Coons
218 Russell Senate Office Building
Washington, DC 20510

Dear Senators Isakson and Coons:

The Owner-Operator Independent Drivers Association (OOIDA) represents the interests of owner-operators, small-business motor carriers, and professional truck drivers. With more than 160,000 members located in all fifty states, we have a vested interest in ensuring American highways are safe for all users. Unfortunately, you have introduced legislation (S. 2033, the Cullum Owings Large Truck Safe Operating Speed Act of 2019), which would not only fail to improve safety, but would likely lead to more crashes involving commercial motor vehicles (CMVs). We are adamantly opposed to S. 2033 and any other federal mandate that would create a separate nationwide speed limit for CMVs.

By establishing a one-size-fits-all federal mandate limiting CMVs to 65 miles-per-hour (mph), your legislation would create dangerous speed differentials between CMVs and other vehicles. Decades of highway research shows greater speed differentials increase interactions between truck drivers and other road users. Studies have consistently demonstrated that increasing interactions between vehicles directly increases the likelihood of crashes.1,2

Speed limiters also create dangerous driving conditions, including challenges navigating merges and running blockades (known as elephant races) that increase “road rage” among other drivers. Arbitrary speed limits make it difficult for truck drivers to switch lanes to accommodate merging traffic at entrance ramps – or to merge themselves. Other drivers often react to these situations in aggressive and unpredictable ways, creating unnecessary hazards for themselves and our members.

Speed limiting trucks also increases pressure and stress on professional drivers to complete their work. Truckers required to operate below the posted speed limit are forced to drive maximum hours to cover the same distance, which increases their fatigue and places even greater stress on them to comply with burdensome hours-of-service regulations. Furthermore, our members who have used speed-limited trucks report feeling pressure to drive faster on roads where they would prefer to drive slower in order to keep their schedule.

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1 David Solomon, Accidents on Main Rural Highways Related to Speed, Driver, and Vehicle, Bureau of Public Roads (1964)
2 Johnson and Pawar, Cost-Benefit Evaluation of Large Truck-Automobile Speed Limits Differentials on rural Interstate Highways, Mack-Blackwell Rural Transportation Center (2005)
Not only would mandated speed limiters increase road hazards, they would do nothing to prevent speeding in some of the most safety sensitive situations. In certain road conditions, such as inclement weather or construction zones, well-trained drivers know to reduce their speed to maintain safe operation. Since the safest speed in these scenarios is often below 65 mph, speed limiters would likely have a very limited impact on preventing crashes. Moreover, most truck-related crashes occur on roads with a posted limit below 65 mph, rendering the supposed benefits of your legislation meaningless.

In addition to increasing crash rates, this legislation would disadvantage America’s small-business motor carriers. In their proposed rulemaking on speed limiters, the Federal Motor Carrier Safety Administration (FMCSA) and National Highway Traffic Safety Administration (NHTSA) admitted that “this joint rulemaking could put owner-operators and small fleet owners...at a disadvantage in some circumstances.”

One remaining competitive advantage for small trucking companies over their larger competitors is the lack of a need to speed limit trucks for fleet management purposes. Instead, small trucking businesses are able to operate at the speeds determined to be safe by state officials, which in many cases is above 65 mph. Indeed, FMCSA and NHTSA concluded that as a result of losing this advantage, “some of the affected owner-operators would work for trucking companies as independent contractors. If all of the affected owner-operators worked for trucking companies as independent contractors, they would lose $54 million in labor income.” Smaller carriers working at the behest of the larger fleets is not ideal for safety, consumers, or the trucking industry.

By mandating the use of speed limiters, your legislation takes more control of the truck out of the driver’s hands and unnecessarily constrains small businesses. There are countless scenarios where a driver’s expertise and discretion is needed to avoid an accident or other dangerous situations, but their abilities would be arbitrarily curtailed by speed limiters. Rather than mandating speed limiters, the most efficient and cost-effective means to promote safer roads is simply enforcing existing speed limits, which Congress authorized states to set based on their own unique factors. Additionally, Congress should consider measures that would actually improve safety, such as enhanced training that would help drivers understand how their rate of speed affects safety.

Moving forward, we hope that you will take into account the input of our members, who are the safest and most experienced drivers on the road. We are extremely disappointed you have continued to ignore the very serious concerns of professional drivers, whose safety and livelihood would be put at risk by this ill-conceived proposal.

Thank you,

Todd Spencer
President & CEO
Owner-Operator Independent Drivers Association, Inc.

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