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May 26, 2015

Federal Motor Carrier Safety Administration (FMCSA)
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

RE: Petition for Rulemaking – Lowering Age Requirement to Obtain Federal Commercial Driver’s License

Pursuant to 40 C.F.R. § 389.31, the Agricultural Retailers Association (ARA) submits this petition for rulemaking to lower the minimum age requirement under 49 C.F.R. § 391.11 “General Qualifications of Drivers” from 21 years old to 18 years old. There is a huge shortage of truck drivers in the United States and the unemployment rate for young people is at historically high levels. ARA believes the proposed revision to the minimum age requirement will help address a growing driver shortage and increase employment opportunities for younger adults interested in entering the work force following high school.

Pursuant to 40 C.F.R. § 398.31, ARA¹ affirms that it is a national trade association representing the interest of agricultural retailers and distributors. ARA members heavily rely on employees with a qualified federal commercial driver’s license in order to transport farm supplies (i.e. fertilizer, agricultural pesticides, seed, etc.) from their facilities to agricultural operations. They also hire commercial trucking companies to ship and receive farm supplies as well. ARA supports the safe and efficient transportation of farm supplies and other agricultural products. We believe the proposed regulatory change will increase the number of available drivers without adversely impacting safety on the nation’s roads and highways.

Proposed Language

ARA proposes the following revision to 49 C.F.R. § 391.11(b)(1) with proposed revision bolded and underlined:

Except as provided in subpart G of this part, a person is qualified to drive a motor vehicle if he/she –

- (1) Is at least **18** years old;

¹ ARA is an ARA is a not-for-profit trade association that represents the nation's agricultural retailers and distributors. ARA members provide goods and services to farmers and ranchers which include: fertilizer, crop protection chemicals, seed, crop scouting, soil testing, custom application of pesticides and fertilizers, and development of comprehensive nutrient management plans. Retail and distribution facilities are scattered throughout all 50 states and range in size from small family-held businesses or farmer cooperatives to large companies with multiple outlets.

Interest and Support for Proposed Action

Commercial truck traffic is a vital component to our nation's economic prosperity. Virtually every industry segment depends on truckers and commercial drivers to deliver billions of tons of commodities used and consumed annually in the United States. The nation is experiencing a shortage of truck drivers that is worsening each year. According to the American Trucking Associations (ATA) there is currently a shortage of 30,000 truck drivers. Some key factors impacting this situation includes increased federal regulations, rapidly aging driver workforce, and fewer young people getting into the profession. The truck driver shortage is expected to surge to 239,000 by 2022 with ATA estimating the trucking industry needs an average 100,000 new drivers each year over the next decade.² This is a growing problem that will eventually impact our industry. It will impact everything from the ability to provide just in time delivery to farmers during peak planting season to our ability to stock grocery store shelves in a timely manner in order to keep shelves fully stocked.

Historically, young workers (ages 16 to 24) face considerably higher unemployment rates than prime age workers (ages 25 to 54).³ Youth Unemployment Rate in the United States increased to 12.30 percent in March of 2015 from 11.90 percent in February of 2015.⁴ According to the U.S. Bureau of Labor Statistics, youth unemployment rate reached an all-time high of 19.50 percent in April 2010. Unemployment early in a young person's career can have a lasting negative effect on their earnings, productivity, and employment opportunities. It is important to provide our nation's youth with the skills necessary to obtain an important job in the labor market.

In most states the age requirement for a driver to obtain a CDL is 18 years old. Only the states of Hawaii (age 21) and Alaska (age 19) require an older age requirement. The states of Mississippi (age 17), South Carolina (age 16), and South Dakota (age 16) have a younger age requirement. All of the drivers with CDLs allowed in each of these states are only allowed to operate within their state lines (i.e. intrastate). However, due to existing federal regulations a driver must be 21 years old to obtain a federal CDL if they drive a commercial motor vehicle (CMV) across a state line.

Many of ARA's agricultural retail members operate near state lines with their farmer customers located within 150 air mile radius of the facility. Their drivers spend significant time on the job during the peak seasons primarily in the fields applying product, not driving on public roads. Most all drivers return to their own home to sleep at night. Only allowing employees over the age of 21 with a federal CDL to deliver product to certain customers due to current federal regulations places undue restrictions on employees under the age of 21 and limits their work opportunities.

² Business Insider: There's a Huge Shortage of Truck Drivers in America – Here's Why The Problem Is Only Getting Worse", by Mamta Badkar, August 4, 2014.

³ U.S. Congress Joint Economic Committee Report: "Understanding the Economy: Unemployment Among Young Workers", May 2010.

⁴ <http://www.tradingeconomics.com/united-states/youth-unemployment-rate>

It is ARA's understanding that the age requirement for drivers in interstate commerce goes back to the 1930s when the Interstate Commerce Commission (ICC) first adopted regulations. ARA believes given the driver shortage and high unemployment rate that exists it is time for the FMCSA to revisit this outdated federal regulation. Without truck drivers, America's economy and major industries like the agricultural sector will be adversely impacted. We have seen what minor and major disruptions to the trucking industry has been caused due to natural disasters such as Hurricane Katrina and Sandy from food and fuel shortages to medical supply shortages. The current federal regulations will cause a man-made disaster unless the FMCSA takes steps to modernize outdated federal CDL age restrictions.

Conclusion

In order to address the growing driver shortage and high youth unemployment, ARA petitions the FMCSA to revise the "General Qualifications of Drivers" (49 C.F.R. § 391.11(b)1)) as follows:

- FMCSA should lower the age requirement from 21 years old to 18 years old. ARA does not believe making this change will present a significant safety risk, especially as it relates to short-haul drivers that typically operate within a 150 air-mile radius.

Thank you for your review and consideration of this petition. If you have any questions or need additional information concerning matters raised in this Petition, please do not hesitate to contact me by phone 202-595-1699 or email richard@aradc.org.

Sincerely,



Richard Gupton
Sr. Vice President, Public Policy & Counsel

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