



# **The International Brotherhood of Teamsters**

**Testimony before the  
Committee on Transportation and Infrastructure's  
Subcommittee on Highways and Transit**

**U.S. House of Representatives**

**Testimony of Lamont Byrd  
Director of Safety and Health  
International Brotherhood of Teamsters**

**On**

**“Under Pressure: The State of Trucking in America”**

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**International Brotherhood of Teamsters  
25 Louisiana Avenue, N.W.  
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## **Introduction**

Chairwoman Norton, Ranking Member Davis and Members of the Subcommittee: My name is Lamont Byrd, Director of Safety and Health for the International Brotherhood of Teamsters (IBT). Thank you for inviting me here today to testify about the state of the U.S. trucking industry. The Teamsters Union represents more than 600,000 members who turn a key in a truck to start their workday. Whether they drive a tractor trailer, a concrete truck, deliver beer or bakery goods, or drop a package at your door, “Under Pressure” is a very appropriate description of how truck drivers must operate on a daily basis.

These “pressures” come from a variety of sources, some obvious, others not so obvious. But a recurring theme pushing drivers sometimes to their limit is a need by carriers for flexibility and greater efficiency. There are many reasons that put the trucking industry and its drivers under the gun. And a lot of it has to do with policy or lack thereof that hasn’t kept pace with an ever changing transportation system. Specific policy issues relating to infrastructure, driver compensation, Hours-of Service regulations and exemptions from other safety regulations, detention time, outright driver harassment, driver health, driver training and retention, automation and globalization all contribute to these pressures and are discussed at length in our testimony that follows. It’s a fact that a truck driver operates in a very regulated arena. From the time he/she obtains a Commercial Driver’s License (CDL), the driver is subject to medical certification, drug testing, and dozens of safety regulations. Drivers for the most part are paid by the mile, work the longest hours in any industry (60 to 70 hours per week) and don’t receive

overtime pay. They make money by delivering a product on time, and the odds right now are stacked against them in doing so by many factors.

## **Infrastructure**

The failure to invest and improve the nation's infrastructure impacts the trucking industry, its drivers and consumers in many adverse ways. The explosion of on-line shopping coupled with consumer demands of "I have to have it tomorrow" and an even greater emphasis on just-in-time delivery have put more trucks on the road and more pressure on carriers and drivers to deliver the goods quickly. But there are several "roadblocks" in their way caused by infrastructure deficiencies. Traffic congestion fueled by years of delayed highway construction and improvement projects, weight limits on deteriorating bridges that necessitate re-routings, and the general condition of some highways that cause road closures and detours all put truck drivers behind the wheel longer than they need to be and in a "pressure cooker" environment of stop and go traffic. Traffic jams alone cost the U.S. \$87 billion in lost productivity in 2018 according to data analyzed by the research firm INRIX. Our hope is that this Administration can return to the table and partner with Congress to move forward on rebuilding America's highways, bridges, ports, and other much needed infrastructure projects.

## **Globalization/Trade/Cross-Border Trucking**

Globalization and international trade agreements have opened new challenges to the American worker, including truck drivers'. Ever since the North American Free Trade Agreement (NAFTA) entered into force in 1994, the Teamsters Union has fought to ensure that highway safety is paramount in implementing the NAFTA provision that permitted Mexican

domiciled carriers to perform long haul trucking operations beyond the commercial border zones.

After completion of a three-year pilot program in October 2014, the objective of which was to test the safe operation of Mexican motor carriers in long-haul trucking throughout the U.S., the DOT moved forward, despite flawed and inadequate data, in approving operating authority for additional Mexico-domiciled carriers for long-haul operation into the U.S. The agency took this action ignoring the findings of the DOT Inspector General (IG).

In May 2017, President Trump announced the renegotiation of NAFTA, which presented an opportunity to revisit the Mexican Cross-Border Trucking issue. The Teamsters, working with the United States Trade Representative, were successful in having language inserted in the services chapter of the new United States Mexico Canada Agreement (USMCA) that not only reinforces cabotage protection for movement of freight within the United States, but also allows the United States to adopt and maintain limitations on grants of operating authority of Mexico-domiciled carriers, if there is evidence of material harm or the threat of material harm to U.S. suppliers, operators or drivers. We will continue to work with the Administration and the Congress to ensure that these protections will be enforced in the USMCA implementing legislation.

Despite the promise of these new protections, American truck drivers are threatened in new ways from transnational corporations and the Mexican trucking industry, which have figured out ways around the current trade rules and regulations that restrict cross-border trucking.

For example, Mexican carriers have set up shop in U.S. border cities to take advantage of loopholes in the Enterprise carrier program that allows Mexican-owned but U.S. domiciled carriers to game the system and continue operating on authority that in many cases is suspect. In some instances, operating authority has not even been properly renewed. In others, multiple carriers use the same address, right down to the Suite # in the same building, as their place of business in the U.S. These practices require greater scrutiny.

Yet another harmful practice is occurring when U.S. firms set up subsidiaries in Mexico for the sole purpose of recruiting Mexican drivers using B-1 work visas to haul freight from Mexico anywhere in the U.S. using American flagged equipment. While this practice may not be illegal on its own, the result has been violations of U.S. cabotage laws by Mexican drivers, putting Mexican drivers on U.S. roads without English proficiency to properly understand instructions and road signs, and a spider's web of ownership that has called into question what carrier or company is liable when an accident occurs.

The Teamsters Union and Owner-Operator Independent Drivers Association (OOIDA) recently engaged EMPOWER, a Mexico City-based research firm, to investigate these widespread practices that harm the American workforce and threaten highway safety; and EMPOWER's report (which we will submit for the hearing record) reinforces several of the concerns that we hope will be addressed by the USMCA's implementing legislation. We realize that this committee does not have jurisdiction on immigration matters and driver wages, but you should be concerned about Mexican carriers conducting business in the U.S. without the proper operating authority and this documented influx of B-1 drivers who in some cases do not have

English proficiency, and carriers who shield themselves from liability. B-1 drivers interviewed by EMPOWER admitted that, although they are permitted to transport cargo from Mexico into the United States, they are often picked up in Mexico, transported across the border and only then given a truck to drive a load between points in the U.S., violating our cabotage laws. This is despite the fact that U.S. Customs and Border Protection (CBP) holds workshops with major B-1 employers about expedited border crossing programs and U.S. cabotage law.

More relevant to the committee's jurisdiction is the issue of financial responsibility. Let me give you a real-life example to illustrate the convoluted ownership and hiring practices that are permitting U.S. companies to avoid liability. That's the business plan of Transportation Services International (TSI) as exposed in an on-going Kentucky wrongful death case, White v. TSI, et al. According to the discovery in that case, TSI, headquartered in Romulus, Michigan, set up TSI-Logistica Fronteriza, S.de R.L. de C.V. (TSI-LF) in a small office in Santa Rosa, Mexico "as a freight transportation arrangement company that leases international commercial drivers to American trucking companies, under the terms of the North American Free Trade Agreement (NAFTA)." TSI-LF hires B-1 visa drivers who are then leased to TSI that "do not in any way have a relationship or responsibilities of civil, commercial, labor, fiscal or any other nature of the Fronteriza staff".

Under the facts of this unfortunate case, two B-1 visa drivers were operating a tractor trailer for TSI on the evening of August 6, 2016 traveling northbound on Interstate 69, they overran their exit, #108 near Madisonville, Kentucky. Rather than proceed to the next exit and turn around, the TSI-LF driver stopped the truck on the highway and attempted to back it up

without employing any warning signal or device. In the process, he apparently jackknifed the trailer obstructing the interstate's left and right northbound lanes. A mother, Krystal Brook White, and her daughter were travelling northbound and under-rode the trailer fatally injuring Ms. White. With the car impacted at its underside, the TSI-LF driver drove the eighteen-wheeler another 180 feet before coming to a stop. Ms. White died that evening. When law enforcement arrived, the drivers were unable to converse in English and an interpreter via telephone was required for law enforcement to conduct an initial investigation.

To avoid liability, TSI-LF has argued that it merely loans/leases drivers to other companies such as TSI, and exercises no control over the drivers. On the other hand, TSI claims that the drivers are not their employees and that it should not be held liable either. This case goes to trial this month. There are at least two other negligence cases that we know of filed in Texas involving B-1 visa drivers.

As the EMPOWER Report points out, the use of B-1 drivers is on the verge of *de facto* institutionalization. These cases illustrate the need for Congress to review financial responsibility statutes to ensure that responsible parties are held liable for their actions. As well, FMCSA should review its enforcement mechanisms to ensure that foreign drivers meet the English proficiency requirements of driving in the United States, and review operating authority of enterprise carriers to ensure that they are travelling legally in the US.

## **Coercion/Harassment**

Companies are increasing pressure on drivers to be more productive even if it means violating safety regulations. For example, the Union is involved in a case where a driver/member reported that the cargo he was transporting via truck was loaded with melons on the bottom of pallets and improperly secured and consequently shifted while en-route. It should be noted that the driver was unable to thoroughly inspect the load prior to leaving the terminal because the truck was fully loaded when he picked it up. After reporting that the load had shifted and he could not safely deliver the cargo, he was instructed by management to unload the truck on the road side, organize the cargo, reload the truck and continue on his route. When he advised management that he could not safely perform these job tasks as he did not have load securing equipment (load bars – the ones that he had were damaged as a result of the shifting freight; no straps and shrink wrap) and to do so on the roadside would place him in danger. He would have also been at significant risk of work-related injury, having to climb up and down a small set of stairs to enter and exit the trailer while carrying cargo. This is a union shop where in addition to regulations and company policies that preclude the drivers from performing such dangerous work, there is language in the collective bargaining agreement that empowers the drivers to refuse to perform dangerous and illegal work. Yet, this driver was summarily terminated when he returned a short distance to the terminal for assistance. Although we anticipate being able to get this driver reinstated at his job, this practice not only adversely affected him, it sends a chilling message to other drivers who are aware of this situation.

## **Hours of Service/Driver's Health**

There are efforts to revise the Hours of Service-Short Haul Provision for Commercial Driver's License qualified drivers from a 12-hour work day to 14 hours. The IBT anticipates that the proposed extension of the 12-hour exception to 14-hours, will result in short-haul drivers spending additional time loading trailers, staging freight, and making more deliveries. Therefore, it is reasonable to expect that these drivers will experience an increase in the incidence of occupational injuries and illnesses. Consequently, motor carriers will experience higher worker compensation costs and may experience an increase in the costs associated with fatigue-related crashes.

The trucking industry ranks among the industries having the highest occupational illness and injury rates in the United States and the worker's compensation costs to motor carriers are tremendous. According to Bureau of Labor Statistics (BLS) data for 2017, the non-fatal occupational incidence rate for truck transportation, nationally, was 4.2 injuries per 100 workers as compared to 2.8 injuries per 100 workers for private industry.<sup>1</sup> Several studies show that the majority of work-related injuries occurring among truck drivers result from non-driving work activities.<sup>2</sup> When researchers further investigated these findings they found that the types of injuries experienced by truck drivers varied by industry sector but were generally associated with falling from heights, trips, slips, falls, and overexertion due to manual materials handling.

Drivers who are involved in short-haul operations experienced occupational injuries primarily while performing three activities: "(1) Operating the truck; (2) lifting/cranking; and (3)

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<sup>1</sup> Bureau of Labor Statistics, 2018.

<sup>2</sup> Friswell, Williamson, Accident Analysis and Prevention, 2010 Nov; 42(6): 2068-74.

maneuvering into/out of truck cab.”<sup>3</sup> Chandler, et. al., in further describing the injuries indicated that incidents that occurred while operating the truck, included losing control of the truck, being struck from behind by another vehicle, and musculoskeletal injuries associated with extended routine driving. With respect to lifting/cranking related injuries, the researchers found that drivers were injured while manually handling cargo, connecting dollies, and lifting/ adjusting ramps to the trailers. Researchers also reported that drivers experienced injuries due to trips, slips, and falls as they entered or exited the truck cab and trailer.

Commercial drivers, including short-haul drivers, disproportionately experience musculoskeletal injuries and illnesses. The National Institute for Occupational Safety and Health (NIOSH) conducted a review of over forty studies that investigated the relationship between low-back pain/disorders and determined that there is strong evidence that correlates physical workplace factors such as heavy physical work, lifting, bending and twisting, whole body vibration (WBV), and static work postures with low back pain/disorders.<sup>4</sup> All of these contributing factors to low-back pain/disorders are present in commercial driving, particularly in short-haul operations. This is critical when one considers that according to the American Industrial Hygiene Association (AIHA) a survey conducted by the organization in 2003, MSDs costs the trucking industry approximately \$4 billion dollars each year.<sup>5</sup> The Bureau of Labor Statistics reported that workers in truck transportation experienced work-related musculoskeletal disorders at a rate of 62.3/10,000 workers as compared to 28.6/10,000 for private industry.<sup>6</sup>

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<sup>3</sup> Chandler, M., Bunn, T.L., Slavova, S., International Journal of Injury Control and Safety Promotion, 2017, Vol. 24, No. 1, 120-130.

<sup>4</sup> <https://www.cdc.gov/niosh/docs/97-141/pdfs/97-141.pdf?id=10.26616/NIOSH PUB97141>

<sup>5</sup> American Industrial Hygiene Association, 2003, “American Industrial Hygiene Association position statement on ergonomics [online]. Available from: <http://www.aiha.org/1documents/Government> Affairs/P-ergonomics 091403.pdf

<sup>6</sup> Bureau of Labor Statistics, 2018.

Short-haul drivers will experience increased fatigue as a result of having to work an extended number of hours and concurrently experience more fatigue-related occupational injuries and crashes. The National Institute for Occupational Safety and Health (NIOSH) published a report that summarized over 50 studies that investigated the impact that long working hours have on illnesses, injuries, health behaviors, and job performance.<sup>7</sup> Studies showed that workers who worked long shifts, i.e., 12 or more hours, each day and more than 40 hours per week experienced an increase in occupational injuries and “a pattern of deteriorating performance on psychophysiological tests.”<sup>8</sup> This is of significant concern when considering the fact that short-haul commercial drivers perform safety-sensitive job functions such as operating large trucks in oftentimes congested areas that are shared with passenger vehicles and pedestrians.

In 1996, NIOSH conducted an ergonomic study for drivers in the soft beverage delivery industry during which the researchers evaluated drivers over a four month period.<sup>9</sup> Researchers found that drivers had to routinely lift products that exceeded the recommended weight limit per the NIOSH Lifting Criteria.<sup>10</sup> In addition, researcher collected data on the driver’s heart rates to estimate metabolic output and determined that such drivers worked in a job that required a high level of energy. Drivers in this physically demanding job also experienced twice as many lost work days when compared to workers in general manufacturing jobs. Although the study was conducted over twenty years ago, members of the Teamsters Union who have high tenure in the industry reported that not much has changed and that the changes that have occurred are

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<sup>7</sup> <https://www.cdc.gov/niosh/docs/2004-143/pdfs/2004-143.pdf>

<sup>8</sup> Ibid, p. 27

<sup>9</sup> <https://www.cdc.gov/niosh/docs/96-109/pdfs/96-109.pdf?id=10.26616/NIOSH PUB96109>

<sup>10</sup> <https://www.cdc.gov/niosh/docs/94-110/pdfs/94-110.pdf>

generally not an improvement. For example, these drivers reported that traffic conditions are much worse; parking for large vehicles is more limited; they continue to have to manually deliver large quantities of heavy products such as cases and kegs while negotiating stairs, curbs, ramps, narrow entrances and exits to buildings, and having to perform these job tasks in inclement weather (heat, cold, ice).

The current Hours of Service Regulation for non-CDL qualified commercial drivers who use the short-haul exception are allowed to work 14 hours each day, extend the work day to 16 hours two times each week and drive up to 11 hours each day. According to BLS data these drivers have a higher rate of injury and severity of injury (based on the number of lost work days per injury) than other commercial drivers, i.e., non-CDL drivers who do not use the Short-Haul provision and CDL qualified drivers. It should be noted that CDL qualified drivers operate larger trucks that are able to carry more freight that is larger and heavier than what is typically transported and delivered by non-CDL drivers. Therefore, one can reasonably expect injury rates to increase among CDL qualified short-haul drivers if the number of hours that they are permitted to work increases.

The Massachusetts Department of Public Health released a report<sup>11</sup> concerning the misuse of opioids among workers who are employed in industries, such as trucking, that has a high rate of occupational injuries. Drivers are very concerned about their risk of suffering a work-related injury, being prescribed pain killers such as opioids, and the possibility that the use

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<sup>11</sup> <https://www.mass.gov/news/departments-of-public-health-taking-steps-to-keep-job-related-injuries-from-leading-to-opioid>

of such drugs could result in not only adverse health outcomes, but also the chance of becoming medically disqualified to operate commercial motor vehicles.

The Teamsters will oppose any efforts to expand the short-haul exemption for CDL-qualified drivers through legislative or regulatory actions.

### **Recruiting/Retaining Drivers/Young Drivers**

Motor carrier employers face significant challenges recruiting and hiring qualified drivers. Increasingly long work hours, difficult work, the need for a clean driving record, and a drug/alcohol testing record that is free from positive results, creates additional hiring challenges for motor carriers. As a result of increases in the demand for goods, the Bureau of Labor Statistics (BLS) projects that between 2016 and 2026, there will be a need for 108,400 additional drivers in heavy truck transportation.<sup>12</sup> It should be noted as an aging driver workforce retires from the industry, there will be an even greater need for qualified drivers. According to 2018 data from the BLS over 21% of the current driver population will reach 65 years of age in the next ten years, with over 46% reaching 65 within next 20 years.<sup>13</sup>

There are some in the trucking industry who view lowering the minimum driving age for commercial drivers to 18 as one solution to the increasing demand for qualified drivers. The Teamsters Union is particularly concerned about this issue as it should be noted that there is significant evidence which indicates that young drivers are more likely to be involved in crashes.

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<sup>12</sup> <https://www.bls.gov/ooh/transportation-and-material-moving/heavy-and-tractor-trailer-truck-drivers.htm>

<sup>13</sup> Ibid.

This issue is even more concerning when one considers that fact that there is no comprehensive driver training regulation for entry-level commercial drivers. Several years ago, at the behest of the FMCSA, the Teamsters Union and over twenty other stakeholders participated in a “negotiated” rulemaking process to draft a rule for entry-level driver training. After several weeks of hard work, the negotiating committee reached consensus and provided the FMCSA with a draft rule. The Agency has yet to move forward on promulgating a Final Rule. The Union is of the opinion that the Agency should not even consider revisions to the CDL requirements until such a rule is finalized.

Another issue that affects retention is driver compensation. Teamster Union drivers are among the highest paid in the industry, with good health benefits and pensions, which is why the retention rate is much higher among unionized truck drivers. Our National Master Freight Agreement also addresses the issue of detention time – that period of time where a driver is kept waiting for his truck to be loaded or unloaded. Teamster Union drivers are paid for this time that they are waiting, which is why the practice is not prevalent in our industry sector. Paying drivers for wasting their valuable on-duty time gives motor carriers and shippers an incentive to have a load ready when a driver arrives at the loading dock. It will also prevent drivers from making up for lost time and possibly violating safety regulations in the process. Congress should take the necessary steps to mandate that drivers be paid for this detention time.

## **Give ‘em a break!**

It is difficult if not impossible to discuss driver retention without examining the day-to-day working conditions of drivers, and what the trucking industry is doing or not doing to improve those conditions. The Teamsters Union has fought in Congress for several years against the preemption of state meal and rest breaks for truck drivers. Congress, rightly so, on several occasions has rejected the American Trucking Association’s numerous attempts to pass legislation to preempt these breaks. While motor carriers lament about the driver shortage and what needs to be done to recruit more workers into the industry, they work behind the scenes to rob drivers of rest and meal time. Having not succeeded in the legislative arena, the ATA’s state affiliate, the California Trucking Association (CTA), filed a petition with the FMCSA to preempt meal and rest breaks in that state. The FMCSA, reversing its previous stance on the issue, decided that these breaks are preempted by federal law. The Washington State Trucking Association and The American Bus Association have “copy-catted” the CTA’s petition and we expect other state trucking and trade associations to follow. These short 10-minute rest breaks and 30-minute meal breaks are afforded to all workers in the states that mandate them, not just to truck drivers. This issue is now in the courts, and the Teamsters Union will continue to fight for the rights of drivers to take these breaks. Fatigued drivers jeopardize highway safety for all of us.

## **Truck Size and Weight**

Certain industry stakeholders continue to call for increases in truck size and weight. Whether it’s increasing the weight limit on federal highways to 90,000 lbs. or expanding the use of the twin 33’ trailer configuration, the Teamsters Union opposes any increase in the current

Federal weight limits for trucks and the current size of double trailers traveling on the National Highway System. Our Interstates and other major highways are in serious disrepair and half of our bridges are more than 40 years old with one in four being structurally deficient or functionally obsolete. Increasing truck size and length will put further stress on an already deteriorating infrastructure system. While a properly deployed 6<sup>th</sup> axle can mitigate weight increases on road surfaces, the same cannot be done on bridges. In addition, our highways are not designed for longer combination vehicles. Our merge lanes and entrance and exit ramps are not designed for eighty-four feet long vehicles. Longer and heavier trucks take more time to get up to speed and require greater stopping distances. From a driver's perspective, our roadways are congested like never before. Reaction times are pushed to the limit as drivers attempt to maneuver big rigs and avoid quick changing lanes or slowed down vehicles. The claim that increasing truck lengths and weights will result in fewer trucks on the road is unfounded. Historically, each time increases have occurred truck traffic has grown as shippers take advantage of cheaper rates and divert freight from rail to highways. Currently, 39 states prohibit twin 33-foot trailers on their highways, and there is no justification to allow them to operate on our interstate highways.

According to FMCSA's *Large Truck and Bus Crash Facts*, "the number of large trucks involved in fatal crashes increased 10 percent from 4,251 to 4,657, and the large truck involvement rate (large trucks involved in fatal crashes per 100 million miles traveled by large trucks) increased 6 percent, from 1.48 to 1.56." Deaths from large truck crashes reached their highest level in 29 years in 2017, according to National Highway Traffic Safety Administration data. Fatalities from big truck crashes rose even though the overall traffic fatality rate declined.

Large truck fatalities rose 9 percent to 4,761, an increase of 392 lives lost over the prior year. Congressionally-approved exemptions to weight and length limits based on a specific section of highway or a specific industry should be rejected. Piecemeal approaches undermine federal transportation policy and further jeopardizes safety on our nation's highways.

### **Safety-Assist Technology and Autonomous Vehicles**

Autonomous vehicles have the potential to reshape the entire transportation industry, not just the trucking industry. While some of this technology holds the potential to improve truck safety and efficiency in the short term, the threat of self-driving trucks replacing or degrading millions of truck driver jobs has many of our members on edge. We believe that the trucking industry will have the need for skilled drivers for decades to come. But some of that relies on this committee making sure we aren't forced down a self-destructive path of unsafe and job-killing automation before the proper protections are put in place.

As this hearing examines pressure points impacting drivers, the threat of automation is one that cannot be ignored. Drivers feel like disposable cogs in a machine when some members of this body talk gleefully about the prospects of automating away their jobs. What's worse, many drivers' only interaction with lower levels of automation have actually deepened their mistrust of these new technologies. Our members have reported dangerous malfunctions of automatic braking systems being used in trucks right now. These systems are supposed to make a driver's life easier, and we would gladly support them if they did. But drivers tell us stories of these automatic braking systems often detecting things like snow or an oncoming overpass as an obstacle, and mistakenly slamming on the brakes with no warning. The driver is then the only thing stopping the truck from jack knifing or skidding off the road. Imagine surviving that

incident and then having to show up to work the next day and drive a truck with the same technology on board? No one should have to feel like they are taking their life into their own hands just by showing up to work. That is the pressure drivers today are under. Congress must bring a healthy dose of skepticism whenever you are approached with a piece of automation technology that is being touted as improving safety or that will make a driver's life easier. It may not live up to closer scrutiny.

### **Supply Chain Accountability**

Our union has taken great pride in the work we have done to improve the trucking industry for drivers and all other road users. But changes to the industry since deregulation have hampered those efforts. The rise of independent contractors, the ability of carriers to avoid liability by closing up shop and reorganizing under a new name after they are caught breaking the law, the increase in subcontracting even by union employers, have all negatively impacted our ability to make sure that the trucking industry is a safe and responsible business.

A new focus of our union is "supply chain accountability". We believe that everyone who uses the current transportation system; shippers, brokers, consumers, retailers, and others, all have a duty to help us make sure that the trucks who haul that company's goods employ business practices that are aboveboard. Drivers at the ports of LA and Long Beach provide a good example of how this can be accomplished.

Last year, California passed SB 1402. This bill created a system that shippers can use to identify which port trucking companies have outstanding labor violations on their records, such

as unpaid fines and unsatisfied judgments, before choosing to contract with them to ship their goods. This brings important transparency to the system. It empowers shippers to hire only responsible port trucking companies, and in turn helps us ensure the drivers who are hauling their goods are safe drivers and well-treated employees. If they don't, and these shippers willingly choose to contract with low-road trucking companies who misclassify their employees, they will be held liable for the future labor violations incurred by that contracted trucking company. We believe this sort of transparent and free market-based system represents an important step in helping us uplift drivers who have been among the most abused in our country, while also increasing safety and security at the ports.

The current system has allowed trucking companies who flaunt existing laws to have a competitive advantage over other employers that play by the rules. That must change. We are pleased to see this unfair advantage now melting away, thanks in large part to the fearless activism of port truck drivers and the leadership of local elected leaders that has given other supply chain users the tools to make this change possible. We call on Congress to take this model nationally and help us create a safe trucking industry that all system users can be proud of.