



U.S. Department of Transportation
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE
Washington, DC 20590
Submitted via www.regulations.gov.

RE: Request for Information: Drivers' Leasing Agreements for Commercial Motor Vehicles (CMVs)

Docket No. FMCSA-2023-0143

Dear Docket Clerk,

Pursuant to the Federal Motor Carrier Safety Administration's (FMCSA) *Request for Information: Drivers' Leasing Agreements for Commercial Motor Vehicles (CMVs)* published on February 16, 2024, the Truckload Carriers Association (TCA) hereby submits these comments.

TCA, with offices at 555 E Braddock Road, Alexandria, VA, is the only national trade association whose collective sole focus is the truckload segment of the trucking industry. The association represents dry van, refrigerated, flatbed, and rail intermodal carriers operating in 48 contiguous U.S. states, Alaska, Mexico, and Canada. As a significant part of an industry with over half a million companies operating millions of power units within the United States, TCA and its trucking company members regularly comment on matters affecting the national transportation industry's common interests and potential impacts.

Although TCA may not have the answers the FMCSA seeks, our association supports drivers in leasing commercial vehicles due to the following:

- **Affordability**
- **Equipment Perks**
- **Promoting the Independent Contractor Business**

Affordability

Leasing a CMV can be affordable. Depending on the lease term and carrier, a driver may not have to spend money to lease a CMV. Short-term leases often require little to no upfront payment for drivers. These leases may be more suitable for those who prefer flexibility or are unsure about their long-term commitments. Drivers can typically enter into short-term lease agreements without a significant financial investment, making it an attractive option for those starting out in the industry or needing temporary transportation solutions. However, if the driver opts for a long-term lease, the driver may have to put a down payment based on how new the tractor is and what amenities are included with it. In addition, some carriers offer programs that allow drivers to pay off the leased

Vehicle to own outright, which provide drivers with the opportunity to build equity in the vehicle over time while enjoying the benefits of leasing, such as lower monthly payments and maintenance coverage.

Equipment Perks

Leasing a CMV also allows a driver to operate a more recent model vehicle; drivers can lease a tractor that is a newer model, which requires fewer repairs than an older rig. Minimal repairs can save drivers time, money, and hassle on maintenance tasks, allowing them to focus more on driving and less on upkeep. In addition, most tractors come with safety technologies such as adaptive cruise control, automatic emergency braking, or lane departure warning systems. These technologies can help reduce accidents and protect drivers and other road users, aligning with TCA's support for accident mitigation equipment to promote safety on our nation's highways.

Additionally, carriers that offer leased vehicles may provide access to maintenance locations or services. This can be especially beneficial for drivers needing repairs or maintenance while on the road. Access to maintenance facilities can minimize downtime and ensure that vehicles are kept in top working condition, contributing to safer and more efficient operations.

Promoting the Independent Contractor Business

Independent contractors play a vital role in the American trucking industry. However, the recent Department of Labor (DOL) ruling has threatened these entrepreneurs' freedoms. It goes against the principles of the American dream that this country was founded on and endangers a business model that continues to thrive for a nation that needs it. TCA will continue to work with all stakeholders to defeat this anti-industry rule. That said, a leased truck offers exceptional freedom on the road. Drivers can plan their routes and parking more adaptably as it promotes the independent contractor business model. Leasing a CMV vehicle may help a driver become an independent contractor, which TCA will continue to advocate.

The Truckload Carriers Association and its members sincerely thank the FMCSA for the chance to offer insights on the *Request for Information regarding Drivers' Leasing Agreements for Commercial Motor Vehicles*. We eagerly anticipate collaborating closely with the FMCSA to enhance and advance the truckload industry. Our commitment to productive engagement highlights our mutual dedication to encouraging positive advancements and guaranteeing the industry's growth and success.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Ward". The signature is fluid and cursive, with a large, stylized "J" and "W".

Jim Ward
TCA President