



Minutes Meeting of January 18, 2024

FMCSA's Truck Leasing Task Force (TLTF) met virtually on January 18, 2024, via Zoom. In accordance with the provisions of Public Law 92-463, the meeting was open to the public. Steve Rush, TLTF Chair, called the meeting to order at 10:00 a.m.

The following individuals attended the meeting:

TLTF MEMBERS

Steve Rush, Founder, Carbon Express, Inc, Chair
Tamara Brock, Lewis & Lewis Logistics LLC
Paul Cullen, The Cullen Law Firm PLLC
Jim Jefferson, Owner-Operator Independent Drivers Association (OOIDA)
Joshua Krause, OTRLeasing LLC
Lesley Tse, Of Counsel, Getman, Sweeney & Dunn PLLC
Steve Viscelli, Professor, University of Pennsylvania

FMCSA AND OTHER GOVERNMENTAL REPRESENTATIVES

Larry Minor, FMCSA, Associate Administrator for Policy, DFO
Shannon Watson, FMCSA, Senior Policy Advisor and Deputy DFO
Ryan Kelly, Consumer Financial Protection Bureau (CFPB), Risk Monitoring Program Manager
Emma Oppenheim, CFPB, Senior Fellow, Workers Initiative
Stephanie Chase, USDOT, Volpe Center
Michael Christopher, FMCSA, Division Administrator, Kansas
Travis Ellis, Training Specialist, MoDOT Motor Carrier Services
Keyanna Frazier, FMCSA, Audit Liaison, Office of Policy
Evangela Hollowell, FMCSA, Equity Program Analyst, Office of Policy
Kimberly Lambert, FMCSA, Chief, Strategic Planning and Program Evaluation Division
Gregory Miller, FMCSA, Ethics Attorney, Office of Chief Counsel
Julianne Schwarzer, USDOT, Office of the Secretary
Eran Segev, USDOT, Volpe Center
Rosie Stahl, FMCSA, Management and Program Analyst, Office of Policy
Ghita Wahdani, FMCSA, Management Analyst, Office of Policy
Heather Walsh, USDOT, Volpe Center
Cicely Waters, FMCSA, Director, Office of Communications

OTHER ATTENDEES

David Brannan, The Evans Network of Companies
Mistee Chance, Gold Runners LLC
Shannon Cohen, Scopelitis, Garvin, Light, Hanson & Feary
Charity Coleman, Changeis
Nicholas Coromelas, Sunbelt Rentals Inc.
Jeffrey Davis, Napa River Insurance Services/Hudson Insurance Group
Todd Dills, Overdrive Magazine
Vontyna Durham, Xcelente Trucking & Logistics LLC
Brooke Elliott, Changis
John Gallagher, FreightWaves



Henry Gonzalez, Argon Truck Services
George Gray, GGRC Inc
Jay Grimes, OOIDA
Steven Groth, Bose, McKinney & Evans LLP
Matthew Haskins, The Evans Network of Companies
Anthony Holman, QFS Transportation
Christopher Howard, P&P Consulting
Ryan Hyer, Texas Based Solutions
Iram Ibrahim, Wheels
Bonnie Johnson, Self
Katrina Jordan, Intact Insurance
Andrew King, OOIDA
Michele Korwin, International Trucking Association
Anna Lach-Zynwala, Intact Insurance
Richard Malchow, J. J. Keller & Associates
Nathan Mehrens, American Trucking Associations
Eric Miller, Transport Topics
Novia Moser, Pearce Renewables
Danielle Nielsen, Wheels
Carlos Palacios, Self Employed Driver
Lewie Pugh, OOIDA
Marc Schmidt, TEL
Mark Schremmer, Land Line Media
Prasad Shawama, Scopelitis, Garvin, Light, Hanson & Feary
Ryan Snyder, Truck Renting and Leasing Association
Tanya Snyder, Politico
James Stark, Frame Zeller LLC
Norita Taylor, OOIDA
Scott Thompson, Land Line Now
Perash Tiwari, NorthPark Place Investments
Rachel Walman, Changeis
Tom Weakley, OOIDA
Robby Wehagen, Truck Renting and Leasing Association
Tomika Willis, TDS Trucking Training & Technology

REMARKS AND COMMITTEE ACTION

Larry Minor, DFO, welcomed TLTF members with Shannon Watson, Deputy DFO. Committee members introduced themselves and Steve Rush, TLTF Chair, gave opening remarks reminding the committee that its role is to find ways to stop predatory practices in the Commercial Motor Vehicle industry.

Members approved the October 17, 2023, meeting minutes unanimously.



ETHICS TRAINING

Gregory Miller, FMCSA Ethics Attorney, conducted annual ethics training for TLTF members, who serve as Representatives and Special Government Employees under the Federal Advisory Committee Act.

Introduction of Task 24-1, Inequitable Leasing Agreements and Terms in the Motor Carrier Industry and Whether They Affect the Frequency and Quality of Maintenance Performed on Subjected Vehicles

TLTF deliberated on Task 24-1, asking the committee to examine how equitable truck leasing agreements affect the frequency and quality of maintenance performed on subjected vehicles. The task focuses on vehicle maintenance and repair responsibilities under leasing agreements and terms that adversely impact owner-operators and small trucking companies subject to such agreements.

Discussion Points

- Repair and maintenance costs over time affect the vehicle and livelihood of lease drivers.
- Drivers face various challenges and barriers in obtaining equitable lease agreements. Specifically, carrier-controlled lease agreements can be predatory in nature.
- Current protections from the Truth and Leasing law (49 CFR Part 376) and additional regulations apply to different types of lease or loan agreements.
- Recommended best practices for maintenance.
- Additional requests for information to better understand predatory lease agreements.

PUBLIC COMMENTS

James Stark, Attorney, Frame Zeller, Chicago, IL, noted that he has seen firsthand on the maintenance side carriers requiring drivers to use the carrier shops for maintenance, which often charge three times the market rate for the same work done somewhere else. There needs to be some reliable metric or standard. Mr. Stark shared that he has seen more than 10,000 drivers experience abusive practices, such as being given a specific rate on interview intake and when costs come in carriers do not adhere to the contracted rates and short pay the drivers. This practice is the standard rather than the exception.

Bonnie Johnson spoke of her brother, an independent owner-operator who was involved in a crash. The crash was not investigated thoroughly and his lease purchase agreement was terminated, costing him a substantial sum. After contacting legal counsel, she was told that in 2017 laws were changed that support carriers and not the truckers.

ADJOURNMENT

Mr. Minor and Ms. Watson thanked TLTF for their contributions and provided information for future meetings.

//Signed//
Steve Rush, Chair

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Larry Minor, DFO