

Lowering the Driver Age

ISSUE TYPE	Regulatory (Federal)	KEY DATES	Dec. 4, 2015 – President signs FAST Act, bill includes call for military pilot program
AGENCY	Congress/FMCSA		Aug. 22, 2016 – FMCSA proposes military pilot program
STATUS	Active/Tracking		June 2019 – FMCSA begins accepting applications for military pilot program
DIVISION IMPACT	MC		Nov. 15, 2021 – President signs IIJA, bill calls for Safe Driver Apprenticeship Pilot Program for CDL holders under 21 years old
INTERESTED PARTIES	ATA		Jan. 14, 2022 – FMCSA formally establishes Safe Driver Apprenticeship Pilot Program
		MOST RECENT ACTION	May 17, 2023 – House introduces DRIVE Safe Integrity Act

Statement of the Issue

In 2021, the American Trucking Associations’ (ATA) “Truck Driver Shortage Analysis” found the trucking industry must hire nearly 1 million new drivers over the next decade to meet growing freight demand. In its report, ATA identified one of the largest factors contributing to the shortage to be the aging workforce – the average for-hire over-the-road truckload driver is 49 years old. ATA noted that statutory age restrictions on interstate commerce serve as a deterrent to young drivers considering joining the trucking workforce. The restricted age group, 18- to 21-year-olds, experiences the highest rate of unemployment but is unable to drive trucks in interstate commerce. By age 21, the legal interstate driving age, these individuals have often found another career. Therefore, the industry has proposed lowering the interstate commercial motor vehicle (CMV) operator age to 18 years old.

Policy Position

IANA should continue to monitor driver age initiatives and, in conjunction and coordination with the ATA, support any legislation or regulations that would allow for drivers between the ages of 18 and 21 to enter into the interstate workforce, while maintaining safety.

Summary

The Fixing America’s Surface Transportation (FAST) Act called for a pilot program to allow individuals between the ages of 18 and 21 to operate CMVs in interstate commerce if they received specified heavy-vehicle driver training during military service. On Aug. 22, 2016, the Federal Motor Carrier Safety Administration (FMCSA) proposed such a pilot for military personnel. The program was originally scheduled to last three years and would compare the data collected from the 18- to 20-year-old drivers to a control group of drivers aged 21 and older. FMCSA will use the comparison to determine if age is a significant factor for safety. It began accepting applications from carriers and drivers to participate in the program in June 2019. In 2020, FMCSA expanded participant eligibility to an additional 30,000 drivers by including nine new Military Occupational Specialties. FMCSA also announced that the program will be extended past its initial three years to ensure sufficient sampling data.

In September 2020, FMCSA proposed an additional three-year pilot program that would allow non-military commercial driver’s license (CDL) holders under 21 years old to operate in interstate commerce. FMCSA sought stakeholder feedback on this proposal, including considerations for additional safeguards, the number of



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participants, vehicle technology requirements, limits on air-mile radius, and data collection efforts for carriers.

While this program was not implemented, the Infrastructure Investment and Jobs Act (IIJA) – enacted in November 2021 – required FMCSA to establish a similar apprenticeship program. The IIJA incorporated specifications for the pilot program from the Developing Responsible Individuals for a Vibrant Economy (DRIVE-Safe) Act, which had been championed by Senator Young (R-IN) and Congressman Hollingsworth (R-IN) for several years.

On January 14, 2022, FMCSA issued a notice formally establishing the Safe Driver Apprenticeship Pilot Program. As mandated by the IIJA, participating drivers must complete two probationary periods during which they will be accompanied by an experienced driver – defined as a driver who is at least 26 years old, has held a CDL and has been employed for at least the past two years, and has at least five years of interstate CMV experience. Each of the probationary periods include minimum hours of driving time and performance benchmarks. Additionally, CMVs operated during the pilot program must be equipped with certain vehicle safety technologies, including an active braking collision mitigation system and a forward-facing video event capture system. Upon successful completion of the second probationary period, apprentices may begin operating CMVs in interstate commerce unaccompanied.

Participating carriers must submit driver activity and safety data to FMCSA monthly. FMCSA will use existing data from FMCSA systems to compare the safety outcomes and performance of current interstate and intrastate CMV operators to those of apprentices participating in the pilot program. Additionally, FMCSA will analyze the performance of apprentices before, during, and after their probationary periods. FMCSA began accepting applications from motor carriers to participate in the program in July 2022.

To strengthen participation in the Safe Driver Apprenticeship Pilot Program, Reps. Crawford (R-AR) and Cuellar (D-TX) in May 2023 introduced the Developing Responsible Individuals for a Vibrant Economy Safe Integrity Act of 2023 (DRIVE Safe Integrity Act). The proposal would direct USDOT to promote the pilot

program and, if necessary to improve participation, remove any program requirements that were not originally included in the IIJA. Additionally, within one year after the pilot program concludes, the bill calls on USDOT to implement regulations allowing 18–20-year-old drivers to participate in interstate commerce, barring any pilot program data showing that younger drivers would reduce interstate safety.

As part of its efforts to further support and expand the trucking workforce, the Biden-Harris Administration in 2021 announced a Truck Action Plan. The Truck Action Plan is a component of the Administration’s Supply Chain Disruptions Task Force, which was established to address near-term supply chain bottlenecks. Under the initiative, the Departments of Transportation and Labor will collaborate to accelerate the expansion of apprenticeship programs, address pandemic-driven delays in the CDL process, improve the quality of training, and expand access to driving jobs for veterans and underrepresented communities.