



## NATIONAL SAFETY COUNCIL

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### Position/Policy Statement

#### Minimum Licensure Age for interstate commercial motor vehicle (CMV) drivers

##### NSC Position:

The National Safety Council believes that commercial motor vehicles, including tractor trailers and buses, should be operated by more experienced drivers to ensure a higher level of safety for all roadway users. NSC supports maintaining the existing requirement for interstate commercial motor vehicle drivers to be at least 21 years old.

##### Facts

- Large trucks accounted for 4% of all vehicles but 9% of vehicles involved in fatal crashes in 2013
- Large truck crashes resulted in 3,964 people being killed or 12% of the 32,719 fatalities on the roads in 2013
- 97% of the fatalities in two-vehicle crashes involving large trucks were passenger vehicle occupants
- Large truck drivers under the age of 21 were over-involved in fatal crashes by a factor of six
- Motor vehicle crashes are the leading cause of death for 15-24 year olds
- 4,333 people were killed in crashes involving teen drivers in 2013
- Nearly 12 people die daily in crashes involving 15 to 20 year olds
- Teens lack the skills, knowledge, experience, maturity and understanding of their environment to drive safely
- The economic cost of teen crashes in 2013 was \$40.8 billion

Gaining a driver's license to operate a vehicle carries great responsibility, and the early years of driving are the riskiest and most deadly, not only for the drivers but also for passengers, other vehicles, pedestrians, bicyclists and others who share the road. Motor vehicle crashes are the leading cause of death for 15 to 24 year olds.

Inexperience causes most teen crashes. For example, teens lack the ability to respond quickly to hazards, struggle driving the appropriate speed for conditions, have trouble driving at night

and are easily distracted by young passengers.<sup>1</sup> Allowing these inexperienced drivers to operate commercial motor vehicles (CMV) carrying goods or people and weighing from 10,001 to 80,000 pounds, introduces an extra and unacceptable risk to the roadway environment.

A “commercial motor vehicle” is defined in statute as:

- (1) “commercial motor vehicle” means a self-propelled or towed vehicle used on the highways in interstate commerce to transport passengers or property, if the vehicle—
- (A) has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater;
  - (B) is designed or used to transport more than 8 passengers (including the driver) for compensation;
  - (C) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
  - (D) is used in transporting material found by the Secretary of Transportation to be hazardous under section [5103](#) of this title and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section [5103](#).<sup>2</sup>

### **Background**

Since 1970, U.S. Department of Transportation (DOT) regulations require CMV drivers to be at least 21 years old.<sup>3</sup> In setting this standard, DOT stated:

Comments in response to this invitation generally favored retention of the 21-years-or-older prerequisite. Many respondents noted that statistics collected by liability insurance companies indicate that persons who have not yet attained the age of 21 are in a higher risk category than older persons.<sup>4</sup>

The Commercial Motor Vehicle Safety Act of 1986 (P.L. 99-570) established requirements for commercial motor vehicle driver’s licenses to: ensure a basic level of knowledge necessary for operating CMVs, maintain a certain level of professionalism and improve safety. The bill did not lower the required driving age.

In 1999, Congress passed the Motor Carrier Safety Improvement Act (P.L. 106-159) which established the Federal Motor Carrier Safety Administration (FMCSA) as a separate agency within DOT. The law provided enforcement authority to improve safety, strengthened operating standards and increased safety awareness. It improved the commercial driver’s licensing (CDL) process by making available all data on violations whether in a CMV or personal vehicle and linking medical records to a CDL. Likewise with this legislation, the required driving age was maintained.

In 2001, the Truckload Carriers Association (TCA) filed a petition with FMCSA to initiate a pilot program to select, screen, train, and monitor individuals between the ages of 18 and 21 to work as CMV drivers in interstate commerce. In the petition, TCA states the reason for the petition is to examine a performance-based program to allow CMV operators under 21 and to address its projected workforce shortage.

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<sup>1</sup> The Anatomy of Crashes Involving Teens, <http://www.ncbi.nlm.nih.gov/books/NBK9672/>

<sup>2</sup> 49 USC 31132(1)

<sup>3</sup> 49 CFR § 391.11(b)(1)

<sup>4</sup> Federal Register, Vol 35, No. 78, April 22, 1970, p 6458

FMCSA received over 1600 comments and denied the petition in 2003, stating, “The FMCSA is denying the petition because the agency does not have sufficient information at this time to make a determination that the safety measures in the pilot program are designed to achieve a level of safety equivalent to, or greater than, the level of safety provided by complying with the minimum 21-year age requirement to operate a CMV.”<sup>5</sup>

### **State of the Industry**

According to FMCSA, at the end of 2013, there were more than 500,000 interstate motor carriers and hazardous material intrastate carriers and approximately 5.6 million commercial motor vehicle drivers in the U.S.<sup>6</sup> However, the trucking industry has experienced difficulties attracting eligible drivers and expects that to continue over the next several years.<sup>7</sup>

NHTSA states that in 2013, large trucks accounted for 4% of all the registered vehicles on the road, but accounted for 9% of vehicles involved in fatal accidents.<sup>8</sup> Twelve percent (12%) of the highway fatalities or 3,964 people were killed in large truck crashes. Of these fatalities, 71% were occupants of other vehicles; 17% were truck occupants, and 11% were pedestrians, bicyclists or motorcyclists.<sup>9</sup> In two-vehicle crashes involving large trucks, 97% of the fatalities were passenger vehicle occupants.<sup>10</sup>

The National Transportation Safety Board (NTSB) has repeatedly found in its investigations of commercial vehicle crashes that regulations are violated in the areas of hours of service, log books, vehicle maintenance, and other factors, and DOT does not have the resources to ensure compliance for trucking and bus companies.

The Developing a Reliable and Innovative Vision for the Economy (DRIVE, H.R. 22) Act, which is the United States Senate approved surface reauthorization bill, would allow DOT to establish a six-year pilot program, “to study the feasibility, benefits, and safety impacts of allowing a licensed driver between the ages of 18 and 21 to operate a commercial motor vehicle in interstate commerce.” The pilot program would take place in contiguous states opting in to the program through an interstate compact, and DOT must approve up to three compacts with no more than four states participating in each compact. Some additional restrictions could be instituted.

The Surface Transportation Reauthorization and Reform Act of 2015 (H.R. 3763), the House of Representatives surface reauthorization bill, establishes a Graduated Commercial Driver’s License pilot program. The legislation directs DOT to convene a task force to provide recommendations on the elements to include in a commercial graduated driver’s license (GDL) for 19 ½- to 21-year-olds to drive CMVs interstate. The task force must consider placing limitations on these drivers such as miles traveled and hours of service and must provide their recommendations to DOT within one year.

Within one year of receiving the recommendations, DOT must establish the pilot program based on the recommendations. The pilot program is limited to 10 motor carriers and would operate in states opting in, with travel allowed between a maximum of two states. Participating carriers

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<sup>5</sup> Federal Register, June 6, 2003, p. 34468.

<sup>6</sup><https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/FMCSA%20Pocket%20Guide%20to%20Large%20Truck%20and%20Bus%20Statistics%20-%20October%202014%20Update%20%282%29.pdf>

<sup>7</sup> [http://www.trucking.org/News\\_and\\_Information\\_Reports\\_Driver\\_Shortage.aspx](http://www.trucking.org/News_and_Information_Reports_Driver_Shortage.aspx)

<sup>8</sup> Large truck is defined as one weighing over 10,000 pounds.

<sup>9</sup> <http://www-nrd.nhtsa.dot.gov/Pubs/812169.pdf>

<sup>10</sup> <http://www.iihs.org/iihs/topics/t/large-trucks/fatalityfacts/large-trucks>

must meet the DOT safety regulations, and the DOT Inspector General must report to Congress on the safety of the program and the number of CMV drivers eligible for employment.

### **Teen Drivers**

Teens are our most vulnerable drivers. The National Highway Traffic Safety Administration (NHTSA) data show 4,333 people were killed in crashes involving young drivers in 2013.<sup>11,12</sup> Of that number, 1,691, or 39%, were young drivers and another 1,051, or 24%, were passengers of young drivers. The remaining 37% of the fatalities were pedestrians, cyclists and passengers of other drivers. NHTSA also states that the economic cost of police reported crashes involving teens is \$40.8 billion. Nearly 12 people die each day in crashes involving drivers ages 15 to 20, and motor vehicle crashes are the leading cause of death for 15- to 24- year-olds.<sup>13,14</sup>

Because of these compelling statistics for novice drivers, all states have some form of GDL, which allows teens to gain experience behind the wheel before obtaining a full license. GDL laws also minimize risks such as driving with passengers and night time driving. Given the recent data that shows teens are delaying licensure, some state laws extend GDL provisions beyond a person's 18<sup>th</sup> birthday to maximize these benefits.

A study conducted by the University of Michigan Transportation Research Institute found that from 1980-1984 fatal crash, mileage-based involvement rates for drivers of large trucks increase with decreasing driver age. Younger drivers were found to be over-involved in fatal crashes until about age 27. Drivers under the age of 21 were over-involved by a factor of six in comparison to the overall rate for all ages of drivers. The study found that younger truck drivers were over-represented in virtually all of the conditions examined: in both day and night time crashes, on all types of roads, and in both rural and urban areas.<sup>15</sup> No additional, recent studies have been conducted.

### **Conclusion**

The data are clear. Teen and novice drivers are more dangerous to our roadways, and CMV crashes are more likely to result in fatalities. While the NSC understands the trucking industry's need to maintain an eligible workforce, combining teens and CMVs creates an unacceptable level of risk. The National Safety Council supports maintaining the required driving age of 21 for interstate commercial motor vehicles.

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<sup>11</sup> Young drivers are defined as 15-20 years old

<sup>12</sup> NHTSA Fatality Analysis Reporting System (FARS), <http://www-fars.nhtsa.dot.gov/Main/index.aspx>.

<sup>13</sup> National Safety Council, "Learning to drive is risky for teens. Graduated Driver Licensing reduces that risk."

<sup>14</sup> Injury Facts

<sup>15</sup> Campbell, K.L. (1991). Fatal accident involvement rates by driver age for large trucks. *Accident Analysis and Prevention*. 23(4).

*This position statement reflects the opinions of the National Safety Council but not necessarily those of each member organization.*

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