

# CRITICAL ISSUES IN THE TRUCKING INDUSTRY – 2024



Prepared by

The American Transportation Research Institute

October 2024



Atlanta, GA • Minneapolis, MN • Washington, DC • Sacramento, CA

[ATRI@trucking.org](mailto:ATRI@trucking.org)  
[TruckingResearch.org](http://TruckingResearch.org)

## ATRI BOARD OF DIRECTORS

**Derek Leathers**

Chairman of the ATRI Board  
Chairman and CEO  
Werner Enterprises

**Andrew Boyle**

Co-President  
Boyle Transportation

**Jim Burg**

President  
James Burg Trucking

**Robert E. Low**

President and Founder  
Prime Inc.

**Benjamin J. McLean**

CEO  
Ruan Transportation  
Management Systems

**Brett Merritt**

President, Engine Business  
Cummins Inc.

**Brenda Neville, CAE**

President and CEO  
Iowa Motor Truck Association

**Lou Riviuccio**

President, Corporate  
Transportation  
UPS

**John A. Smith**

President and CEO, U.S. and  
Canada Ground Operations  
FedEx Express

**Harold Sumerford, Jr.**

CEO  
J&M Tank Lines, Inc.

**Rebecca Brewster**

President and COO  
ATRI

**Chris Spear**

President and CEO  
American Trucking Associations

## ATRI RESEARCH ADVISORY COMMITTEE

**Ben Banks, RAC Chairman**

Vice President, Operations  
TCW, Inc.

**Colin Abernathy**

Director of Performance and  
Analytics  
Groendyke Transport, Inc.

**Brent Allred**

Transportation Practice Leader  
and Managing Director  
Higginbotham Transportation  
Services

**Renee Bowen**

Principal  
Franklin & Prokopik, P.C.

**Tony Bradley**

President and CEO  
Arizona Trucking Association

**Michael Bray**

Chief Commercial Officer  
Platform Science

**Joyce Brenny**

President and CEO  
Brenny Transportation, Inc.

**Bree Bryant**

Vice President of Safety  
Eagle Transport Corp.

**Mark Colson**

President and CEO  
Alabama Trucking Association

**Mark Doughty**

President and CEO  
PrePass Safety Alliance

**Steve Fields**

Professional Driver and  
America's Road Team Captain  
Wal-Mart

**John Hahn**

Captain  
Colorado State Patrol

**Evangelos Kaiser**

Director, Freight Mobility  
Research Institute  
Florida Atlantic University

**Jackie Kelly**

Senior Federal Affairs  
Representative  
FedEx Corp.

**Mike Ludwick**

President and CEO  
Bison Transport

**Ken Marko**

Fleet Sustainability Senior  
Manager  
US Foods

**Bob Meyer**

Vice President of Transportation  
UPS

**Andrew Mills**

Vice President of Operations  
TrueNorth Companies

**Andrew Owens**

CEO – Manager  
A&M Transport

**Andrew Petrofsky**

Vice President  
J&M Tank Lines

**Jose Samperio**

Vice President and General  
Manager – North America On-  
Highway  
Cummins Inc.

**Jon Samson**

Executive Director, Agricultural  
and Food Transporters  
Conference  
American Trucking Associations

**Amanda Schuier**

Strategic Maintenance Director  
Jetco Delivery

**Kimberly Skelton**

Senior Manager, Consumer  
Insights  
Pilot Flying J

**Glissel Soliz**

Director, Transportation  
Operations & 3PL  
Coca-Cola North America

**Mike Stapleton**

Vice President of Industry  
Relations  
ISAAC Instruments

**Kerry Stritt**

Vice President Fleet Services  
Southeastern Freight Lines

**Daniel Studdard**

Principal Planner,  
Transportation Access and  
Mobility Division  
Atlanta Regional Commission

**Heather Sykes**

Director of the Office of Supply  
Chain, Professional, & Business  
Services  
U.S. Department of Commerce  
International Trade  
Administration

**Gregg Troian**

President  
PGT Trucking

**Stephen Truono**

EVP and Chief Risk Officer  
NFI Industries

**Connie Vaughan**

Manager, Government  
Relations  
McKee Foods

**Tom Weakley**

Director of Operations  
Owner-Operator Independent  
Drivers Association Foundation

---

## Critical Issues in the Trucking Industry – 2024

In 2024 the trucking industry remained in the throes of a protracted freight recession that began in 2022. Rates continued to slip across all sectors, tonnage remained below 2023 levels, and marginal costs continued to increase.<sup>1</sup> Fuel prices fell over the year but remained above pre-pandemic levels.<sup>2</sup> This combination of pricing and cost pressures began to force motor carriers out of business and precipitated a wave of logistics layoffs. Total employment in truck transportation fell by 2.7 percent from January 2023 to September 2024, and the number of registered motor carriers declined steadily.<sup>3</sup>

While the trucking industry has technically been in a freight recession for multiple quarters, the larger economy's growth has been considerably more positive. Real Gross Domestic Product (GDP) increased at an annual rate of 3.0 percent in Q2 of 2024, consumer inflation cooled to an annual rate of 2.5 percent in August, and income gains continued to outpace inflation.<sup>4</sup> Yet many factors that drive trucking, such as domestic manufacturing output and residential housing starts, generally trended flat despite month-to-month fluctuations.<sup>5</sup> Retail sales were tepid, growing by 2.1 percent for the year ending in August, but still trailing the rate of inflation when taken overall.<sup>6</sup> Though the Federal Reserve's decision to cut interest rates by half a percentage point may help stimulate borrowing and consumer activity, such outcomes are unlikely to have a meaningful impact this year.<sup>7</sup>

Risk-related costs were especially acute for motor carriers over the last two years. Insurance costs jumped 12.5 percent in 2023 and continued to rise in 2024, after two years of no increase following unusually low crash rates during the COVID-19 pandemic

---

<sup>1</sup> "DAT Trendlines: National Van Rates," DAT Freight & Analytics (accessed on June 6, 2023), <https://www.dat.com/trendlines/van/national-rates>; Alex Leslie and Dan Murray, *An Analysis of the Operational Costs of Trucking: 2024 Update* (June 2024), <https://truckingresearch.org/2024/06/an-analysis-of-the-operational-costs-of-trucking-2024-update/>.

<sup>2</sup> U.S. Energy Information Association, "Weekly Retail Gas and Diesel Prices" (accessed on September 26, 2024), [https://www.eia.gov/dnav/pet/pet\\_pri\\_gnd\\_dcus\\_nus\\_w.htm](https://www.eia.gov/dnav/pet/pet_pri_gnd_dcus_nus_w.htm).

<sup>3</sup> U.S. Bureau of Labor Statistics, "Employment, Hours, and Earnings from the Current Employment Statistics survey (National): All employees, thousands, truck transportation, seasonally adjusted" (accessed on October 7, 2024), <https://data.bls.gov/dataViewer/view/timeseries/CES4348400001>; Federal Motor Carrier Safety Administration, "Registration Statistics" (accessed on September 26, 2024), <https://ai.fmcsa.dot.gov/registrationstatistics/CustomReports>; David Taube, "'Still highly negative': Capacity attrition slows in Q2," *Trucking Dive* (July 12, 2024), <https://www.truckingdive.com/news/fmcsa-revocations-data-q2-2024/720780/>.

<sup>4</sup> U.S. Bureau of Economic Analysis, "Gross Domestic Product, Second Quarter 2024 (Third Estimate)" (September 26, 2024), <https://www.bea.gov/news/2024/gross-domestic-product-third-estimate-corporate-profits-revised-estimate-and-gdp-0>; U.S. Bureau of Labor Statistics, "Consumer Price Index Summary" (September 11, 2024), <https://www.bls.gov/news.release/cpi.nr0.htm>; U.S. Bureau of Economic Analysis, "Personal Income and Outlays, August 2024" (September 27, 2024), <https://www.bea.gov/news/2024/personal-income-and-outlays-august-2024>.

<sup>5</sup> U.S. Census Bureau, "Monthly New Residential Construction" (August 2023), <https://www.census.gov/construction/nrc/pdf/newresconst.pdf>; U.S. Federal Reserve, "Industrial Production and Capacity Utilization" (September 17, 2024), <https://www.federalreserve.gov/releases/g17/current/>.

<sup>6</sup> U.S. Census Bureau, "Advance Monthly Sales for Retail and Food Services" (September 17, 2024), [https://www.census.gov/retail/marts/www/marts\\_current.pdf](https://www.census.gov/retail/marts/www/marts_current.pdf).

<sup>7</sup> Rob Copeland, Joe Rennison, and Jeanna Smialek, "Will Lower Rates Unleash a Business Boom? It's Complicated," *New York Times* (September 17, 2024), <https://www.nytimes.com/2024/09/17/business/economy/fed-rate-cut-business-effects.html>.

in 2020.<sup>8</sup> Multiple high-profile nuclear verdicts shocked the industry, including verdicts of \$462 million and \$160 million against trailer-manufacturer Wabash and Daimler Truck respectively.<sup>9</sup> All this occurred despite preliminary data suggesting a decrease in large truck crashes for the second straight year in 2024.<sup>10</sup> New litigation reforms in numerous states gave cause for optimism, but the offsetting interference of third-party litigation financing grew.<sup>11</sup>

It was a year of many other new developments. The collapse of Baltimore's Francis Scott Key Bridge in March reminded Americans of the need for resilient infrastructure, while truck parking received substantial investment via the 2021 Infrastructure Investment and Jobs Act.<sup>12</sup> Issues like cargo theft and predatory towing received growing attention at the federal level.<sup>13</sup> As some industry groups ended their appeal of California's law enforcing narrower Independent Contractor (IC) classifications, others redoubled opposition to finalized rulemakings on Battery Electric Truck (BET) sales that are set to take effect for model-year 2027.<sup>14</sup> At the same time, a slate of new technologies such as Artificial Intelligence (AI) were introduced with the potential to change business and operations.<sup>15</sup>

For 20 years, the American Transportation Research Institute (ATRI) Top Industry Issues report has guided understanding of the most impactful challenges that face the American supply chain. ATRI's analysis has been utilized by the American Trucking Associations (ATA) and its federation partners in the 50 State Trucking Associations (STA) to advocate for trucking-favorable policies. This annual report is also utilized by federal and state Departments of Transportation (DOTs) to better inform decision-

---

<sup>8</sup> Alex Leslie and Dan Murray, "An Analysis of the Operational Costs of Trucking: 2024 Update (June 2024)," <https://truckingresearch.org/2024/06/an-analysis-of-the-operational-costs-of-trucking-2024-update/>

<sup>9</sup> Eric Miller, "Jury Issues \$462 Million Verdict Against Wabash After Crash," *Transport Topics* (September 9, 2024), <https://www.ttnews.com/articles/wabash-override-decision>; Eric Miller, "Jury Rules Against Daimler in \$160 Million Liability Verdict," *Transport Topics* (September 17, 2024), <https://www.ttnews.com/articles/daimler-nuclear-verdict-2024>.

<sup>10</sup> Federal Motor Carrier Safety Administration, "A&I Crash Statistics" (accessed on September 27, 2024), <https://ai.fmcsa.dot.gov/CrashStatistics>.

<sup>11</sup> Daniel Carson, "Indiana businesses win new protections from lawsuits," *Indiana Lawyer* (March 27, 2024), <https://www.theindianalawyer.com/articles/businesses-win-new-protections-from-lawsuits>; Noël Fletcher, "New West Virginia Law Countering Civil Suit Abuse Starts July 1," *Transport Topics* (April 11, 2024), <https://www.ttnews.com/articles/west-virginia-lawsuit-abuse>; Institute for Legal Reform, "What You Need to Know About Third Party Litigation Funding" (June 7, 2024), <https://instituteforlegalreform.com/what-you-need-to-know-about-third-party-litigation-funding/>.

<sup>12</sup> Lea Skene, "Baltimore bridge collapses after powerless cargo ship rams into support column; 6 presumed dead," *AP News* (March 26, 2024), <https://apnews.com/article/baltimore-bridge-collapse-53169b379820032f832de4016c655d1b>; Jenna Hume, "Feds to fund \$300M in truck parking improvements," *Fleet Owner* (January 29, 2024), <https://www.fleetowner.com/news/article/21281636/feds-to-fund-300m-in-truck-parking-improvements>.

<sup>13</sup> "Safeguarding Our Supply Chains Act," H.R.8834, 118th Congress (2024), <https://www.transportation.gov/briefing-room/usdot-supports-strong-protections-truckers-against-predatory-towing-junk-fees>; U.S. Department of Transportation, "USDOT Supports Strong Protections for Truckers Against Predatory Towing Junk Fees" (February 7, 2024), <https://www.transportation.gov/briefing-room/usdot-supports-strong-protections-truckers-against-predatory-towing-junk-fees>.

<sup>14</sup> John Kingston, "End of an era: California Trucking Association dropping appeal against AB5," *FreightWaves* (August 22, 2024), <https://www.freightwaves.com/news/end-of-an-era-california-trucking-association-dropping-appeal-against-ab5>; Rachel Frazin, "Biden administration issues rule likely to push US heavy-duty truck fleet toward EVs," *The Hill* (March 29, 2024), <https://thehill.com/policy/energy-environment/4562846-biden-administration-issues-rule-making-more-heavy-duty-trucks-electric/>.

<sup>15</sup> Seth Clevenger, "A New Wave of AI Is Coming to Trucking," *Transport Topics* (May 24, 2024), <https://www.ttnews.com/articles/new-wave-ai-coming-trucking>.

making, by motor carriers to monitor driver concerns, and by industry suppliers to develop new market resources.

## **Methodology**

ATRI's 2024 Top Industry Issues (TII) report relied on a robust data collection initiative. A comprehensive list of issues and related counterstrategies were initially identified in collaboration with multiple freight stakeholder groups. Several 2024 issues also generated from the preponderance of write-in responses in the 2023 survey. Additionally, issues in the 2023 survey that received a limited number of votes (<150) were removed from the 2024 survey.

ATRI then conducted a large-scale survey distribution using its own contact database (36,000+ contacts), ATRI's Sirius/XM radio show, major trucking industry trade press, truck driver groups and through the 50 State Trucking Associations. The 2024 survey launched August 26, 2024, and remained open for responses through September 27, 2024.

Following its standard methodology, the 2024 survey asked respondents to select their top three choices from a list of 26 critical issues, and subsequently rank their top three preferred strategies that correspond to each selected issue. Write-in responses were allowed for both the top issues and the strategies.

ATRI then developed the Top 10 list using a formula that assigned weighted values to respondents' rankings of issues facing the industry. An issue ranked by a respondent as most important received three points, while an issue ranked second received two points and an issue ranked third received one point.

The sum total of points for each issue generated the prioritized list of top industry concerns. For example, the number one issue was the one receiving the highest number of points. Additionally, the analysis utilized an Industry Concern Index (ICI) to illustrate the relative level of concern from one issue to the next. The top-ranked issue received an ICI of 100 against which all other issues were indexed. Therefore, an issue with an ICI of 50 has half the level of concern as the top issue, based on points received.

Each respondent could rank three strategies, pre-identified by the freight stakeholder collaboration previously mentioned, that best address each of their top three issues. The percentage of respondents selecting each strategy as their number one choice generated the strategy ranking.

Over 3,700 industry stakeholders across North America weighed in with their opinions on the most important issues affecting the trucking industry and the broader supply chain.

The 2024 TII respondents represented motor carrier executives and personnel (45.9%), professional truck drivers (31.3%) and other industry stakeholders (22.8%), including industry suppliers, driver trainers, and law enforcement. In addition to providing an overall ranking, this report includes separate Top 10 lists for both commercial driver and

motor carrier respondents. It also includes a breakout of the top concerns by company drivers and owner-operators / independent contractors. This year's analysis also provides a breakout of the top concerns as identified by motor carrier enforcement personnel.

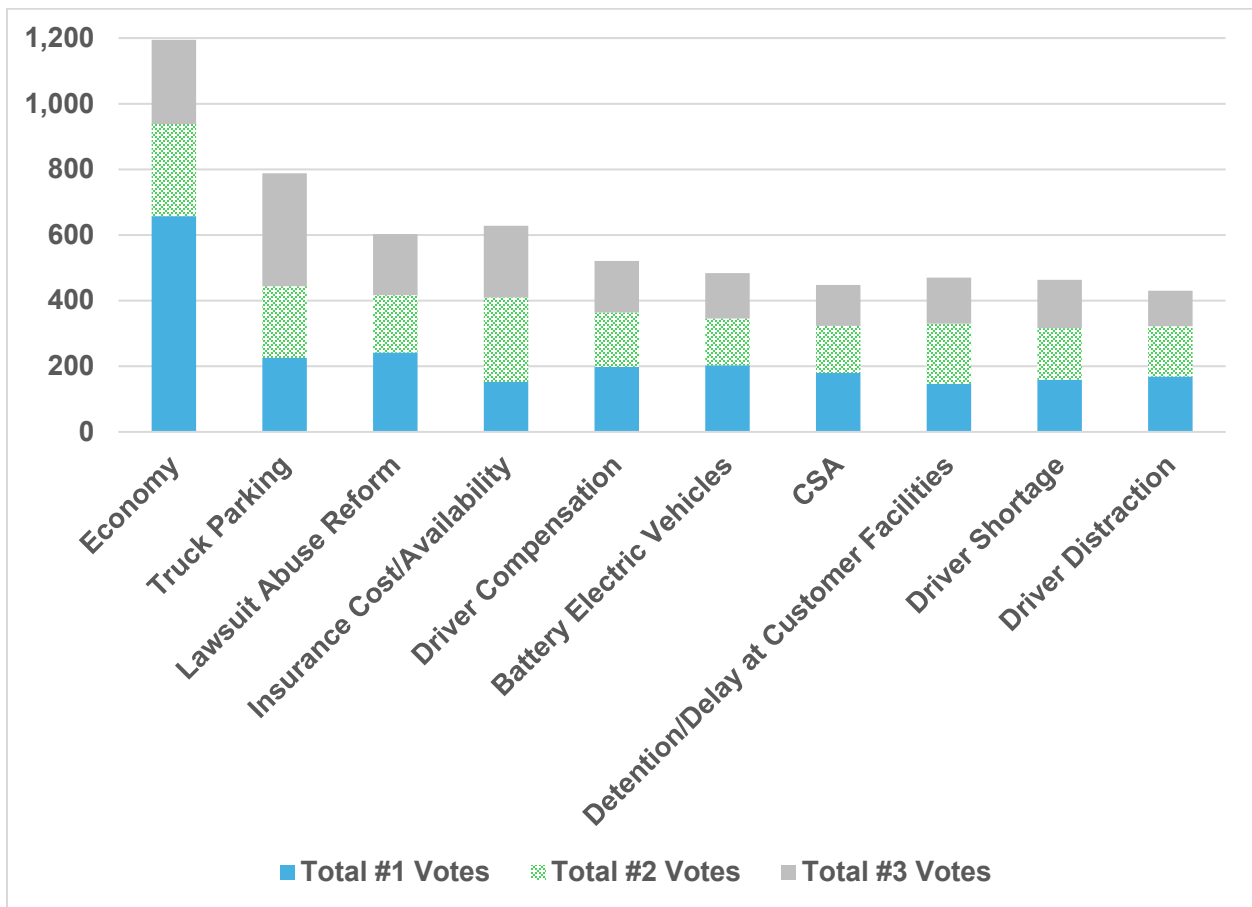
This report presents the findings of the 2024 annual survey and analysis and compares the findings of previous years' results (Table 5) – providing insight into both the ongoing and emerging priorities of the trucking industry.

## The Top 10 Trucking Industry Issues

Across all respondents, the **Economy** was once again selected as the top industry concern. The lack of available **Truck Parking** maintained its position as the second-ranked issue, followed by **Lawsuit Abuse Reform**. Closely related to Lawsuit Abuse Reform, **Insurance Cost/Availability** rose eight spots this year to be the fourth overall concern. Rounding out the top five once again this year was **Driver Compensation** (Figure 1).

**Battery Electric Vehicles**, which first appeared in the 2023 survey as a top concern (as Zero Emission Vehicles), rose four spots this year to rank 6<sup>th</sup> overall. Concern over the Federal Motor Carrier Safety Administration (FMCSA) safety measurement system, Compliance Safety Accountability (**CSA**) moved back into the top 10 this year after dropping off in 2023.

**Figure 1: Distribution of Industry Issue Prioritization Scores\***



\*The bars reflect total points from first, second and third place rankings. Issues that generate more second and third place rankings may appear to have a higher ranking than preceding issues.



## 1. Economy

Ranked 1 <sup>st</sup> 17.9%	Ranked 2 <sup>nd</sup> 7.9%	Ranked 3 <sup>rd</sup> 7.2%	Total Share 32.6%	<b>Industry Concern Index</b> <b>100</b>
---------------------------------	--------------------------------	--------------------------------	----------------------	---

For the second year in a row, concern over the state of the nation’s Economy was the top-ranked industry issue. The combined impacts of rising operational costs with the lingering freight recession and declining freight rates put the Economy as a top concern for motor carriers and drivers alike (Table 2). ATRI’s annual *Operational Costs of Trucking* research documented industry cost increases of over 22 percent over the past two years – resulting in the highest recorded costs in the research’s 16-year history.<sup>16</sup>

There are a number of economic uncertainties for the remainder of the year including the fallout from the 3-day International Longshoremen’s Association (ILA) strike at east coast ports, the November presidential election, and the significant impacts from Hurricane Helene and Hurricane Milton.<sup>17</sup>

### Proposed Strategies (in rank order):

a) *Identify and promote reforming / repealing ineffective and burdensome regulations that increase industry costs without providing benefits.* 51.2 percent of respondents believe the best strategy for mitigating the negative impacts of the Economy is to lessen the industry’s regulatory burden. Given the rise in ranking in this year’s survey of concern over Battery Electric Vehicles (from 10 to 6), some of this focus is likely directed at the aggressive timelines for transitioning the nation’s car and truck fleet to zero emission vehicles. Research has estimated costs of over \$1 trillion to build out the infrastructure needed to power electric trucks, while the costs of purchasing battery electric trucks to replace Class 8 trucks purchased in 2022 is estimated to be over \$116 billion.<sup>18</sup>

b) *Push for renewing the 2017 federal income and corporate tax cuts that are set to expire in 2025.* Reducing economic pressures through tax relief is the preferred strategy of 30.7 percent of respondents. The Tax Cut and Jobs Act (TCJA) was signed into law by then-President Trump in 2017, and among its provisions was a reduction of the corporate tax rate from 39 to 21 percent.<sup>19</sup> The TCJA is set to expire in 2025 and

<sup>16</sup> Alex Leslie and Dan Murray, An Analysis of the Operational Costs of Trucking: 2024 Update, American Transportation Research Institute (June 2024), <https://truckingresearch.org/2024/06/an-analysis-of-the-operational-costs-of-trucking-2024-update/>

<sup>17</sup> Marina Mayer, “Port Strike Deadline Looms. What’s at Stake?” Food Logistics (September 29, 2024), <https://www.foodlogistics.com/transportation/ocean-ports-carriers/article/22921748/port-strike-deadline-looms-whats-at-stake>; Alex Sundby, Tom Hanson, Brian Dakss, David Yeomans, “Helene death toll tops 100 as Southeast digs out from storm’s devastation”, CBS News (September 30, 2024), <https://www.cbsnews.com/news/hurricane-helene-path-florida/>

<sup>18</sup> Connor D. Wolf, “Electrifying Trucking: \$1 Trillion Needed for Infrastructure,” *Transport Topics* (March 19, 2024), <https://www.ttnews.com/articles/clean-freight-coalition-report>; Jeffrey Short, *Renewable Diesel – A Catalyst for Decarbonization*, American Transportation Research Institute (April 2024), <https://truckingresearch.org/2024/04/renewable-diesel-a-catalyst-for-decarbonization/>

<sup>19</sup> Nicholas Sargen, “A practical case for extending Trump’s corporate tax cuts”, *The Hill* (May 10, 2024), <https://thehill.com/opinion/finance/4653883-a-practical-case-for-extending-trumps-corporate-tax-cuts/>

maintaining those tax rate reductions is largely dependent on the outcome of the November 2024 elections.

c) *Advocate for re-shoring and near-shoring of equipment and parts manufacturing to reduce reliance on international supply chains.* Just over 10 percent of respondents believe that the best approach for improving economic conditions is to reduce reliance on equipment and parts sourced outside of North America. Originally driven by the significant disruptions to the international supply chain during COVID-19 and later due to geopolitical tensions, there has been increased reliance on the part of manufacturers on sourcing materials within and closer to the U.S., which also reduces or eliminates maritime transportation costs.<sup>20</sup>

---

<sup>20</sup> Jim Kilpatrick et. al., “Restructuring the supply base: Prioritizing a resilient, yet efficient supply chain”, Deloitte (May 23, 2024), <https://www2.deloitte.com/us/en/insights/industry/manufacturing/global-supply-chain-resilience-amid-disruptions.html>

## 2. Truck Parking

Ranked 1 <sup>st</sup> 6.1%	Ranked 2 <sup>nd</sup> 6.2%	Ranked 3 <sup>rd</sup> 9.7%	Total Share 21.5%	<b>Industry Concern Index</b> <b>52.2</b>
--------------------------------	--------------------------------	--------------------------------	----------------------	--

For the second year in a row, the lack of available Truck Parking is the second highest industry concern overall, and among truck drivers, it returns to the number one concern (Table 2). Earlier this year the U.S. Department of Transportation awarded over \$292 million in grants to expand truck parking capacity in three states and to deploy a regional Truck Parking Information System (TPIMS) along I-5 in Washington, Oregon and California.<sup>21</sup> ATRI’s Research Advisory Committee (RAC) identified expansion of truck parking at public rest areas as a top research priority in 2023, and ATRI is currently collaborating with the American Association of State Highway and Transportation Officials (AASHTO) on that research.<sup>22</sup>

### Proposed Strategies (in rank order):

a) *Advocate for a dedicated federal funding program to increase truck parking capacity at freight-critical locations.* A plurality of respondents (35.4%) believe that a dedicated federal funding source is the best strategy for addressing this perennial industry challenge. Trucking industry groups continue to lobby Congress to pass the bipartisan Truck Parking Safety Improvement Act, which would provide \$755 million to expand parking capacity across the U.S.<sup>23</sup> A funding source dedicated to truck parking would not force state DOTs to prioritize truck parking over other infrastructure improvements in their applications for federal funds, as is now the case.

b) *Encourage local and regional governments to reduce the regulatory burdens limiting the construction and expansion of truck parking facilities.* A number of factors at the local and regional level make it challenging for the siting and/or expansion of private-sector parking projects. These include purchasing right-of-way and facility maintenance costs (particularly in major metropolitan areas), noise and lighting abatement regulations, and in some instances, limitations on the number of trucks that can park in an area or complete bans on truck parking.<sup>24</sup> Encouraging the elimination of these regulatory hurdles and potentially identifying new truck parking at the local and regional levels is the preferred strategy of 27.4 percent of respondents.

c) *Support state Department of Transportation applications for U.S. DOT grants to expand truck parking.* Until Congress establishes a dedicated federal source of funding for truck parking, states will need to apply for parking capacity expansion resources

<sup>21</sup> Noel Fletcher, “USDOT Gives Truck Parking Projects \$292 Million in Grants”, *Transport Topics* (January 25, 2024), <https://www.ttnews.com/articles/usdot-truck-parking-projects>

<sup>22</sup> ATRI, “ATRI Releases New Research Priorities for 2023” (May 8, 2023), <https://truckingresearch.org/2023/05/atri-releases-new-research-priorities-for-2023/>

<sup>23</sup> John Worthen, “Industry awaits next move on proposed legislation to improve truck parking in the US,” *The Trucker* (May 7, 2024), <https://www.thetrucker.com/trucking-news/truckload-authority/government-affairs/industry-awaits-next-move-on-proposed-legislation-to-improve-truck-parking-in-the-us>

<sup>24</sup> Wimberly Patton, “San Antonio to discuss displacing 1000s of trucks with parking ban,” *CDLLife* (May 15, 2024), <https://cdllife.com/2024/san-antonio-to-discuss-displacing-1000s-of-trucks-with-parking-ban/>

through one of several U.S. DOT infrastructure investment programs. The American Trucking Associations' (ATA) Law Enforcement Advisory Board (LEAB) sent letters to the governors and state DOT directors of all 50 states encouraging their applications for federal truck parking resources from programs such as the National Highway Performance Program, the Highway Safety Improvement Program and the National Highway Freight Program.<sup>25</sup> Continued industry support for these state applications for U.S. DOT funding is the preferred strategy of 26.6 percent of respondents.

---

<sup>25</sup> ATA, "Trucking Law Enforcement Group Urges States to Address Truck Parking Shortage" (October 11, 2022), <https://www.trucking.org/news-insights/trucking-law-enforcement-group-urges-states-address-truck-parking-shortage>

### 3. Lawsuit Abuse Reform

Ranked 1 <sup>st</sup> 6.6%	Ranked 2 <sup>nd</sup> 4.9%	Ranked 3 <sup>rd</sup> 5.2%	Total Share 16.4%	<b>Industry Concern Index</b> <b>45.2</b>
--------------------------------	--------------------------------	--------------------------------	----------------------	--

As the third-ranked industry concern, Lawsuit Abuse Reform has now reached its highest ranking in the 20-year history of the Top Industry Issues Survey. Among motor carrier respondents, it ranks as the number two concern after the Economy (Table 2). Additionally, Lawsuit Abuse Reform (previously Tort Reform) is one of three issues, along with the Driver Shortage and Insurance Cost/Availability, that were ranked as Top 10 concerns in the inaugural Top Industry Issues Survey in 2005 and still remain today. Lawsuit Abuse Reform and Insurance Cost/Availability are inextricably linked, as ATRI research has documented the impact of growing legal verdicts and settlements against the industry and the resulting impact on commercial auto insurance premiums.<sup>26</sup>

Proposed Strategies (in rank order):

a) *Promote state-level reform to cap damages paid to plaintiffs in truck-involved crashes.* State-level reform to put limits on the amounts that can be awarded to plaintiffs for non-economic damages is the preferred strategy of the majority (64.8%) of respondents. Recent wins in states such as West Virginia demonstrate the fact that state legislators understand the need to limit non-economic damages. However, legislation passed in Wisconsin to do the same was ultimately vetoed by Governor Evers, indicating that the industry’s work at the state-level is far from complete.<sup>27</sup>

b) *Advocate for elimination of “phantom” damages.* 19.6 percent of respondents believe that the best approach for reducing lawsuit abuse is to eliminate phantom damages. These “damages” represent the delta between medical costs that a defendant is billed for versus the actual medical costs incurred and paid, often resulting in a non-compensatory windfall for the plaintiff and plaintiff’s attorney. Georgia has earned the reputation as the state most in need of judicial reform, in part due to the courts’ allowance of significantly inflated medical bills.<sup>28</sup>

c) *Quantify the impact of third-party litigation financing on trial outcomes.* 11.3 percent of respondents believe the best approach for addressing lawsuit abuse is to quantify the impact of third-party financing, a practice that is growing in the U.S.<sup>29</sup> Third-party

<sup>26</sup> Dan Murray, Nathan Williams, and Erin Speltz, *Understanding the Impact of Nuclear Verdicts on the Trucking Industry*, American Transportation Research Institute (June 2020), <https://truckingresearch.org/2020/06/understanding-the-impact-of-nuclear-verdicts-on-the-trucking-industry/>; Alex Leslie and Dan Murray, *The Impact of Rising Insurance Costs on the Trucking Industry*, American Transportation Research Institute (February 2022), <https://truckingresearch.org/2022/02/the-impact-of-rising-insurancecosts-on-the-trucking-industry/>

<sup>27</sup> John Worthen, “Battle to pass legislation limiting nuclear verdicts continues at the state level”, *The Trucker* (May 7, 2024), <https://www.thetrucker.com/trucking-news/truckload-authority/government-affairs/battle-to-pass-legislation-limiting-nuclear-verdicts-continues-at-the-state-level>

<sup>28</sup> ATR Foundation, *Judicial Hellholes 2023-2024*, (December 5, 2023), <https://www.judicialhellholes.org/reports/2023-2024/2023-2024-executive-summary/>

<sup>29</sup> U.S. Government Accountability Office, *GAO Highlights: Third-Party Litigation Financing* (December, 2022), <https://www.gao.gov/assets/gao-23-105210-highlights.pdf>

litigation financing is used to provide front-end capital for plaintiffs' cases to cover items like accident reconstruction, expert witnesses, focus groups and other litigation tools. The financing is typically provided on a contingency basis and is repaid out of a judgement or out-of-court settlement favoring the plaintiff.

#### 4. Insurance Cost/Availability

Ranked 1 <sup>st</sup> 4.1%	Ranked 2 <sup>nd</sup> 7.3%	Ranked 3 <sup>rd</sup> 6.1%	Total Share 17.1%	<b>Industry Concern Index</b> <b>42.7</b>
--------------------------------	--------------------------------	--------------------------------	----------------------	--

Insurance Cost and Availability ranked as a top 10 issue overall in the inaugural survey (2005) and most recently was in the top 10 in 2021. However, since 2021, ATRI research has documented continuing increases in truck insurance premiums paid by motor carriers.<sup>30</sup> As described above, the increase in premiums is driven in part by the losses incurred by insurers resulting from excessive litigation. In this year’s survey, just 25 votes separated Lawsuit Abuse Reform and Insurance Cost/Availability, further demonstrating the intricate link between the two.

Proposed Strategies (in rank order):

a) *Develop a framework for potential upfront insurance premium reductions when drivers and carriers adopt proven safety technologies.* The trucking industry expends \$14 billion annually in safety improvements, including investments in technology and training.<sup>31</sup> Identifying a way to quantify the value of those investments and secure commensurate reductions in upfront insurance premiums is the preferred strategy of 42.5 percent of respondents.

b) *Educate the public on the role of lawsuit abuse in increasing consumer prices and insurance costs.* While trucking industry stakeholders understand the nexus between lawsuit abuse and rising insurance rates, the general public is less informed on how large jury verdicts against trucking fleets have an inflationary impact on consumer prices.<sup>32</sup> A campaign to connect those dots for consumers is the preferred strategy of 37.9 percent of respondents.

c) *Research trends in carrier safety management practices and their impact on insurance premium costs.* 10 percent of respondents believe that the best approach for reducing insurance costs is research to quantify which safety management practices have the greatest impact on insurance premiums. Fleets are increasingly deploying advanced driver assistance systems (ADAS), and improved driver training to reduce their crash risk.<sup>33</sup> Research has also shown that fleets that belong to state and national trucking associations have better safety records than their peers who have never joined

<sup>30</sup> Alex Leslie and Dan Murray, *An Analysis of the Operational Costs of Trucking: 2024 Update*, American Transportation Research Institute (June 2024), <https://truckingresearch.org/2024/06/an-analysis-of-the-operational-costs-of-trucking-2024-update/>

<sup>31</sup> ATA, “New Study Underlines Trucking Industry’s Commitment to Safety,” (December 11, 2023), <https://www.trucking.org/news-insights/new-study-underlines-trucking-industrys-commitment-safety#:~:text=According%20to%20ATA%27s%20Safety%20Spend,full%20breadth%20of%20the%20industry.>

<sup>32</sup> Kendra Hems, “Third-party financing for litigation is killing NY’s trucking businesses. Albany must act” *Democrat and Chronicle* (September 5, 2024), <https://www.democratandchronicle.com/story/opinion/2024/09/05/third-party-financing-for-litigation-is-killing-nys-trucking-businesses-albany-must-act/74997575007/>

<sup>33</sup> Scott Keith, “How carriers can best manage insurance costs and risks in 2024”, *Fleet Owner* (November 27, 2023), <https://www.fleetowner.com/operations/article/21277868/how-carriers-can-best-manage-insurance-costs-and-risks-in-2024>

an industry association.<sup>34</sup> That same research proposed potential insurance premium reductions for fleets that are members of industry associations.

---

<sup>34</sup> Abigail Markus and Dan Murray, *Membership Counts: Associations with Safety*, American Transportation Research Institute (August 2023), <https://truckingresearch.org/2023/08/membership-counts-associations-with-safety/>.



## 5. Driver Compensation

Ranked 1 <sup>st</sup> 5.4%	Ranked 2 <sup>nd</sup> 4.7%	Ranked 3 <sup>rd</sup> 4.4%	Total Share 14.2%	<b>Industry Concern Index</b> <b>38.8</b>
--------------------------------	--------------------------------	--------------------------------	----------------------	--

Driver Compensation retained its number five ranking in this year’s survey, and among truck drivers, ranked second overall (Table 2). While data from ATRI’s 2024 *Operational Costs of Trucking* research showed that overall driver wages increased 7.6 percent over the previous year, those increases were not uniform across the industry. Among the smallest truckload fleets (<26 trucks), there was a slight dip in driver wages year over year, likely the result of those fleets experiencing the largest impact from lower freight rates associated with the spot rate market.<sup>35</sup>

### Proposed Strategies (in rank order):

a) *Quantify the economic impact of compensating truck drivers for all hours worked, including detention time and congestion delays.* 43.4 percent of all respondents believe that quantifying the economic impact of compensating truck drivers for all hours worked is the preferred approach to Driver Compensation. Among truck driver respondents, this strategy received more than twice as many votes as the other strategies and continues to be a write-in strategy among drivers. ATRI’s newest research on detention found that total lost driver productivity attributable to detention in 2023 was 135.9 million hours, underscoring how impactful detention is on drivers’ compensation.<sup>36</sup>

b) *Analyze truck driver compensation models and their relationship to driver satisfaction and productivity.* The trucking industry relies on a number of different compensation models including per-mile, per-hour, per-load, and percentage of revenue, among others. Understanding how compensation methods relate to driver satisfaction and productivity is the preferred strategy of 30.1 percent of respondents. Drivers routinely list compensation as one of their top metrics for improving their job satisfaction, but it is not the only thing that truck drivers are looking for from their employer.<sup>37</sup> ATRI research found that the smallest fleets (<26 trucks) have lower turnover rates than their larger counterparts whose driver compensation is typically higher than small fleets.<sup>38</sup>

c) *Research and prioritize the effectiveness of carrier programs that financially incentivize drivers for retention, safety performance, and fuel economy.* ATRI’s latest *Operational Costs of Trucking* found that fleets are offering average annual bonuses of

<sup>35</sup> Alex Leslie and Dan Murray, *An Analysis of the Operational Costs of Trucking: 2024 Update*, American Transportation Research Institute (June 2024), <https://truckingresearch.org/2024/06/new-atr-research-industry-costs-increased-more-than-6-percent-during-freight-recession/>

<sup>36</sup> Alex Leslie and Dan Murray, *Costs and Consequences of Truck Driver Detention: A Comprehensive Analysis*, American Transportation Research Institute (September 2024), <https://truckingresearch.org/2024/09/costs-and-consequences-of-truck-driver-detention-a-comprehensive-analysis/>

<sup>37</sup> Jade Brasher, “Survey finds only half of truck drivers are happy”, *Fleet Owner* (November 14, 2023), <https://www.fleetowner.com/operations/article/21277339/a-survey-found-that-only-half-of-the-trucking-industrys-drivers-are-happy>

<sup>38</sup> Alex Leslie and Dan Murray, *An Analysis of the Operational Costs of Trucking: 2024 Update*, American Transportation Research Institute (June 2024), <https://truckingresearch.org/2024/06/new-atr-research-industry-costs-increased-more-than-6-percent-during-freight-recession/>

\$1,200+ to drivers for starting, retention, referral, and safety performance bonuses. Safety bonuses were among the highest at \$1,831 per driver on average.<sup>39</sup> Studying the efficacy of bonus programs for rewarding drivers is the recommended strategy of 16.9 percent of respondents.

---

<sup>39</sup> Ibid.

## 6. Battery Electric Vehicles

Ranked 1 <sup>st</sup> 5.5%	Ranked 2 <sup>nd</sup> 4.0%	Ranked 3 <sup>rd</sup> 3.9%	Total Share 13.2%	<b>Industry Concern Index</b> <b>37.0</b>
--------------------------------	--------------------------------	--------------------------------	----------------------	--

For the second year in a row, the challenges associated with the aggressive mandates and timelines for electrifying the nation’s large truck fleet has put Battery Electric Vehicles (BEV) in the industry’s top 10, this year moving up four spots to number six. ATRI research has documented a number of these challenges, from vehicle costs to the number of additional BEV trucks that would be required to haul the same amount of freight.<sup>40</sup> The industry is strongly committed to reducing its environmental footprint, and the data illustrates how successful those efforts have been thus far, with emissions from new trucks reduced by more than 98 percent over the last 3+ decades.<sup>41</sup> Research has also shown that there are alternatives to vehicle electrification that achieve greater carbon reductions while costing significantly less than purchasing all new BEV.<sup>42</sup>

### Proposed Strategies (in rank order):

a) *Quantify the charging infrastructure availability and/or requirements and subsequent supply chain costs of battery electric truck mandates.* ATRI research quantified a transition to BEV for long-haul trucking would cost over \$1 trillion in electric infrastructure and vehicle purchase costs over 15 years.<sup>43</sup> The vehicle costs alone are estimated to be over \$594 billion and in an industry with extremely low margins, those additional costs will be passed on to consumers as higher prices on all goods. Quantifying those supply chain costs is the preferred strategy of 47.3 percent of respondents.

b) *Research the impacts of battery-electric vehicles on transportation infrastructure, crash response and first responder safety.* 26.7 percent of respondents believe the best approach for addressing BEV concerns is to quantify the impact of these heavier vehicles on roadways, when involved in crashes, and for ensuring first responder safety. Recent crashes demonstrate why this is such a critical piece of understanding what full vehicle electrification means. A Tesla truck crash in California required more than 1 million gallons of water and shut down an interstate for 16 hours, prompting calls from lawmakers to slow the state’s electric vehicle mandates.<sup>44</sup>

<sup>40</sup> Jeffrey Short and Danielle Crownover, *Understanding the CO2 Impacts of Zero-Emission Trucks: A Comparative Life-Cycle Analysis of Battery Electric, Hydrogen Fuel Cell and Traditional Diesel Trucks*, American Transportation Research Institute (May 2022), <https://truckingresearch.org/2022/05/understanding-the-co2-impacts-of-zero-emission-trucks/>; ATRI, *Is California Ready for an Electric Vehicle Future?* (December 2023), <https://truckingresearch.org/2023/12/is-california-ready-for-an-electric-vehicle-future-one-page-analysis/>

<sup>41</sup> Deborah Lockridge, “Why Sustainability Matters for Trucking Success”, *Truckinginfo* (May 10, 2024), <https://www.truckinginfo.com/10220676/why-sustainability-matters-for-trucking-success>

<sup>42</sup> Jeffrey Short, *Renewable Diesel – A Catalyst for Decarbonization*, American Transportation Research Institute (April 2024), <https://truckingresearch.org/2024/04/renewable-diesel-a-catalyst-for-decarbonization/>

<sup>43</sup> Ibid.

<sup>44</sup> Evan Symon, “NTSB To Investigate EV Truck Crash, Battery Fire That Shut Down I-80 For Nearly a Day”, *California Globe* (August 22, 2024), <https://californiaglobe.com/fr/ntsb-to-investigate-ev-truck-crash-battery-fire-that-shut-down-i-80-for-nearly-a-day/>

c) *Assess the potential of a Federal Excise Tax (FET) repeal for encouraging fleet investment in newer, more energy-efficient equipment.* 14.5 percent of respondents believe that the best approach for addressing Battery Electric Vehicles is to understand how a repeal of the FET would impact both the Federal Highway Trust Fund and the industry's investment in more fuel-efficient trucks that can leverage advanced safety systems.<sup>45</sup> ATRI's RAC identified a cost-benefit analysis of the FET as a top research priority for 2024, and that research is underway.<sup>46</sup>

---

<sup>45</sup> David Bell, "Repeal the Federal Excise Tax on New Heavy-Duty Trucks – Cosponsor H.R. 1440/S. 694", *National Automobile Dealers Association* (June 11, 2024), <https://www.nada.org/legislative/atd-legislative-affairs-fet-issue-page-promote-transition-cleaner-greener-and-safer>

<sup>46</sup> ATRI, "ATRI Releases New Research Priorities for 2024" (May 28, 2024), <https://truckingresearch.org/2024/05/atri-releases-new-research-priorities-for-2024/>

## 7. Compliance Safety Accountability (CSA)

Ranked 1 <sup>st</sup> 4.9%	Ranked 2 <sup>nd</sup> 4.0%	Ranked 3 <sup>rd</sup> 3.5%	Total Share 12.2%	<b>Industry Concern Index</b> <b>34.1</b>
--------------------------------	--------------------------------	--------------------------------	----------------------	--

Compliance Safety Accountability – FMCSA’s safety measurement system – is once again in the top 10 after dropping off last year, this year ranking seventh overall. Fourteen years after CSA was first implemented by FMCSA – despite numerous updates and changes to the scoring methodologies – motor carriers still have concerns with how their safety performance is evaluated and scored by the agency.

### Proposed Strategies (in rank order):

a) *Work with FMCSA to update its carrier prioritization methodology, improve its accuracy, and enhance transparency in CSA.* In February 2023, FMCSA published a number of proposed updates and changes to CSA, its Safety Measurement System (SMS).<sup>47</sup> While generally supportive of the proposed changes, the industry did highlight some continued concerns in federal docket comments, and 32.8 percent of respondents believe that the industry should continue to work collaboratively with FMCSA to make improvements to CSA.

b) *Encourage FMCSA to review and address enforcement disparities / geographic variations in enforcement between states and local jurisdictions that impact CSA scores, which may unfairly penalize carriers based solely on where they operate.* ATRI research in 2014 found that normalizing state enforcement disparities would impact individual carrier safety scores anywhere from a 17.7 point decrease to a 12.2 point increase from the actual scores reported by the SMS.<sup>48</sup> 31 percent of respondents believe that accounting for these state enforcement disparities in the CSA methodology is the best approach for improving its evaluation of carrier safety performance.

c) *Advocate for FMCSA to speed up the DataQ process by improving internal processes for reviewing Request for Data Reviews (RDRs).* 21.2 percent of respondents believe that the best strategy for improving CSA is to ensure that FMCSA processes for reviewing carrier data requests operate as efficiently – and quickly – as possible. This is particularly important for data reviews as part of the Crash Preventability Determination Program (CPDP), where favorable decisions on crash non-preventability remove those crashes from a carrier’s score calculation.<sup>49</sup>

<sup>47</sup> Federal Motor Carrier Safety Administration, “Carrier Safety Measurement System,” (accessed October 6, 2024), <https://www.regulations.gov/document/FMCSA-2022-0066-0012>

<sup>48</sup> Amanda Weber and Dan Murray, *Evaluating the Impact of Commercial Motor Vehicle Enforcement Disparities on Carrier Safety Performance*, American Transportation Research Institute (July 2014), <https://truckingresearch.org/2014/07/evaluating-the-impact-of-commercial-motor-vehicle-enforcement-disparities-on-carrier-safety-performance/>

<sup>49</sup> Todd Dills, “Don’t play ‘badminton in the dark’ in the Compliance Game: Truckers’ nonpreventable-crash DataQs of Utmost Importance”, *Overdrive* (January 22, 2024), <https://www.overdriveonline.com/overdrive-radio/podcast/15662452/truckers-nonpreventablecrash-dataqs-of-utmost-importance>

## 8. Detention/Delay at Customer Facilities

Ranked 1 <sup>st</sup> 4.0%	Ranked 2 <sup>nd</sup> 5.2%	Ranked 3 <sup>rd</sup> 3.9%	Total Share 12.8%	<b>Industry Concern Index</b> <b>33.9</b>
--------------------------------	--------------------------------	--------------------------------	----------------------	--

Detention/Delay at Customer Facilities first appeared in the Top 10 list in 2019 as the number 4 issue overall. Since that time, it has dropped in ranking, but this year is up one spot from number 9 in 2023 to number 8 (Table 5). ATRI’s latest detention research found that the industry lost 135.9 million hours of driver productivity in 2023, resulting in over \$11 billion of lost revenue for the industry. Detention also poses a safety risk; that same ATRI study found that detained drivers drove 14.6 percent faster than drivers who were not detained.<sup>50</sup>

### Proposed Strategies (in rank order):

a) *Advocate for guaranteed detention pay after a truck driver is detained for one hour or more at customer facilities.* The majority of respondents (63.6%) believe that the best solution for detention is to guarantee driver pay when detained more than one hour. ATRI’s research found that driver detention occurred in 39.3 percent of all stops at customer facilities in 2023. In the refrigerated sector alone, detention occurred in over 56 percent of stops in 2023. Across all sectors, one in ten stops – 9.9 percent – had more than two hours of detention time in 2023.<sup>51</sup>

b) *Support legislation to require customer facilities to provide restroom access to drivers.* ATRI research found that 39.1 percent of women drivers and 23.1 percent of men truck drivers reported having limited to no access to restroom facilities on a daily basis.<sup>52</sup> Though it seems unthinkable in today’s world that legislation would be required to provide restroom access to workers, such legislation has been needed at the state and federal levels to require restroom access for truck drivers.<sup>53</sup> 14 percent of respondents believe that supporting these legislative initiatives is the preferred strategy for mitigating detention impacts.

c) *Educate customers on the need to provide safe, onsite truck parking when drivers are detained beyond two hours.* Truck driver respondents in ATRI’s latest detention research reported that an average of 50 percent of customer facilities do not allow drivers to park in the facility while waiting to load or unload. This leads to drivers having to park in undesignated or potentially unsafe areas elsewhere, as well as lose additional productivity traveling to and from the customer facility. Outreach to customers on the importance of providing safe, onsite parking for drivers is the preferred strategy of 11.7 percent of respondents.

<sup>50</sup> Alex Leslie and Dan Murray, *Costs and Consequences of Truck Driver Detention: A Comprehensive Analysis*, American Transportation Research Institute (September 2024), <https://truckingresearch.org/2024/09/costs-and-consequences-of-truck-driver-detention-a-comprehensive-analysis/>

<sup>51</sup> Ibid.

<sup>52</sup> Abbigail Huffman and Alexandra Shirk, *Identifying and Mitigating the Challenges Faced by Women Truck Drivers*, American Transportation Research Institute (June 2024), <https://truckingresearch.org/2024/06/new-atr-research-identifies-strategies-for-mitigating-women-truck-driver-challenges/>

<sup>53</sup> John Worthen, “Trucker Bathroom Access Act gains new supporters,” *The Trucker* (February 16, 2024), <https://www.thetrucker.com/trucking-news/the-nation/trucker-bathroom-access-act-gains-new-supporters>

## 9. Driver Shortage

Ranked 1 <sup>st</sup> 4.3%	Ranked 2 <sup>nd</sup> 4.4%	Ranked 3 <sup>rd</sup> 4.1%	Total Share 12.6%	<b>Industry Concern Index</b> <b>33.6</b>
--------------------------------	--------------------------------	--------------------------------	----------------------	--

This year marks the lowest ranking of the Driver Shortage in the 20-year history of the Top Industry Issues Survey. Coming in at 9<sup>th</sup> overall, the challenges in finding qualified drivers have a) been eclipsed by more pressing economic and regulatory issues, and b) are temporarily less dire as a result of the continuing freight recession.<sup>54</sup> The number of drivers needed is currently estimated at 60,000 but will increase as freight demand returns and as aging drivers continue to retire.<sup>55</sup>

### Proposed Strategies (in rank order):

a) *Examine potential new pathways into truck driving careers for under-represented populations including military veterans, inner city youth, young adults aging out of foster care, and formerly incarcerated individuals, among others.* The preferred strategy of 34.1 percent of respondents is to identify new labor pools from which to recruit drivers. This strategy aligns with the top research priority for 2024 identified by ATRI’s RAC to quantify changing driver demographics and explore new career pathways into trucking.<sup>56</sup> Additionally, recently passed legislation will make it easier for military veterans to earn their Commercial Driver’s Licenses (CDLs).<sup>57</sup>

b) *Support an industry-funded outreach program to improve the trucking industry’s image.* Nearly 34 percent of respondents believe that the best strategy for recruiting more drivers is to improve the industry’s image. Launched earlier this year, ATA’s new image campaign, Nothing Without Trucking, has been well received for communicating the essentiality of the industry.<sup>58</sup> Additionally, the trucking industry is always among the first responders after catastrophic weather events, underscoring that essentiality message.<sup>59</sup>

c) *Advocate for expanding interstate CDL eligibility to 18-20-year-old drivers.* The Drive Safe Act, signed into law in November 2021, included a new national pilot test allowing up to 3,000 18- to 20-year-olds to operate trucks in interstate freight commerce. However, the FMCSA Safe Driver Apprenticeship Program (SDAP) struggled to

<sup>54</sup> Debra Phillips, “Transportation market volatility impacts carriers, shippers, and drivers”, *American Journal of Transportation* (August 19, 2024), <https://www.ajot.com/premium/ajot-transportation-market-volatility-impacts-carriers-shippers-and-drivers#:~:text=The%20E2%80%9Cfreight%20recession%E2%80%9D%20has%20taken,shrinks%20the%20available%20labor%20pool.>

<sup>55</sup> Bobby Samuels, “The Economic Factors Fueling the Trucker Shortage”, *Vision Magazine* (June 27, 2024), <https://www.visionmagazineus.com/the-economic-factors-fueling-the-trucker-shortage/>

<sup>56</sup> ATRI, “ATRI Releases New Research Priorities for 2024” (May 28, 2024), <https://truckingresearch.org/2024/05/atri-releases-new-research-priorities-for-2024/>

<sup>57</sup> ATA, “Congress Passes Bill to Expand Veterans’ Access to CDL Training” (September 25, 2024), <https://www.trucking.org/news-insights/congress-passes-bill-expand-veterans-access-cdl-training>

<sup>58</sup> Caleb Revill, “Experts unpack ATA’s latest campaign to boost industry’s image”, *FreightWaves* (May 30, 2024), <https://www.freightwaves.com/news/experts-analyze-atas-nothing-without-trucking-industry-image-campaign>

<sup>59</sup> Noël Fletcher, “Trucking Industry Accelerates Hurricane Helene Relief”, *Transport Topics* (October 3, 2024), <https://www.ttnews.com/articles/trucking-helene-relief>

generate participation, in part due to highly stringent requirements for participating motor carriers. Earlier this year, FMCSA announced a lessening of those requirements in hopes of generating additional participation and the program is up to 38 approved carriers.<sup>60</sup> 24.6 percent of respondents believe that the industry should continue to advocate for expanded CDL eligibility for younger drivers.

---

<sup>60</sup> Commercial Carrier Journal, "FMCSA easing fleet requirements for under-21 pilot program?" (May 14, 2024), <https://www.cjdigital.com/regulations/article/15670721/fmcsa-easing-fleet-requirements-for-under21-pilot-program>; FMCSA, "Safe Driver Apprenticeship Pilot (SDAP) Program Job Opportunities" (accessed October 4, 2024), <https://www.fmcsa.dot.gov/registration/commercial-drivers-license/sdap/safe-driver-apprenticeship-pilot-sdap-program-job>



## 10. Driver Distraction

Ranked 1 <sup>st</sup> 4.6%	Ranked 2 <sup>nd</sup> 4.3%	Ranked 3 <sup>rd</sup> 3.0%	Total Share 11.7%	<b>Industry Concern Index</b> <b>33.0</b>
--------------------------------	--------------------------------	--------------------------------	----------------------	--

Driver Distraction first appeared in the Top 10 list in 2014, ranking 10<sup>th</sup> overall and then dropped off the Top 10 list until last year, when it ranked 7<sup>th</sup> overall. Among law enforcement respondents to this year’s survey, Driver Distraction was the number one concern (Table 4). The National Highway Traffic Safety Administration (NHTSA) reports that 3,308 people were killed in traffic crashes in 2022 that were found to be distraction-affected crashes, and 368 of those individuals died in crashes involving at least one driver who was engaged in cell-phone-related activities.<sup>61</sup>

### Proposed Strategies (in rank order):

a) *Encourage harsher penalties and more aggressive enforcement of distracted driving laws for all road users.* The top strategy among respondents (39.3%) for reducing distracted driving is to utilize more aggressive enforcement and harsher penalties to deter distracted driving. Research has shown that high-visibility enforcement of distracted driving laws can reduce drivers’ use of handheld phones while driving.<sup>62</sup> States are responding to the call for harsher penalties: Tennessee recently enacted a law to increase the penalties for distracted driving, including license suspension for drivers under 18.<sup>63</sup>

b) *Advocate for national standards for distracted driving laws for all motorists.* The trucking industry has one national standard relating to CDL drivers’ use of a handheld device while driving.<sup>64</sup> However, the same is not true for car drivers who are subject to myriad laws and penalties in all 50 states. Having one national standard for all road users would reduce confusion and is the preferred strategy of 28.6 percent of respondents.

c) *Quantify the role of car driver distraction in car-truck crashes.* The preferred strategy of 23.3 percent of respondents to address distracted driving is to better understand the role of car driver distraction in car-truck crashes. Car-truck crashes typically have more severe consequences, and because of their size, large trucks have less maneuverability to avoid distracted car drivers.<sup>65</sup>

<sup>61</sup> NHTSA, “Distracted Driving in 2022” (April 2024),

<https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813559>

<sup>62</sup> Center for Disease Control and Prevention (CDC), “Distracted Driving Prevention” (April 25, 2024),

<https://www.cdc.gov/distracted-driving/prevention/index.html>

<sup>63</sup> Naomi Hillmer, “New law intensifies punishment for distracted driving in 2024”, *WATE* (December 29, 2023),

<https://www.wate.com/news/tennessee/new-law-intensifies-punishment-for-distracted-driving-in-2024/>

<sup>64</sup> Federal Motor Carrier Safety Administration, “Mobile Phone Restrictions Fact Sheet” (updated on December 30, 2013), U.S. Department of Transportation, <https://www.fmcsa.dot.gov/driver-safety/distracted-driving/mobile-phone-restrictions-fact-sheet#:~:text=Fines%20and%20Penalties%20%2D%20Using%20a,held%20communications%20device%20while%20driving.>

<sup>65</sup> Jenna Hume, “Study: New hands-free laws help prevent crashes and fatalities”, *Fleet Owner* (July 24, 2024),

<https://www.fleetowner.com/safety/article/55127564/hands-free-laws-decrease-distracted-driving-and-improve-road-safety-study-finds>

## Emerging Issues

As part of its analysis of critical industry issues, ATRI also tracks the emerging topics that generate significant industry interest but fall just outside of the Top 10 concerns (Table 1). This analysis can provide insight on issues that may emerge in the future as a top industry issue, as well as document issues whose criticality has decreased, including Fuel Prices and Driver Retention dropping out of the Top 10 List this year.

**Table 1: Issues 11 – 13**

Rank	Issue	ICI
11	Fuel Prices	31.2
12	Driver Retention	30.5
13	Transportation Infrastructure/Congestion/Funding	28.7

The cost of fuel was the top industry concern in the 2022 survey when the price of diesel hit a national average of \$5.81 per gallon in June 2022.<sup>66</sup> Interestingly, fuel prices also ranked as the number one industry concern in the inaugural Top Industry Issues Survey in 2005, when diesel prices peaked at \$3.15 per gallon in September 2005. Driven by the trucking industry recession, diesel prices at the end of September 2024 averaged only \$3.54 per gallon, dropping Fuel Prices to number 11.

Driver Retention first emerged as a standalone Top 10 industry concern in 2012. Prior surveys had Driver Shortage/Driver Retention as one issue, but the strategies prioritized by the industry for each were different enough that subsequent surveys had both Driver Shortage and Driver Retention, each with their own discrete strategies. This is the first year since 2012 that Driver Retention has not been a Top 10 industry concern. As is the case with Driver Shortage receiving its lowest ranking ever this year, this drop from the Top 10 list is likely tied to the freight recession and the broader economy.

In October 2023, ATRI published the first update to the *Cost of Congestion* research since 2018. The research found that annual truck congestion costs in 2021 hit a peak of \$94.6 billion, resulting from the dramatic post-COVID economic recovery.<sup>67</sup> In ATRI's most recent Top 100 Truck Bottleneck analysis in February 2024, the average rush hour truck speed across all 100 bottlenecks was 34.4 miles per hour, down 3.8 percent from the previous year.<sup>68</sup> Congestion is costly, pervasive, and getting worse, so it is no surprise to see Transportation Infrastructure/Congestion/Funding climbing back toward the Top 10 once again.

<sup>66</sup> EIA, "Weekly U.S. No 2 Diesel Retail Prices (Dollars per Gallon)" (accessed October 4, 2024), [https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=p&t=s=emd\\_epd2d\\_pte\\_nus\\_dpg&f=w](https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=p&t=s=emd_epd2d_pte_nus_dpg&f=w)

<sup>67</sup> Jeffery Short and Alex Leslie, Cost of Congestion to the Trucking Industry: 2023 Update, American Transportation Research Institute (October 2023), <https://truckingresearch.org/2023/10/cost-of-congestion-to-the-trucking-industry-2023-update/>.

<sup>68</sup> ATRI, "Top 100 Truck Bottlenecks – 2024" (February 2024), <https://truckingresearch.org/2024/02/top-100-truck-bottlenecks-2024/>

## Commercial Driver versus Motor Carrier Issue Rankings

This report details the results of the overall industry survey analysis for industry stakeholders including employee drivers and owner-operators, motor carrier executives, and other trucking industry stakeholders. However, each stakeholder group has differing levels of involvement in, and unique perspectives on, how these topics impact them. As a result of these varied experiences, the selection and ranking of issues will differ across these groups. To provide insight into the differing perspectives in the ATRI survey sample, a separate analysis is provided to juxtapose how truck drivers and motor carriers rank the issues (Table 2).

The rankings of industry issues by truck drivers and motor carrier executives are invariably influenced by their day-to-day experiences and perspectives. A divergence of opinions between these two groups can provide deeper insight and context to the consequences of an industry issue.

**Table 2: 2024 Truck Driver and Motor Carrier Top Concerns**

Rank	Truck Drivers	Motor Carriers
1	Truck Parking	Economy
2	Driver Compensation	Lawsuit Abuse Reform
3	Economy	Driver Shortage
4	Detention/Delay at Customer Facilities	Insurance Cost/Availability
5	Speed Limiters	Driver Retention
6	Broker Issues	CSA
7	ELD Mandate	Truck Parking
8	Fuel Prices	Battery Electric Vehicles
9	Autonomous Trucks	Driver Distraction
10	Driver Training Standards	Diesel Technician Shortage

Even within the truck driver population, the top concerns are ranked differently by company drivers and owner-operators (Table 3).

**Table 3: Company Driver and Owner-Operator / Independent Contractor Top Concerns**

Rank	Company Drivers	Owner-Operators / Independent Contractors
1	Driver Compensation	Economy
2	Truck Parking	Truck Parking
3	Detention/Delay at Customer Facilities	Broker Issues
4	Speed Limiters	Speed Limiters
5	Economy	Fuel Prices

**Motor Carrier Enforcement Personnel**

This year’s survey once again included expanded outreach through the Commercial Vehicle Safety Alliance (CVSA). Table 4 shows the top concerns as identified by law enforcement respondents.

**Table 4: Motor Carrier Enforcement Personnel Top Concerns**

Rank	Law Enforcement
1	Driver Distraction
2	Hours-of-Service
3	CSA
4	Driver Training Standards
5	Marijuana Legalization

**Table 5: Top Industry Issue Rankings, 2015 – 2024**

	Issue Rank									
	1	2	3	4	5	6	7	8	9	10
<b>2024</b>	Economy	Truck Parking	Lawsuit Abuse Reform	Insurance Cost/ Availability	Driver Compensation	Battery Electric Vehicles (previously ZEV)	CSA	Detention/ Delay	Driver Shortage	Driver Distraction
<b>2023</b>	Economy	Truck Parking	Fuel Prices	Driver Shortage	Driver Compensation	Lawsuit Abuse Reform	Driver Distraction	Driver Retention	Detention/ Delay	<b>Zero-Emission Vehicles (ZEV)</b>
<b>2022</b>	Fuel Prices	Driver Shortage	Truck Parking	Driver Compensation	Economy	Detention/ Delay	Driver Retention	CSA	<b>Speed Limiters</b>	Lawsuit Abuse Reform
<b>2021</b>	Driver Shortage	Driver Retention	Driver Compensation	Lawsuit Abuse Reform (previously Tort Reform)	Truck Parking	CSA	Detention/ Delay	Infrastructure/ Congestion/ Funding	Insurance Cost/ Availability	<b>Diesel Technician Shortage</b>
<b>2020</b>	Driver Shortage	Driver Compensation	Truck Parking	CSA	Insurance Cost/ Availability	Driver Retention	Tort Reform	Economy	Detention/ Delay	Hours-of-Service
<b>2019</b>	Driver Shortage	Hours-of-Service	<b>Driver Compensation</b>	<b>Detention/ Delay at Customer Facilities</b>	Truck Parking	Driver Retention	ELD Mandate	CSA	Infrastructure/ Congestion/ Funding	Economy
<b>2018</b>	Driver Shortage	Hours-of-Service	Driver Retention	ELD Mandate	Truck Parking	CSA	Driver Distraction	Infrastructure/ Congestion/ Funding	Driver Health/ Wellness	Economy
<b>2017</b>	Driver Shortage	ELD Mandate	Hours-of-Service	Truck Parking	Driver Retention	CSA	Cumulative Impacts of Regulation	Driver Distraction	Infrastructure/ Congestion/ Funding	Driver Health/ Wellness
<b>2016</b>	ELD Mandate	Hours-of-Service	<b>Cumulative Impacts of Regulations</b>	Truck Parking	Economy	CSA	Driver Shortage	Driver Retention	Infrastructure/ Congestion/ Funding	Driver Distraction
<b>2015</b>	Hours-of-Service	CSA	Driver Shortage	Driver Retention	Truck Parking	ELD Mandate	Driver Health/ Wellness	Economy	Infrastructure/ Congestion/ Funding	Driver Distraction

Note: **Bold** indicates first year in top ten.