



August 30, 2021

Meera Joshi  
Acting Administrator  
Federal Motor Carrier Safety Administration  
Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Acting Administrator Joshi:

In response to the Coronavirus Disease 2019 (COVID-19) pandemic and its effects on the shortage of truck drivers nationwide, our national associations, representing the fuel retailing industry, urge you to incorporate haulers of over-the-road transportation fuel into the nationwide COVID-19 Emergency Declaration. This would provide much-needed hours of service (HOS) flexibility that would mitigate supply disruptions and lower the prices at the pump.

A unique combination of driver shortages – which have been exacerbated by COVID-19 pandemic – supply constraints and wildfires have left many in our industry concerned with their ongoing ability to provide fuel, food and goods to the traveling public including our professional truck drivers.

Our organizations<sup>1</sup> represent 90 percent of the motor fuel sold in the United States as well as much of the wholesale and fuel transport industry. We commend the efforts in 2020 to waive requirements for fuel haulers operating in the pandemic and the efforts this spring in response to the cyberattack on the Colonial Pipeline. Such waivers made a meaningful impact on our ability to ensure that the limited supply of fuel that was available could be transported efficiently to various locations across the Southeast.

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<sup>1</sup> The National Association of Convenience Stores (NACS) is an international trade association representing the convenience store industry with more than 2,200 retail and 1,600 supplier companies as members, the majority of whom are based in the United States. The National Association of Truckstop Operators (NATSO) currently represents more than 4,000 travel plazas and truck stops nationwide, comprised of both national chains and small, independent locations. The Energy Marketers of America (EMA) member associations represent wholesalers and retailers of gasoline, diesel, heating oil, lubricants and renewable fuels. Additionally, these companies supply motor fuels to 40,000 independently owned retail outlets. The Society of Independent Gasoline Marketers of America (SIGMA) represents a diverse membership of approximately 260 independent chain retailers and marketers of motor fuel.

### *A. COVID-19 and the Trucker Shortage*

The COVID-19 pandemic has exacerbated the national shortage of truck drivers. There are fewer drivers available due to illness and quarantine. Fewer candidates have been attending training schools because of limited seating capacity from social distancing. While conditions appeared to be normalizing, the rise of the Delta variant and the ongoing impact of this slowdown will continue to be felt by the industry.

As of 2018, the industry was short roughly 60,800 drivers. By 2028, that shortage could balloon to over 160,000 vacancies. The American Trucking Associations (ATA) estimates that—accounting for both industry growth and drivers that leave the profession—nearly 1.1 million new drivers will be needed over the next decade, equaling to just under 110,000 drivers per year.

There are several reasons for the persistent shortage of truck drivers. One reason is the high average age of drivers. The average age of an over-the road driver is 46 years old; private fleet drivers have a median age of 57 years old. Over half of all truckers are over 45, and 23% are over 55. Worryingly, the average age of a new driver being trained is 35 years old. This is due in part to the high age requirement—21—for driving freight.

Another cause of the shortage is the lack of qualified drivers as many companies have high hiring standards to ensure safety. Attending truck driving school and obtaining a commercial driver's license can be expensive, ranging between \$3,000 and \$7,000. And, major carriers typically require new hires to have one to three years of driving experience.

High turnover among drivers is also a problem. In March 2021, the ATA reported that in the last six months of 2020, the turnover rate for truckload fleets with more than \$30 million in annual revenue was 92%, while the churn rate for smaller truckload carriers was 72%. For the full year of 2020, the annualized turnover rate at large truckload carriers averaged 90%; the annual average rate at smaller truckload fleets was 69%.

### *B. Supply Constraints*

There are two refineries in the mountain west that have been converted or shut down temporarily.<sup>2</sup> A lack of sufficient supply from those refineries results in drivers having fewer locations from which to pull product. This results in long lines at terminals and exhausts a driver's hours of service just as they receive a load. Adding these challenges to the limited number of drivers available makes ensuring supply challenging.

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<sup>2</sup> <https://www.hollyfrontier.com/investor-relations/press-releases/Press-Release-Details/2020/HollyFrontier-Announces-Expansion-of-Renewables-Business/default.aspx>

<https://www.suncor.com/en-ca/about-us/refining/commerce-city-refinery>

### *C. Ongoing Wildfires*

The recent wildfires in the West have caused many highway closures,<sup>3</sup> limiting the accessible routes available to drivers which in turn means longer hours on the road. In addition, the wildfires and draught conditions are forcing evacuations.<sup>4</sup> Continued supply to those areas is necessary so as not to strand motorists attempting to leave dangerous areas. It is critical that haulers be able to extend driving time to ensure areas impacted by the fires can receive necessary fuel for emergency responders and evacuees.

### *Conclusion*

Including fuel haulers in an extended COVID-19 emergency declaration will help minimize the impact that the pandemic has had on supply and mitigate the driver shortage's impact on the trucking industry. Allowing drivers to occasionally work more hours will reduce the number of trucks and drivers it takes to move the same amount of fuel. Furthermore, the HOS waiver will prevent consumers from having to pay higher delivery fees as a result of the threat to consistent and fast delivery services because of the countrywide driver shortage.

We urge FMCSA to include fuel haulers in their extension of the waiver of hours-of-service regulations. We look forward to working with you to address this ongoing problem.

Sincerely,

National Association of Convenience Stores  
National Association of Truckstop Operators  
Energy Marketers of America  
Society of Independent Gasoline Marketers of America

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<sup>3</sup> <https://ein.az.gov/emergency-information/emergency-bulletin/fires-close-state-route-277-southbound-state-route-377>

<sup>4</sup> <https://www.latimes.com/california/story/2021-06-28/shell-fire-lava-fire-swell-as-california-record-heat-surges>