



December 22, 2021

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Buttigieg:

On behalf of the Energy Marketers of America (EMA), I urgently request the U.S. Department of Transportation to extend the compliance deadline for Federal Motor Carrier Safety Administration (FMCSA's) Entry Level Driver Training requirements (49 CFR part 380) set to take effect on February 7, 2022. EMA believes a deadline extension is warranted due to the ongoing shortage of qualified CDL drivers nationwide combined with unprecedented supply chain disruptions caused by the COVID-19 pandemic.

EMA is a federation of 47 state and regional trade associations representing wholesale and retail fuel energy marketers throughout the United States. Energy marketers represent a vital link in the liquid motor and heating fuels distribution chain occurring below the terminal rack. EMA members own and operate approximately 60,000 retail sites nationwide and supply 80 percent of all finished liquid motor fuels consumed in the United States each year. Those fuels include renewable hydrocarbon biofuels, gasoline, diesel fuel, biofuels, heating fuel, jet fuel, kerosene, racing fuel and lubricating oils. Moreover, EMA members supply heating fuels to more than 5 million homes and businesses and employ tens of thousands of CDL drivers nationwide.

EMA believes that transferring much of the current CDL driver training responsibilities from state to federal control at this critical time will cause further disruption to supply chain logistics that are already strained to the breaking point. EMA members, like most industries in the transportation sector, are struggling to recruit and retain enough qualified CDL drivers to meet fuel supply demand by wholesale and retail consumers. Mandating entry level drivers to seek out certified training providers, undergo stringent new classroom curricula requiring an 80 percent test score to pass along with new behind the wheel proficiency training will severely hamper recruiting and retainment efforts for all transportation industry sectors.

EMA is concerned that the cost, inconvenience and difficulty of the new testing requirements will deter many new entrants from becoming drivers and encourage existing drivers to drop out of the profession altogether. Moreover, relying on multiple stakeholders on both the state and federal level to flawlessly execute the logistics of a complicated transition to a new driver training and tracking program is a cause for serious concern for energy marketers under current conditions.

For these reasons, EMA is requesting an ELDT compliance deadline extension for a period of one year, or longer, should driver shortages combined with an ongoing pandemic continue the unprecedented supply chain disruptions the nation is currently experiencing. Please do not hesitate to contact EMA should you require further information. EMA is happy to meet with your staff to discuss this issue further.

Sincerely,

Rob Underwood
President
Energy Marketers of America