

I. Introduction

The Port of New York and New Jersey has been an economic passageway into consumer markets for almost a century. According to Forbes, 80% of all cargo imported into the Port of NY & NJ is utilized by consumers within 100 miles of the port, which makes this port a critical hub for commerce (Walsh). The Port Authority has invested nearly \$2 billion in improvements in order to support the growth within global trade (“Port History”). However, with a shortage of truckers within the trucking industry, the threat of rising costs might just be leading to a disruption of supply chains. This paper will examine the probable causes to the shortage of truckers, and provide an insight on solutions that can be implemented to ensure a strong labor force for years to come.

II. History of the Port Authority of New York & New Jersey

Notable events have occurred at the Port Authority of NY & NJ, which has laid down an economic foundation for a world that was opening itself up to international business. The Port of New York Authority was established in 1921 after years of negotiations and obtaining approval from Congress on the jurisdiction rights of the Hudson river between the two states (“Port History”). On the same note, this interstate agency was also directed to develop and revamp the entire Port District to improve commerce and trade. Ultimately, this organization’s name was changed in 1972 to the Port Authority of New York and New Jersey in order to be recognized as a bistate agency (“History of the Port Authority”).

In April 1956, Malcolm McLean led the modernization of container shipping when he experimented with cargo containers in Port Newark aboard the “*Ideal X*,” which became the first successful commercial container ship. These containers were stacked onto the ship and then

sailed to its final destination where the containers are then unloaded onto the chassis of trucks. By August 1962, the Port Authority unveiled the world's first container port, Elizabeth-Port Authority Marine Terminal also known as America's Container Capital. Fast forward to present time, the Port Authority of New York and New Jersey has become the third largest port in the nation ("Port History"). These significant events have led our nation to economic growth, but with the current issue of a shortage of truckers on our roads, the logic of economic growth might just hit a roadblock.

III. Analyzing the Issue

Analyzing the underlying issue causing the trucker shortage, we can narrow the problem down to ineffective governmental regulations. Our transportation system has been subsidized and controlled by different levels of government for years. For instance, the federal government stepped in to control and oversee the trucking industry soon after the Motor Carrier Act of 1935 was ratified. The Motor Carrier Act of 1935 governed the costs charged by trucking companies, the number of hours truckers are authorized to drive on the road, and the types of freight and range permissible for a trucking company. Partial deregulation within the trucking industry didn't come until after the Motor Carrier Act of 1980, in which that the government still maintains a majority of the control within this industry (Kidd & Padgett). Presently, some regulations that are currently in place might be contributing to the shortage of truckers.

According to Kidd & Padgett, the Hours of Service (HOS) regulations put in place by the federal government, which puts a limit how many hours a driver may be on the road, might need to be reexamined. On February 27, 2012 new HOS rules began to come into effect which includes:

- 11-hour driving limit: A driver may drive a maximum of 11 hours after 10 consecutive hours off-duty, and may drive no more than 70 hours in a 7-day period;
- 14-hour limit: A driver may not drive beyond the 14th hour after coming on duty, even if, because of off-duty time taken during those 14 hours, the driver has not reached the 11-hour limit;
- Rest breaks: A driver may not drive more than 8 consecutive hours without an off-duty period or sleeper berth period⁵⁵ of at least 30 (2016).

Assessing these existing rules in combination with the new Electronic Logging Device (ELD) mandate, these requirements are limiting truckers flexibility as they have to race against time to deliver goods to the consumer. In other words, a trucker's schedule is at the mercy of shippers, consignees, weather, congestion, and other barriers that are impeding the industry (Cassidy, 2018). Based on a 2016 government data:

“At least one driver-related factor was recorded for 32 percent of the large truck drivers in fatal crashes, compared to 55 percent of the passenger vehicle drivers in fatal crashes. “Speeding of Any Kind” was the most frequent driver-related factor for drivers of both vehicle types; “Distraction/Inattention” was the second most common for large truck drivers, and “Impairment (Fatigue, Alcohol, Illness, etc.)” was the second most common for passenger vehicle drivers” (“Large Truck”).

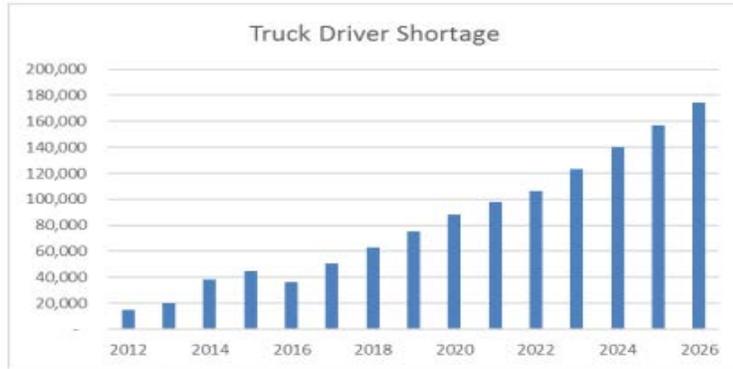
Opposing parties might contend that the decrease in trucking accidents caused by fatigue is a result from the current regulations that was put in place, but looking at a 2007 government study, driver fatigue was only a contributor to 13% of accidents, which occurred before the implementation of more stringent HOS rules (Kidd & Padgett). The data provided by the

Department of Transportation suggests that fatigue is not the primary source to trucking accidents, but the government fails to modify the HOS rules in a way where truckers would have more options available to them to perform efficiently and effectively. The Owner-Operator Independent Drivers Association (OOIDA) suggests “truckers to be allowed a rest break of up to three consecutive hours once per day during a 14-hour on-duty period, effectively stopping the 14-hour clock while the driver is off duty. The current 30-minute rest break, mandatory after 7 hours on-duty, would be eliminated. Drivers would still need to log 10 off-duty hours before starting their next shift” (Cassidy, 2018).

Moreover, licensing requirements is another related issue affecting the shortage within the trucking industry. Although a driver of the age of 18 can apply for a commercial driver’s license (CDL), federal law prohibits anyone under the age of 21 from driving interstate. This limits a young driver from being hired by trucking companies which conducts most of its business interstate. Young individuals who are looking for a profession could find themselves looking elsewhere, making it harder for trucking companies to recruit and fill their empty slots (Kidd & Padgett). If the current trend of trucking shortage continues, our economy and supply chains will be greatly affected “(see table 1)”. Reducing the restriction requirements on obtaining a CDL and investing in recruiting practices & training courses/apprenticeship can help lure young individuals who are seeking a career path (Cassidy, 2015).

Table 1

Truck Driver Shortage Analysis 2017 Trend



Source: Truck Driver Shortage Analysis 2017. American Trucking Association, 2017, p.3

IV. Conclusion

In summary, this paper is not suggesting a full deregulation of the trucking industry, it is just merely proposing modifications that will allow a trucker to have a bit more latitude in their schedule. The trucking shortage could threaten global commerce as it disrupts supply chains putting a dent on the economy. “In the case of the trucking industry and driver fatigue, individual drivers have significant incentives to police their own state of restfulness; not only are their lives on the line but any accident subjects them to legal liability and would eliminate their ability to work for some period of time” (Kidd & Padgett). Revamping the current licensing restrictions can help kick start a new generation of truckers. The shortage of truckers is no myth, and the government should reevaluate the current rules and regulations and determine if they are causing more harm than good to our workforce and commerce.

Works Cited

- Cassidy, William B. "US Senate Bill Asks Whether 18-Year-Olds Should Drive Heavy Trucks". Joc.Com, 2015, https://www.joc.com/regulation-policy/transportation-regulations/us-transportation-regulations/senate-bill-asks-whether-18-year-olds-should-drive-heavy-trucks_20150629.html.
- Cassidy, William B. "US Trucking: US Trucking Groups Seek More-Flexible Driver Work Rules". Joc.Com, 2018, https://www.joc.com/trucking-logistics/us-trucking-groups-seek-more-flexible-driver-work-rules_20180215.html.
- Costello, Bob. Truck Driver Shortage Analysis 2017. American Trucking Association, 2017, p. 3, <http://progressive2.acs.playstream.com/truckline/progressive/ATAs%20Driver%20Shortage%20Report%202017.pdf>.
- "History of the Port Authority - About The Port Authority - The Port Authority Of NY & NJ". Panynj.Gov, <https://www.panynj.gov/about/history-port-authority.html>. Accessed 29 May 2018.
- Kidd, Jeremy and Padgett, Joseph, Trucker Shortage as Government Failure (March 17, 2016). Available at SSRN: <https://ssrn.com/abstract=2749109> or <http://dx.doi.org/10.2139/ssrn.2749109>
- Large Truck and Bus Crash Facts 2016. U.S. Department of Transportation, 2018. <https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/safety/data-and-statistics/398686/lbcbf-2016-final-508c-may-2018.pdf>.
- "Port History - History Of The Port Authority - About The Port Authority - The Port Authority Of NY & NJ". Panynj.Gov, <https://www.panynj.gov/about/history-ports.html>.
- Walsh, Kevin. "The Port Of New York And New Jersey, A Critical Hub Of Global Commerce". Forbes.Com, 2011, <https://www.forbes.com/sites/gcaptain/2011/10/25/the-port-of-new-york-and-new-jersey-a-critical-hub-of-global-commerce/#215305c4e0f2>.