



Owner-Operator Independent Drivers Association

National Headquarters: 1 NW OOIDA Drive, Grain Valley, MO 64029
Tel: (816) 229-5791 Fax: (816) 427-4468

Washington Office: 122 C Street NW, Washington, DC 20001
Tel: (202) 347-2007 Fax: (202) 347-2008

December 18, 2008

The Hon. James J. Bradley
Ministry of Transportation
Minister's Office
3rd Floor, Ferguson Block
77 Wellesley Street West
Toronto, Ontario M7A 1Z8

Dear Minister Bradley,

On behalf of the more than 160,000 members of the Owner-Operator Independent Drivers Association in both Canada and the United States, I urge you to postpone indefinitely the implementation of regulations stemming from Bill 41. Small business truckers are responsible for moving the vast majority of goods and commerce into and out of the province of Ontario. The last thing these truckers need in the middle of this devastating recession is to be burdened with such an unnecessary and misguided mandate. Bill 41 will not only jeopardize their safety and economic wellbeing, but also that of all Ontarians.

As you know, OOIDA has long opposed a government mandate to speed limit commercial motor vehicles primarily due to the negative safety implications. We have presented wide-ranging research to your staff that demonstrates the likelihood of increased traffic accidents and brings into question any purported environmental savings from a speed limiter mandate. We have also advised, even during more sound economic times, that mandating speed limiters in Ontario will have considerable economic and trade repercussions that will punish small trucking operations, Ontario-based businesses and consumers in your province. The total disregard shown for the research and the concerns of the hardworking truckers that we represent is nothing less than appalling.

Ninety percent of all goods produced and consumed in Ontario are moved by trucks. Also, trucks are responsible for transporting roughly eighty percent of Ontario's trade with the United States. Small business trucking operations comprise more than ninety percent of the trucking industry, the majority of which do not employ speed limiters set to 105 km/h or below. If you implement Bill 41, you will see a significant decrease in the availability of truckers willing to bring goods into and out of Ontario. In addition to the well-documented safety concerns, drivers will simply choose not to take on the burdensome out-of-pocket costs associated with ECM adjustments, additional equipment, maintenance, or penalties resulting from these onerous regulations. OOIDA conducted a survey which showed that our membership alone accounts for over 97,000 thousand truck trips into and out of Ontario annually. Of those members surveyed, only twelve percent said that after Bill 41 goes into effect, they will continue to operate in Ontario. That not only represents a dramatic loss of available truck hauling capacity for businesses and consumers in Ontario, it also represents a loss of economic opportunity for thousands of people in your province.

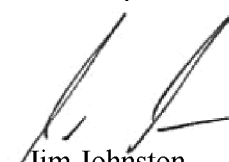
In addition, there are 23 states and at least four provinces which have speed limits above 105 km/h. Because of this reckless mandate, Ontario based trucks will be economically disadvantaged when operating in those jurisdictions. In your exchange with MPP Gilles Bisson on December 10, 2008 you stated that economically disadvantaging Ontario's truckers was not a concern because the technology exists that enables a driver to disengage a speed limiter without the use of a mechanic. This statement clearly demonstrates a fundamental flaw in your understanding of the trucking industry on a variety of levels. The technology that does exist is certainly not the industry standard, and will cost truckers more money out of their own pockets to purchase the necessary equipment or services. Small business truckers, for those fortunate enough to stay in business despite the economic recession, earn on average approximately \$37,000 per year. To think that they can easily afford the costs associated with this unnecessary and dangerous law is at best uninformed.

In addition, in your exchange with Mr. Bisson you stated that the Ontario Trucking Association represents the majority of truckers in Ontario. Again, this statement is inaccurate. The OTA's membership is predominantly comprised of large motor carrier interests whose perspectives are compelled primarily by their corporate bottom lines. Those corporate entities have every right to make business decisions of benefit to their particular operations. However, the OTA and its counterpart, the Canadian Trucking Alliance, have effectively fooled the Ontario government into advancing their hidden agenda, eliminating small business competition and addressing a perceived driver shortage. Their arguments about the safety and environmental benefits of a speed limiter mandate are truly spurious. While Ontario has decided to pursue this misguided initiative, the province must recognize its repercussions at a time when North American governments need to be doing all they can to stimulate their respective economies, secure jobs, and facilitate consumer spending. This law is counterproductive to all of those priorities.

Lastly, in your exchange with Mr. Bisson, you stated that "statistics show very clearly that speed limiter legislation and regulations that go with it will, in fact, increase road safety tremendously." The OOIDA Foundation has extensively researched road safety as it relates to speed and the effects of speed limiting commercial vehicles, and quite frankly the statistics of which you speak do not exist. In addition, I would suggest that you familiarize yourself with the research that does exist, including research conducted in Canada, which concluded that speed differentials actually increase the likelihood of dangerous interactions between vehicles.

Again, on behalf of the members of OOIDA, I ask that you reconsider implementing the Bill 41 regulations and work toward other alternatives that will actually improve road safety, reduce environmental impacts of freight transportation and stimulate the North American economy.

Sincerely,



Jim Johnston
President