By Caitlyn Barnes

Like most industries, agriculture is dependent on transportation to move its products and receive supplies and materials.[i] One of the main forms of transportation used is the trucking industry, which represents "70[%] of the nation's freight volume by weight."[ii] The trucking industry is seeing around a 30% increase in its cost to transport goods.[iii] In early January, it cost around $8,450 to transport a truckload of refrigerated foods from Washington State to New York.[iv] Two weeks later the price had increased to around $10,000 for the same route.[v] This increase in costs to transport goods means that consumer food prices will also increase.[vi] There are two potential and troublesome reasons for this increase in costs—a shortage of truck drivers and "the soon-to-be-implemented federal requirement to install electronic logging devices (ELDs) into all trucks to better track driver hours of service."[vii]

At the end of 2017, America had a shortage of 51,000 truck drivers, up from a shortage of 36,000 in 2016, and experts expect the shortage to continue to worsen.[viii] The American Trucking Associations predicts that the United States will be short 175,000 truck drivers by 2026.[ix] The chief executive of Brenny Transportation in Minnesota, Joyce Brenny, gave her truck drivers a 15% raise in 2018, but she still could not find enough workers for a job that now pays about $80,000 a year.[x]

Many reasons are thought to be attributable to the shortage of truck drivers. Unemployment is low making it more difficult to find people for the job.[xi] Those that might have taken the job before fear that self-driving cars will abolish the need for truck drivers.[xii] While veterans of the trucking
industry say that it will be quite some time before the need for truck drivers is eliminated. Waymo, a
driverless car company, has already launched a self-driving truck pilot program in Atlanta.[xiii]

The second reason for the decline is the federal requirement to install ELDs in all trucks.[xiv] The
ELDs are supposed to help create a safer work environment for drivers and motorists.[xv] The ELDs
will keep track of driver’s hours of service, replacing the need for manually entering time into log
books.[xvi] They connect directly to the driver’s truck and allow enforcement agencies easier access
to the information.[xvii] In effect the new law would not allow truck drivers to operate a
“commercial interstate truck more than 60 to 70 hours in a seven day period before taking a
minimum 34-hour break away from the job.”[xviii]

While livestock haulers are currently exempt from the ELD rules, the current regulation imposes
especially difficult hardships for livestock haulers.[xix] The new regulation requires a ten-hour driver
rest period, which would require animals to be unloaded during this time for their health and safety.
[xx] There are also a limited number of facilities that can handle the “unloading, layover care and
reloading of livestock onto trucks.”[xxi] The frequent loading and unloading of livestock puts the
animals and stockmen at greater risk of injury as well.[xxii] The new regulation needs to allow
transporters of livestock to make decisions based on what is best for the livestock they are
transporting, rather than just complying with the regulations.[xxiii]

In general, drivers claim that the ELDs will greatly reduce their overall earnings, forcing drivers out
of the industry in search of better job prospects.[xxiv] Trucking officials also fear that the new ELD
requirements will increase trucking costs significantly,[xxv] especially for those that are transporting
produce and other refrigerated goods.[xxvi] The regulation may also cause an increase in costs
because the truck drivers or companies will need to pay to get the ELDs in their trucks. This may
also cause a shortage in the availability of trucks, while those in the industry are in the process of
getting ELDs in their trucks.[xxvii]

Overall, the shortage of truck drivers is reaching a level of crisis.[xxviii] The shortage is causing costs
to increase for the transportation of goods and leading to higher consumer prices.[xxix] The U.S.
needs to find some way to incentivize people to work in the trucking industry, whether that be
higher pay or better benefits. The U.S. government should also look at changing the requirements
imposed by the new ELD regulation so that the trucking industry, specifically for those in
agriculture, are not as deeply burdened.


[v] Id.

[vi] Id.

[vii] Id.


[ix] Rachel Premack, *The US has a major truck driver shortage — but the co-founder of a trucking startup that’s attracted $80 million in funding says there are 3 other problems that are making the shortage seem worse than it is*, Business Insider (Jan. 18, 2019), https://www.businessinsider.com/truck-driver-shortage-staffing-industry-problems-2018-9.

[x] Long, supra note 8.

[xi] Id.

[xii] Id.

[xiii] Id.


[xv] Id.

[xvi] Id.

[xvii] Id.

[xviii] Id.


[xxi] Id.

[xxii] Id.
[xxiii] Bechtel, supra note 19.


[xxv] Id.


[xxviii] Long, supra note 8.


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