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Comment from Small Business in Transportation Coalition

Posted by the **Federal Motor Carrier Safety Administration** on Jan 3, 2025

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Comment

Sent: Friday, January 03, 2025 at 3:49 PM  
From: "James Lamb" <JimLamb@usa.com>  
To: repkoe@gao.gov  
Cc: "laurence.soccisoccilawfirm.com" <laurence.socci@soccilawfirm.com>, media@gao.gov, "michael boston" <michaelboston7@gmail.com>

Subject: Fw: Request for DOT OIG Audit of FMCSA's 12-year Failure to Accept Complaints Against Property Brokers as Promised in 2013

Elizabeth,

This is in furtherance of your GOA report referenced below that has sparked FMCSA rulemaking.

We thought you might want to know about how FMCSA promised to accept complaints against freight (property) brokers in 2013, work with trade associations, and develop a "comprehensive enforcement program."

Twelve years later, we're still waiting...

Sincerely,

/s/ JAMES LAMB  
SBTC Executive Director

Sent: Thursday, January 02, 2025 at 10:21 AM  
From: "James Lamb" <JimLamb@usa.com>  
To: Nathan.Richmond@oig.dot.gov, "HOTLINE, DOT-OIG OIG" <hotline@oig.dot.gov>, eric.j.soskin@oig.dot.gov  
Cc: Scott.V.Harding@oig.dot.gov, "Laurence Socci" <laurence.socci@soccilawfirm.com>, "DOT Exec Sec (OST)" <DOTExecSec@dot.gov>, sean@seanpduffy.com, "michael boston" <michaelboston7@gmail.com>, "White, Vinn (FMCSA)" <Vincent.White@dot.gov>, "Iyer, Subash (OST)" <subash.iyer@dot.gov>  
Subject: Request for DOT OIG Audit of FMCSA's 12-year Failure to Accept Complaints Against Property Brokers as Promised in 2013  
Check out this September 19, 2023 report from the US Government Accountability Office @USGAO @usgaolegal recommending @USDOT @FMCSA expand its NCCDB Complaint Database: https://www.gao.gov/products/gao-23-105972

GAO and @DOTInspectorGen should know that FMCSA promised to accept complaints against property brokers in August 2013 but never did. Maybe incoming Transportation Secretary @SeanDuffyWI will fix this where @SecretaryPete and @SecElaineChao and @SecretaryFoxx all failed to do so:

"FMCSA acknowledges there are motor carriers that occasionally broker loads that have not previously been required to obtain operating authority registration from FMCSA as brokers. However, FMCSA is unable to determine at this time how many motor carriers may be engaged in some brokering activities, making implementation of a comprehensive enforcement program difficult. Therefore, FMCSA will phase in its enforcement of the broker registration requirements for motor carriers that also broker loads. During the first phase-in period, FMCSA will accept complaints regarding unregistered brokerage activities of motor carriers through our National Consumer Complaint Database (see http://nccdb.fmcsa.dot.gov/). FMCSA will work with industry groups to use this complaint information and other data to ascertain the extent of the unlicensed broker population subset within the motor carrier industry. The agency will then work toward developing a comprehensive enforcement program."

SOURCE: Federal Register/Vol. 78, No. 172/Thursday, September 5, 2013/Notices https://www.govinfo.gov/content/pkg/FR-2013-09-05/pdf/2013-21539.pdf

You can comment on the FMCSA docket being published tomorrow encouraging they accept complaints against property brokers in the matter of FMCSA Docket No. FMCSA-2024-0313.

https://x.com/TheSBTC/status/1874829144485253314