



August 26, 2013

Docket Management Facility,  
U.S. Department of Transportation  
West Building Ground Floor, Room W12-140  
1200 New Jersey Avenue SE.  
Washington, DC 20590-0001.  
Docket ID No.: DOT Docket ID 2013-0017

***Re: Docket ID No.: DOT Docket ID 2013-0017, USDOT Survey and Comparative Assessment of Truck Parking Facilities.***

Dear Sir or Madam:

NATSO, the national association representing truckstops and travel plazas, submits these comments in response to the Department of Transportation's request for comments on the proposed "USDOT Survey and Comparative Assessment of Truck Parking Facilities" (DOT Docket ID 2013-0017).

We appreciate the agency's commitment to working with industry as it conducts this survey to evaluate the capability of states to provide adequate parking and rest facilities for commercial motor vehicles engaged in interstate transportation as required by Section 1401(c) of Moving Ahead for Progress in the 21st Century (MAP-21).

Our members are committed to working with DOT as it seeks to better understand truck parking challenges and find solutions to them. Key issues addressed include the need to pinpoint areas with truck parking shortages; the need to build additional truck parking in those areas with shortages; and development of technology to assist drivers in locating available parking in real-time.

**About NATSO**

Headquartered just outside Washington, D.C., NATSO is a national trade association representing travel plaza and truck stop owners and operators. Since 1960, NATSO has represented America's travel centers and truck stops, the home away from home for the nation's professional drivers. In addition to providing fuel and food, NATSO's members provide about 90 percent of the nation's overnight truck parking. NATSO represents approximately 1,200 truck stop locations, and membership includes everything from the single family-run operation to large chains.

#### MAP-21 Activities

In the background section of the notice, it states that the “US Department of Transportation (USDOT) is directed to complete a survey and comparative assessment of truck parking facilities in each state as required by Section 1401(c) of Moving Ahead for Progress in the 21st Century (MAP-21). MAP-21 Section 1401(c) requires the conduct of a survey in order to evaluate the capability of the states to provide adequate parking and rest facilities for commercial motor vehicles engaged in interstate transportation. Other work activities required under this section of MAP-21 are: An assessment of the volume of commercial motor vehicle traffic in each state and the development of a system of metrics designed to measure the adequacy of commercial motor vehicle truck parking facilities in each state.”

NATSO suggests the survey/assessment incorporate the following information: a census of truck parking providers including truckstops, rest areas and other facilities providing parking and other services to commercial motor vehicles. In addition to a count of parking spaces, the census should count both occupied and vacant spaces at the facilities incorporating time of day and day of week, to assist in identifying truck parking demand at various time intervals. In addition, where possible, the census should also incorporate information about improperly parked trucks (trucks parked on shoulders, exit ramps, etc.), including location, time and day of week. The examination of these two data sets (facility truck parking and improper truck parking) could assist state DOTs and law enforcement in determining how and if drivers could be directed away from unsafe parking areas to available spaces in secure parking facilities.

NATSO recommends that the agency review drivers’ hours-of-service (HOS) records when considering data on where trucks are traveling and parking. This will provide insight on how a driver makes stopping and parking decisions at stages of his or her trip and possibly shed light on how information such as variable messaging signs, smartphone applications or other technologies could be utilized to direct drivers to available parking.

NATSO recognizes that work activities required under MAP-21 also include an assessment of the volume of motor vehicle traffic in each state. When assessing commercial vehicle traffic it must be recognized that not all commercial trucks on the road require overnight parking. Another significant portion of vehicles associated with fleets fuel their vehicles at fleet-owned fuel terminals, and also have access to private distribution center facilities for overnight parking. Therefore, a traffic assessment should be conducted keeping this in mind when determining parking adequacy to avoid distorting results and shifting limited resources away from areas with greater need.

Also in certain segments of the industry, forecasters project that the industry will move away from the “long-haul, point-to-point” delivery method, which is more dependent on overnight parking. Instead, some trucking companies are moving more toward a regional “hub-and-spoke” method of delivery, with the goal of creating a work environment to better attract and retain drivers. This is a significant issue for the

8/26/13

industry, which has an aging workforce and high turnover rates. The conversion to new delivery models in the industry should be considered in the analysis of future parking needs.

Finally, in the Federal Register section "Types of Survey Questions," NATSO recommends including questions related to issues that prevent the expansion of existing truckstop parking lots including local zoning rules, public opposition to development of truckstops and truck parking facilities, capital investment availability, land values and land availability. Questions should also explore what barriers, if any, must be overcome for private truck parking providers (such as truckstops) and government entities to create partnerships to expand truck parking.

NATSO appreciates the opportunity to comment on the U.S. Department of Transportation's survey and assessment of truck parking facilities. We hope you take our thoughts into consideration, and we look forward to working with the agency.

**From:** Kearney, Tom (FHWA)  
**To:** ["Brad Stotler"](#)  
**Subject:** Response to Comments on Jason's Law Docket  
**Date:** Thursday, November 07, 2013 9:11:00 AM  
**Attachments:** [NATSO, Inc - Comments.pdf](#)

---

Brad,

Thank you for submitting comments to the Jason's Law Docket (FHWA-2013-0017). A copy of the comments you submitted are attached.

In response to your comments, the following actions are being taken:

- Data collection recommendations on number of spaces, sensitivity to time of day and day of week in determining demand (demand is dynamic temporally), enumerating the number of trucks parked in less than ideal locations (highway shoulders, access and egress ramp shoulders, etc.) are all included in the scope of FHWA's Survey;
- NATSO pointed out that FMCSA's new "Hours-of-Service" regulations will affect truck parking demand and it must be considered in the Survey. This consideration is included in the operation of the Survey FHWA intends to conduct;
- Reminder that developing "Truck VMT by State" will include trucks that don't have parking needs. FHWA is aware and sensitive to this situation and intends to address this consideration in the project;
- Reminder that changes in the trucking industry "business model" are underway where the "hub-spoke" model that the industry is transitioning to requires less parking opportunities being required. FHWA will address this factor under the project;
- Request that the question of "why" is considered when areas that suffer a shortage in truck parking opportunities are identified. FHWA will address this point in the operation of the project;

I also want to thank you and NATSO for the support you've provided to this important project. FHWA finds your participation on the "Stakeholder technical Work Group" to be of great value.

I look forward to working with you as the project moves forward.

Best Regards,

Tom Kearney  
Freight Operations Program  
FHWA-HOFM  
(518) 431-8890  
[tom.kearney@dot.gov](mailto:tom.kearney@dot.gov)

**BEFORE THE  
FEDERAL HIGHWAY ADMINISTRATION  
UNITED STATES DEPARTMENT OF TRANSPORTATION**

---

---

**COMMENTS OF THE  
OWNER-OPERATOR INDEPENDENT DRIVERS ASSOCIATION, INC.**

**IN RESPONSE TO FHWA'S JUNE 25, 2013,  
NOTICE AND REQUEST FOR COMMENTS FOR A NEW  
INFORMATION COLLECTION**

**USDOT SURVEY AND COMPARATIVE ASSESSMENT  
OF TRUCK PARKING FACILITIES**

**DOCKET NO. FHWA-2013-0017**

---

---

**JAMES J. JOHNSTON  
President  
Owner-Operator Independent  
Drivers Association, Inc.**

**PAUL D. CULLEN, JR.  
PAUL D. CULLEN, SR.  
The Cullen Law Firm, PLLC  
1101 30<sup>th</sup> Street, N.W., Suite 300  
Washington, DC 20007  
Phone: (202) 944-8600**

## **I. STATEMENT OF INTEREST**

These comments are submitted on behalf of Owner-Operator Independent Drivers Association, Inc. (“OOIDA” or “Association”) in response to the notice and request for comments entitled Agency Information Collection Activities; New Information Collection Request, “USDOT Survey and Comparative Assessment of Truck Parking Facilities,” published by the Federal Highway Administration, (“FHWA” or “Agency”), Docket No. FHWA-2013-0017, 78 Fed. Reg. 38094 (June 25, 2013) (the “Notice”). The Notice requests comments on FHWA’s proposed Information Collection Request (“ICR”) “to evaluate, by the collection of survey data, the capability of the states to provide adequate parking and rest facilities for commercial motor vehicles engaged in interstate transportation. “Other work required is an assessment of the volume of commercial motor vehicle traffic in each state and the development of a system of metrics designed to measure the adequacy of commercial motor vehicle truck parking facilities in each state.”

OOIDA is a not-for-profit corporation incorporated in 1973 under the laws of the State of Missouri, with its principal place of business in Grain Valley, Missouri. OOIDA is the largest international trade association representing the interests of independent owner-operators, small-business motor carriers, and professional drivers. The approximately 150,000 members of OOIDA are professional drivers and small-business men and women located in all 50 states and Canada who collectively own and operate more than 200,000 individual heavy-duty trucks. Single-truck motor carriers represent nearly half of the total of active motor carriers operated in the United States. The mailing address of the Association is:

Owner-Operator Independent Drivers Association, Inc.  
P.O. Box 1000  
1 NW OOIDA Drive  
Grain Valley, Missouri 64029  
www.ooida.com

The Association actively promotes the views of professional drivers and small-business truckers through its interaction with state and federal government agencies, legislatures, courts, other trade associations, and private businesses to advance a safe and equitable environment for commercial drivers, including those with their own federal motor carrier operating authority. OOIDA is active in all aspects of highway safety and transportation policy and represents the positions of professional drivers and small-business truckers in numerous committees and various forums on local, state, national, and international levels. In sum, OOIDA's mission includes the promotion and protection of the interests of independent truckers on any issue which might touch upon the safe operation of their motor vehicles on the nation's highways, their economic well-being, and their working conditions. The scarcity of truck parking is a critical and vastly under examined highway safety issue. OOIDA submits these comments to help the agency best identify the nation's most pressing needs for truck parking.

## **II. COMMENTS**

The lack of truck parking, especially for interstate long-haul truckers, is a chronic and worsening problem. Such drivers are typically not the constituents of the state and local governments who make decisions on zoning, traffic, parking, permitting, and construction that affect the availability of truck parking. Overwhelmingly, the trend has been for states to close rest areas and for local governments to institute no-truck parking ordinances. The beneficiaries of this trend have been the owners of existing truck parking facilities, or "Private Facility Owner/Operators" ("PFOOs") as the Notice calls them. They have reaped the benefits of truck drivers' dollars for fuel, food, and entertainment both during their mandatory off-duty time, and at least part of their on-duty not driving times. The lack of alternate truck parking means their lots are always full and revenue greater. PFOOs have a vested interest in the status quo. OOIDA does not expect PFOO's to be a reliable source of information on the scarcity of truck parking.

For this reason, OOIDA is concerned with the proposed survey's plan to spend more time (304 hours) interviewing more PFOOs (229) than it will talking to the community of persons bedeviled by the problem of a lack of truck parking, drivers, (an unknown percentage of 150 Trucking Company Representatives) for 225 hours.

There are hundreds, if not thousands of areas around the country where drivers routinely have difficulty finding parking when the Hours of Service rules require them to stop driving. Weather, traffic, and unpredictable conditions and demands at loading and unloading docks prevent most long haul drivers from knowing with precision where they will be when they need to shut down and park. Many drivers, therefore, cannot routinely plan where they will park.

OODIA believes there are 3.1 million truck drivers who rely upon truck parking – a far greater number than the number of PFOOs involved in this issue. Because the lack of truck parking is a particularly localized issue involving hundreds of specific geographic areas, OOIDA believes that 150 truck drivers (or fewer) would be an incomplete and unrepresentative survey sample to measure the problem. If FHWA wants to collect data to obtain a broad understanding of the truck parking problem, then it must make an effort to seek information from a larger number of survey respondents. If FHWA intends this survey to be a census of the specific locations with the greatest need for additional truck parking spaces, then it would need to greatly expand the number of drivers it surveys. The OOIDA Foundation could assist the agency to obtain a larger number of drivers and more data from them, in a shorter period of time, than OOIDA believes FHWA could obtain on its own.

In OOIDA's experience, PFOO's and their national representatives routinely downplay the need for new parking facilities throughout the country. These parties clearly have a vested interest in keeping fewer truck parking facilities available. Understanding, however, that PFOOs will be some component of the survey, OOIDA advises FHWA to ensure that a percentage of the



PFOOs surveyed are independent small businesses and not a part of the large truck-stop conglomerates. Not only do independent truck stop operators represent a different economic interest than the larger operators, they tend to serve a different population of truck drivers. Many small business drivers and truck owner-operators park at smaller facilities because they do not qualify for fuel discounts available to large fleets at the large truck stop chains. OOIDA offers a fuel discount card to its members and observes that it is often used at smaller independent facilities. The inclusion of small business truck stop operators in the survey would provide more complete and accurate survey results.

Finally, the Notice announces the intent to convene expert focus groups and to gather input in the delivery and content of the survey instrument and the assessment tool required by law. OOIDA requests to participate in these panels and offers to otherwise contribute its expertise in 1) surveying for the various manifestations of the truck parking problem, 2) formulating the survey questions in a language that would best solicit driver responses, and 3) devising the best strategy to deliver or administer the survey to drivers.

### III. CONCLUSION

OOIDA appreciates FHWA's multi-faceted plan to study the scarcity of truck parking. Any survey of the problem must solicit the experiences from a wide variety and a great number of truck drivers. Information solicited from truck stop-operators must be understood in the context of the economic benefits they derive from the current truck-parking environment. OOIDA looks forward to additional opportunities to participate in this effort.

JAMES J. JOHNSTON  
President  
Owner-Operator Independent  
Drivers Association, Inc.

/s/ Paul D. Cullen, Jr.  
PAUL D. CULLEN, JR.  
PAUL D. CULLEN, SR.  
THE CULLEN LAW FIRM, PLLC  
1101 30th Street N.W.  
Suite 300  
Washington, DC 20007  
(202) 944-8600

August 26, 2013

**From:** Kearney, Tom (FHWA)  
**To:** [Ryan Bowley](#)  
**Cc:** [Thomas Weakley](#)  
**Subject:** Comments on Jason's Law Docket - FHWA-2013-0017  
**Date:** Thursday, November 07, 2013 9:24:00 AM  
**Attachments:** [OOIDA Comments USDOT Survey of Truck Parking Facilities 8 26 13.pdf](#)

---

Ryan,

Could you forward this message to Jim Johnston and Paul Cullen? Mr. Cullen submitted the comments that Mr. Johnston signed and submitted; I do not have e-mail addresses for either gentleman. Thank you.

A copy of the comments submitted by OOIDA are attached.

In response to these comments, the following actions are being taken:

- The number of drivers that FHWA suggested would be surveyed (150 in the Federal Register Notice) was seen as inadequate. FHWA reached out to OOIDA for information on the appropriate number of drivers to be surveyed, the number of 400 drivers was offered by OOIDA and the outreach to drivers by FHWA will now include 400 drivers;
- OOIDA reminded FHWA that the survey of privately owned and operated facilities should not solely include national, multi-state enterprises. OOIDA pointed out those smaller scale facility owners should be included in the Survey. USDOT intends, working with NATSO, to include small, medium and large scale facility owners and operators in the Survey;
- OOIDA expressed interest in participating in the Metrics Workshop that will be conducted under this project. FHWA intends to include OOIDA representatives as invitees to this event.

Again, thank you for the comments. I also extend my appreciation of the support that OOIDA has extended to FHWA on this important project; OOIDA's participation on the Stakeholder Technical Work Group is of great value to FHWA as we address the work activities outlined under MAP-21's Section 1401(c).

I look forward to working with you as the project progresses.

Best Regards,

Tom Kearney  
Freight Operations Program  
FHWA-HOFM  
(518) 431-8890  
[tom.kearney@dot.gov](mailto:tom.kearney@dot.gov)



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION  
1401 EAST BROAD STREET  
RICHMOND, VIRGINIA 23219 2000

**Gregory A. Whirley**  
Commissioner

August 22, 2013

Docket No. FHWA-2013-0017  
Docket Management Facility  
U.S. Department of Transportation  
West Building, Ground Floor, Room W12-140  
1200 New Jersey Ave., SE  
Washington, DC 20590-0001

Re: FHWA's Notice and Request for Comments for a New Information Collection – USDOT Survey and Comparative Assessment of Truck Parking Facilities; Docket No. FHWA-2013-0017

Dear Sir or Madam:

The Virginia Department of Transportation (VDOT) appreciates the opportunity to comment on the Federal Highway Administration's (FHWA) notice regarding its proposed new information collection, the "USDOT Survey and Comparative Assessment of Truck Parking Facilities", which was published in the Federal Register on June 25, 2013.

Below are VDOT's comments on the following aspects of the information collection:

- (1) Whether the proposed collection is necessary for the FHWA's performance;

**VDOT agrees the planned data collection is necessary. VDOT is expecting to participate by sharing data collected for the Virginia Truck Parking Study.**

- (2) the accuracy of the estimated burdens;

**The estimated burden is inadequate; VDOT estimates the burden for data collection and verification to be approximately 8 hours per facility. VDOT will be engaged in the process of gathering this inventory over the next couple of months through the Virginia Truck Parking Study.**

- (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information;

**FHWA should provide an Excel spreadsheet with the desired layout and format; populated with known, or estimated information; to be verified and/or updated by state DOTs.**

**Data collection should include the following information;**

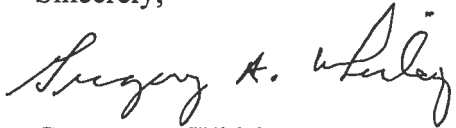
- **Classifying each truck parking area as private or public,**
- **NATSO (National Association of Truck Stop Operators) truck parking data,**
- **GPS coordinates of each truck parking area,**
- **Collect the total number of truck parking spaces available at each location and documenting any other relevant information such as nearest interstate.**

- (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information.

**If available, use aerial mapping with base GIS information mapping of the truck stop facilities.**

Thank you again for the opportunity to comment on the Notice for FHWA's new information collection for the USDOT Survey and Comparative Assessment of Truck Parking Facilities. If you have any questions about these comments, please feel free to contact Martin Krebs at (804) 786-0785.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory A. Whirley". The signature is fluid and cursive, with the first name "Gregory" being more prominent.

Gregory A. Whirley  
Commissioner of Highways

**From:** Kearney, Tom (FHWA)  
**To:** ["gawhirley@vdot.virginia.gov"](mailto:gawhirley@vdot.virginia.gov)  
**Cc:** ["martin.krebs@vdot.virginia.gov"](mailto:martin.krebs@vdot.virginia.gov)  
**Subject:** Response to Comments on Jason's Law Docket -- FHWA-2013-0017  
**Date:** Thursday, November 07, 2013 9:57:00 AM

---

Mr. Whirley,

I want to thank you for the comments you submitted to the Jason's Law Docket [FHWA-2013-0017]. In response to the comments we received, the following actions are being taken:

- Virginia DOT (VDOT) has offered to share information developed under the Statewide Truck Parking Study that is being launched. FHWA thanks the Department and fully intends to accept this offer and intends to work with your staff to incorporate information relevant to the work FHWA has underway in addressing the work activities provided in MAP-21's Section 1401(c).
- VDOT cautioned FHWA that the estimated burden to State Departments of Transportation, estimated by FHWA to be 4 hours per respondent, may not be sufficient to gain the information being sought. VDOT suggested that 8 hours per site would be needed. FHWA does not intend to extensively gather site-specific data at public truck parking facilities but, rather, intends to survey State DOT personnel to gain information on the number of publicly provided truck parking facilities in each state and enumerate the number of truck parking spaces at each of these sites. FHWA feels that four hours would suffice in gaining this information. Knowledge of the severity of truck parking shortages in various regions of each state will also be solicited.
- VDOT offered suggestions on the survey instrument design that would enhance quality, usefulness of the information gained and increase the clarity of the information being requested through the survey instrument. These are very helpful suggestions; the suggestions have been shared with the Project Team that FHWA has retained in addressing the work activities provided in MAP-21's Section 1401(c) and will be reflected in the survey instrument. Thank you.
- VDOT suggested an approach that would lessen the burden on respondents would be use of electronic technology, including Geographic Information System (GIS) tools and aerial mapping products. FHWA intends to employ tools such as these in the survey approach and, also, in the development of other work products required under the project. Thank you for the very helpful suggestion.

On September 16, 2013, FHWA and VDOT, along with support contractors involved in each of our Truck Parking Study project, conducted a conference call to identify areas where mutually beneficial assistance could be provided to each project. The discussion was highly cooperative; I look forward to continuing this coordination as our projects move forward.

Again, thank you for your most helpful comments.

Best Regards,

Tom Kearney

Freight Operations Program  
FHWA-HOFM  
(518) 431-8890  
[tom.kearney@dot.gov](mailto:tom.kearney@dot.gov)