

Trucking-Backed Suit May Be Arena for Dumping Biden Independent Contractor Rule

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Richard Reibstein, a partner with Troutman Pepper Locke, was quoted in the February 3, 2025 *FreightWaves* article, [“Trucking-Backed Suit May Be Arena for Dumping Biden Independent Contractor Rule.”](#)

Richard Reibstein is an attorney with Troutman Pepper Locke who specializes in independent contractor law. He writes a [blog](#) on the subject for his law firm.

When the Biden administration rule was announced, Reibstein was skeptical that the massive impact feared by its opponents would actually develop. “The legal impact of the final rule, however, will hardly ripple the waters,” [he wrote at the time](#). “After all, it is the courts that create law on this subject, not regulatory agencies.”

In a [November blog post](#), he returned to that theme. He said at the time that neither the Biden nor Trump rule had been cited by a “single federal court in determining IC status.”

“Only one court – a federal district court in Nevada – cited to the current regulation, and it essentially disregarded the regulation, concluding that the regulation was nothing more than ‘interpretative rules as a guide as opposed to a mandate.’”

However, since Reibstein wrote that, there has been a decision in a federal court in New Mexico with a carrier as the plaintiff. The decision by Judge Kea Riggs in that case discussed the Biden IC rule extensively.

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