



Parents Against Tired Truckers and Citizens for Reliable and Safe Highways

October 4, 2016

The Honorable Anthony Foxx
Secretary
U.S. Department of Transportation
1200 New Jersey Ave., S.E.
Washington, D.C. 20590

Dear Secretary Foxx:

Today, I sat through the National Transportation Safety Board (NTSB) meeting as they determined the probable cause of and adopted a report on the truck crash that killed my wife, Tiffany, my mother-in-law, Sandra Anderson, and my step-daughters, Kelsie and Savannah. As I listened to the NTSB staff present the report findings, my sorrow, anger and frustration grew at the painful reminder of how avoidable this crash was and how little your Department is doing to promote policies and adopt regulations that could have prevented it. The lack of urgency, the delays in issuing regulations and the inadequate oversight of the motor carrier industry are just a few of the major problems plaguing the Department.

My family was killed in a work zone truck crash near Chattanooga in June 2015. At the meeting today, the NTSB determined that there were no mechanical issues with any of the nine vehicles involved, weather was not a contributing factor, and there were ample visual cues to alert the truck driver of the impending work zone and traffic. Unfortunately, the truck driver far exceeded the legal limit on hours of service (HOS) leading up to the crash, was under the influence of narcotics, and was speeding – traveling approximately 80 mph which was well above the posted limit of 55 mph. These factors greatly diminished his ability to operate safely and, ultimately, resulted in his truck hitting seven vehicles and traveling 453 feet from the initial impact area to its final rest position. Six people were killed and four more were injured. Worse yet, all of these factors were completely preventable with known and proven solutions, many of which have been previously recommended by the NTSB.

The rapidly rising number of truck crashes, fatalities and injuries is a clear indicator that the Department of Transportation has a double standard for safety. In 2009, there were 286,000 truck crashes; by 2014 that number shot up to 411,000 – a 44 percent increase. From 2009 to 2014, there was a 50 percent increase in truck crash injuries. From 2009 to 2015, there was a 20 percent increase in truck crash fatalities, which resulted in deaths exceeding 4,000 for the first time since 2008. Yet, your Department has adopted a standard of zero tolerance for commercial airplane crashes and achieved that goal for seven years now.

Considering these facts, I urge the Department to take immediate action and make truck safety your priority. One of the most important steps is to commence a rulemaking requiring crash avoidance technologies as standard equipment on all large trucks. Using this proven, life-saving technology will reduce the number of truck crashes and increase the number of lives saved and injuries prevented. According to one estimate by the National Highway Traffic Safety Administration (NHTSA), current generation automatic emergency braking (AEB) systems can prevent more than 2,500 crashes each year and future generation systems could prevent more than 6,300 crashes annually. Yet, NHTSA has still not initiated any rulemakings requiring AEB.



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Additionally, the agency is working to complete a rulemaking to update a 20-year-old underride guard standard with one that will have little impact in advancing safety. Right now 93 percent of trailers sold in the United States already meet or exceed the proposed, ten-year-old, Canadian standard. Likewise, the Federal Motor Carrier Safety Administration (FMCSA) has done little to increase the minimum levels of financial responsibility for motor carriers, which has not been raised in 35 years. This is particularly infuriating to victims like me because the Secretary is empowered to raise the woefully inadequate minimum insurance requirement. Instead, this agency is more concerned with appeasing members of the trucking industry by creating a crash weighting determination process, which will be burdensome, costly, and unnecessary while it does little, if anything at all, to improve prediction of crash risk.

The DOT has also failed to meet deadlines required by Congress that could have ensured that my wife, her mother, and two daughters were not killed. Even though your Department was mandated to promulgate a final rule for a Drug and Alcohol Clearinghouse for commercial drivers by October of 2014, one has still not been produced. In those two years, the truck driver who caused the crash was twice charged with possession of methamphetamine, once for a previous incident and once after causing the crash.

I, along with thousands of other families who have suffered the loss of a loved one in a speeding truck crash, am also waiting for the long overdue heavy vehicle speed limiter rule, which has been delayed nearly thirty times over the span of ten years. While NHTSA has released a notice of proposed rulemaking, it is exceedingly weak and it would be preposterous for the rule to only apply to new trucks considering this technology has been a standard capability in most trucks since the 1990s.

We urge you to use your remaining time of 4 months as Secretary to direct NHTSA and FMCSA to issue regulations that will make trucking safer for all of us sharing the road -- truck drivers, motorists, bicyclists, and pedestrians. We also urge you to oppose any efforts in Congress to attack the HOS rule in the government spending bill.

Requiring AEB on all new large trucks, issuing a strong rear and side underride guard rule, and raising the minimum levels of insurance to levels appropriate in 2016 are urgently needed now. This could be the difference between directing a Department that stood by and allowed truck crash deaths to exceed 4,000 for the first time in eight years, or implementing real solutions to real problems that affect real people like me.

Thank you for your time and consideration. I look forward to receiving your prompt response.

Sincerely,

Rick Watts
Morristown, TN
Volunteer, Truck Safety Coalition
Husband of Tiffany Watts,
Son-in-Law of Sandra Anderson,
Step-father of Kelsie and Savannah Garrigues
Killed in a truck crash 6/25/15