



THE TRUCK SAFETY ADVOCATE

WINTER 2008/2009

WELCOME BACK TO THE TRUCK SAFETY ADVOCATE

The Truck Safety Coalition is trying something new for our quarterly newsletter. You should be receiving periodic emails from us with links to the latest newspaper articles covering truck safety issues. The newsletter will take this effort one more step forward to keep you informed and armed with the most recent press coverage by highlighting some of the opinion-editorials, or op-eds, and letters to the editor submitted

by our volunteers. It will also recognize some of the legislative activities of TSC volunteers. We hope that these achievements will keep you involved with the TSC and inspire you to work more closely with us to submit even more op-eds and letters, to hold more press conferences, and to meet with your elected officials to inform them about our numerous issues. Right now, we especially need your help with advocacy efforts to

retain the federal truck size and weight limits. Please see the action alert on page two for more information. Also, please feel free to contact us – no question or idea is too small or insignificant. We relish the opportunity to expand our resources and contacts, and of course, we thank those of you included in this newsletter for your time and contributions.

LETTER TO THE EDITOR OF THE BURLINGTON FREE PRESS

JULIE MAGNAN

I am writing to alert all who travel on Vermont's roads that Congress is considering a dangerous proposal to increase to Interstate truck weight limits.

Unfortunately, I personally know the devastation that can be caused by a truck crash. My husband and I were in a tractor trailer crash. I will never forget the image of the trailer coming toward us at eye level. My husband pulled me down onto his lap but never had time to get down himself. I have become involved in improving truck safety in David's honor and to prevent other families from

experiencing the devastation we have.

The powerful trucking industry is heavily lobbying our elected officials. As citizens, we must speak up and tell them heavier trucks are unacceptable. They are more deadly in crashes, take longer to stop and damage our roads and bridges making them, in turn, more dangerous as well. Right now, 36% of Vermont's roads are already in poor or mediocre condition.

Additionally, increasing Interstate weights would turn Vermont into the most direct truck route between Montreal and Boston. This

will result in more overweight trucks, backed-up border checkpoints, and behemoth trucks navigating icy hills during our snowy winters.

I applaud the Vermont Delegation for their careful consideration of this safety issue before acting rashly and urge them to continue doing so. Indeed, instead of an increase, I urge Congress to lower our limit on state roads back to 80,000 pounds.

Julie is a volunteer for the Truck Safety Coalition and can be reached at djmagnan@adelphia.net

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ACTION ALERT: GET INVOLVED NOW! WE NEED YOUR HELP TO DEFEAT TRUCKING INTERESTS LOBBYING RIGHT NOW IN CONGRESS FOR BIGGER AND HEAVIER TRUCKS *BIGGER TRUCKS = MORE DEATHS AND MORE DAMAGE*

ISSUE: When Congress returns to session in 2009, they will be debating a bill that is vital to improving our roads, bridges and highways. The 2005 "Safe, Accountable, Flexible, Efficient Transportation Equity Act-A Legacy for Users" (SAFETEA-LU), approved by Congress and signed by President Bush in August 2005, authorized \$286.5 billion in federal investment for the highway, public transportation and highway safety programs from fiscal years (FY) 2004-09. This law expires next year and Congress must pass its successor.

TAKE ACTION NOW: The following members of Congress have significant roles in crafting this bill. Their committees and subcommittees are being lobbied by the trucking industry which has been staging a no-holds-barred campaign to increase the nation's truck sizes and weights from the current federal level of 80,000 lbs. to 97,000 lbs. **To stop this effort, we need your help. By writing a letter to your members of Congress and these leaders, you will be taking action to save lives!**

To determine who your Representative is, go to: www.house.gov (top left corner of home page). You can then find his or her homepage via this site.

To determine who your two Senators are, go to: www.senate.gov (top right corner of home page). You can then find their homepages via this site.

Rep. James Oberstar (D-MN), Chair, House Transportation and Infrastructure Committee. If you live in the 8th Congressional district of MN, you can email Rep. Oberstar at <http://www.house.gov/oberstar/zipauth.htm>; otherwise please fax a letter to 202-225-0699.

Rep. John Mica (F-FL), Ranking Member, House Transportation and Infrastructure Committee. To email: <http://www.house.gov/mica/messageform.shtml>; to fax: 202-226-0821.

Rep. Peter DeFazio (D-OR), Chair, House Subcommittee on Highways and Transit. If you live

in Oregon, you can email Rep. DeFazio at <http://www.house.gov/formdefazio/contact.html>; otherwise please fax a letter to 202-226-0224.

Sen. Barbara Boxer (D-CA), Chair, Senate Environment and Public Works Committee. To email: <https://boxer.senate.gov/contact/email/policy.cfm>. To fax a letter: 202-224-0454.

Sen. James Inhofe (R-OK), Ranking Member, Senate Environment and Public Works Committee. To email: <http://inhofe.senate.gov/public/index.cfm?FuseAction=Contact.ContactForm>. To fax a letter: 202-228-0380.

SOME POINTS YOU COULD INCLUDE IN YOUR LETTERS:

Large, Heavy Trucks are Disproportionately Responsible for U.S. Crash Deaths:

▶ Although big trucks are only 3 percent of U.S. registered vehicles, they are responsible for 13 percent of annual motor vehicle crash fatalities. (*Insurance Institute for Highway Safety (IIHS) Fatality Facts 2005*)

▶ When a car has a crash with a big truck, 98 percent of the people who die are in the small passenger vehicle. (*IIHS Fatality Facts 2005*)

▶ Making existing trucks heavier increases crash risk due to poorer braking and more rollover crashes.

▶ Bigger, heavier trucks are less safe and have a greater risk of crashing than the maximum 80,000-pound GVW, 5-axle trucks currently allowed by federal law and regulation, according to several major studies conducted by the federal government since the late 1990s.

There Has Been No Progress in Preventing Deaths from Large Truck Crashes:

▶ In 2006, 4,995 people died in large truck crashes, more than the annual number of deaths in 1991, in

1992, and in 1993. Congress should be taking action to decrease this number, not considering ways to make our roads even more dangerous.

Big, Heavy Trucks are a Major Source of Highway and Bridge Damage:

▶ U.S. highways and bridges are "buckling" under levels of demand unforeseen by engineers who designed them. Heavy trucks do not pay their fair share for highway and bridge deterioration. (*National Surface Transportation Policy and Revenue Study Commission: Transportation for Tomorrow, December 2007*)

▶ Bigger, heavier trucks are incompatible with the roads opened to their use. Numerous federal and private sector studies have shown that longer, heavier trucks operate with lower safety margins on both Interstate and lower class roads.

Heavier Trucks Do Not Increase Trucking Productivity:

▶ U.S. DOT determined that increasing gross truck weight contributes little to overall freight transportation productivity. (*Western Uniformity Scenario Analysis, U.S. Department of Transportation (DOT), 2004*)

Heavier Trucks Can Have Serious Consequences for Safety and Infrastructure Preservation:

▶ U.S. DOT warned that increasing truck weights can have serious unintended consequences for safety and highway infrastructure. (*Western Uniformity Scenario Analysis, U.S. Department of Transportation (DOT), 2004*)

If you would like assistance with drafting a letter, need to learn more about how to email or fax a letter, have any questions, or are interested in becoming even more involved, please contact us. It would also be extremely helpful if you would inform us about your efforts by emailing us at crash@trucksafety.org.

VICTORY IN DEFEATING DANGEROUS TRUCKING PROPOSAL

Jennifer Tierney has devoted significant time to achieve numerous advances in truck safety through her involvement with CRASH and the Truck Safety Coalition, and this year she added to her list of accomplishments. When Jennifer learned about Senate Bill 1695 (S1695) which would allow longer trucks, wider boats and some heavier farm commodity trucks on North Carolina's roads, she immedi-

ately starting working to defeat it. The bill would have also allowed 53-foot-long tractor trailers on approximately 20 thousand miles or approximately 90 percent of highways where 48 feet is the current limit. Jennifer's efforts included: contacting numerous legislators; holding press conferences; sending action alerts; testifying before legislative committees; submitting written testimony to committees; and

building support from other organizations. Her extensive efforts were rewarded as the bill was amended and the NC DOT must determine a road is safe before it is opened up to larger trucks. Much thanks and congratulations to Jennifer and everyone who worked with her.

Jennifer lost her father James William Mooney in a truck crash and is a CRASH board member. She can be contacted at JMT56@aol.com.

LETTER TO THE EDITOR OF THE BANGOR DAILY NEWS

DAPHNE IZER

I am writing to alert all Maine families about legislation that was recently introduced by Senator Collins and co-sponsored by Senator Snowe that would allow 100,000 pound trucks on our roads and bridges, S.3059. Despite the dangers of overweight trucks, the increased damage to our infrastructure, and the potential for catastrophic bridge collapses, our Senators are pushing for even bigger and heavier trucks.

The bill would create a two-year pilot program that would grant an exemption for trucks to travel on federal highways wherever diesel prices are \$3.50 a gallon or more. It is no secret trucking lobbyists want bigger, longer, heavier trucks in Maine, in neighboring states, throughout the northeast and across the country. Maine is the essential link in that strategy.

The trucking industry's goal is always the same, the excuses just get changed. This time, they are using the high cost of gas to push their agenda. Yet, the United States Department of Transportation (U.S. DOT) found that a 5- or 6-axle semi-trailer combination truck weighing 100,000 pounds, rather than 80,000 pounds, suffered a 10.4 percent reduction in diesel fuel mileage (Western Uniformity Scenario Analysis, (U.S. DOT), 2004). If we are serious about energy conservation, why don't we lower speed limits for large trucks? The result would be both saved lives and saved fuel.

Not only are overweight trucks dangerous and damaging to our environment, they are also the major cause of bridge and road destruction. The Federal Highway Administration has reported that 820 bridges in Maine -- about 34 percent -- are structurally deficient or functionally obsolete. In the wake of

the horrific tragedy of the I-35 bridge collapse in Minneapolis that killed 13 people and injured an additional 145 people, it would be irresponsible to support legislation that puts additional strain on Maine's roads and bridges and threatens safety.

Fifteen years ago I lost my son, Jeff, in a preventable truck crash on the Maine Turnpike. In 2006 nearly 200 people in our state were killed in highway crashes. Senator Collins and Senator Snowe, we have had enough. I urge you to protect your constituents and our State's infrastructure and lower truck weights on all Maine roads. It is time to put the brakes on this irresponsible and ill-advised proposal.

Daphne's teenage son Jeff died in a crash involving a tired trucker. She and her husband then founded P.A.T.T. in 1994. She can be contacted at dizer@roadrunner.com.

EXCERPT FROM "INCREASING TRUCK WEIGHTS NOT WORTH THE IMPACT" GUY BOURRIE

Arguments pro and con concerning raising truck weight limits on the non-turnpike miles of Maine's interstate are getting hot. As a Maine resident and trucker with 20-plus years over-the-road experience, I too am beginning to heat up. The argument purports to center on safety, with proponents arguing that overweight trucks (those in excess of the federal limit of 80,000 pounds) must be allowed to use the Maine interstate north of Augusta. Such a change would remove these trucks from their current secondary routes (where Maine law allows them) and would

thus make these roads safer for the motoring public. **Not so fast.** Maine officials have stated that they will continue to allow 100,000 GVW trucks on local streets even if these trucks were permitted on the remainder of Maine's interstate highways. Yes, many trucks would remove to the four-lane, but many would continue to use the two-lane routes for a variety of reasons and they would be perfectly within the law. Very few if any 100,000-pound loads, or 80,000 for that matter, originate or terminate on the interstate. At some point they must make the trek down a ramp and

onto a secondary road. **If safety is truly the goal here, then raising the weight limit on the interstate from 80,000 to 100,000 is not the real issue; lowering the 100,000 limit to 80,000 on secondary roads and the Maine turnpike is.**

For the Op-Ed in its entirety go to http://www.trucksafety.org/Guy_Bourrie_Op-Ed_

Guy Bourrie is a truck driver and an ordained minister with the United Church of Christ. He lives in Washington, ME and can be contacted by e-mail at redhaven@fairpoint.net.

TRUCK SAFETY COALITION

2020 N 14th Street
Suite 710
Arlington, VA 22201

Phone: 703-294-6404
Fax: 703-294-6406
E-mail: crash@trucksafety.org

**Working together . . . we
can save lives!**



The Truck Safety Coalition is a partnership between The Citizens for Reliable and Safe Highways (CRASH) foundation and Parents Against Tired Truckers (PATT). The Truck Safety Coalition is dedicated to reducing the number of deaths and injuries caused by truck-related crashes, providing compassionate support to truck crash survivors and families of truck crash victims, and educating the public, policy-makers and media about truck safety issues.

EXCERPT FROM “FMCSA: AN ILLUSION OF OVERSIGHT” MICHAEL PURSER

Published in The Atlanta Journal-Constitution

Three years ago I knew practically nothing about the trucking industry and the federal agency responsible for overseeing them. What I've learned since then, after my mother and only sister were killed when a commercial truck rammed their car, is no less than terrifying.

When Congress established the Federal Motor Carrier Safety Administration (FMCSA) in 1999, it charged the agency with providing oversight for large commercial trucking carriers and reducing the more than 5,000 fatalities occurring every year from crashes with these trucks. FMCSA's oversight was intended to make the carriers more responsible and accountable. Unfortunately, FMCSA's performance has fallen woefully short of expectations.

FMCSA will tell you that any commercial carrier crash resulting in a fatality will initiate a Compliance Review (CR). In reality none of the four fatalities attributed to this one carrier in a 20 month period initiated any CR. A year after my mother and sister's crash, their deaths were still not listed in the FMCSA data base, so I initiated a CR. When completed, the CR found that the carrier had been operating with a "conditional" rating for 10 years without

any review by FMCSA. It also revealed the following:

- Minimum random drug testing of drivers was not being done in a timely manner.
- Repeated incidents by the company to conduct post accident drug and alcohol testing.
- Drivers being put on the road before the company obtained pre-employment drug testing results.
- A fatality in New Jersey where the carrier's driver was convicted of drug use.

Unbelievably, FMCSA gave the carrier a "satisfactory" rating because, in their words, they found no pattern in the carrier's behavior. The carrier, with over \$1.4 billion in gross revenues, was fined only \$3,040. My mother and sister's deaths were still not listed in FMCSA's data base.

FMCSA will tell you that all fatalities will become part of their crash data in a timely manner. In reality it took two and half years, two letters to the Director of FMCSA, two face to face meetings with regional FMCSA officials, letters to four U.S. Senators and six members of the House, several discussions with the NC Highway Patrol and

a personal visit to Capitol Hill to the offices of one U.S. Senator and five U.S. Representatives to get my mother and sister's fatalities into the FMCSA data base.

FMCSA's legacy of failure is well known to members of Congress. Every report, government or private, has listed its shortcomings. The number of annual fatalities remains well over 5,000. FMCSA is totally incapable of providing meaningful oversight of hundreds of thousands of US carriers. The notion that they can provide US citizens reasonable protection from Mexican carriers now crossing onto U.S. soil is unconscionable and dishonest.

For the Op-Ed in its entirety go to http://www.trucksafety.org/Michael_Purser_Op-Ed_FMCSA:_An_Illusion_of_Oversight.php

Michael Purser lives in Georgia and is a volunteer for the Truck Safety Coalition. He lost his mother and sister in a truck crash in 2005.

**Need facts about truck safety
in your state or want to meet
with your members of Congress
or their staff? Email us at:
crash@trucksafety.org or
patt@trucksafety.org**