

Remarks of Jackie Novak
Press Conference on the Safe Highways and Infrastructure Protection Act (SHIPA)
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Washington, D.C.

Good morning, my name is Jackie Novak and my son's name was Chuck Novak. He was my only child, and we were best friends. He was 22 years old the day he died.

In the car with him was his girlfriend, Theresa Seaver, who was 23. They had gone to Charlotte for the weekend and had a great time; they saw a movie, ran into Chuck's two best friends and played football. I will be forever grateful that Chuck had the weekend he did.

On their way home they got lost and ended up on I-26. When they were less than five miles from home, they came upon an accident and were stopped in traffic. While traffic was stopped, they uploaded pictures from their trip, sent messages and waited. In fact, after being informed by the highway patrol of the "accident," I received a text message from Chuck that he had sent me about 20 minutes before he was hit.

Chuck and Theresa were hit by a semi who failed to brake. The driver of the truck hit the car behind them, and then ran over the top of their car, dragging them through the guardrail into the other lane. Witnesses driving behind the truck spoke of him driving erratically for miles and the belief is that he was asleep at the time of the crash. Chuck's body was so badly damaged I was not allowed to see him. His girlfriend, virtually decapitated, was also not seen by her parents.

The driver of this truck had multiple log book, speeding and other violations on his record. The company he worked for also had multiple violations going back several years, and in January 2010, had failed a safety inspection. Yet, with all those violations, this company and this driver were still allowed to go back on the road. This fatigued driver, with a record of violations, should not have been driving a machine weighing over 60,000 pounds that had the ability to kill 5 people in the blink of an eye.

It is because of this issue of driver fatigue that I support the proposed rule on Hours of Service (HOS) which calls for a return to the traditional 10- hour driving limit. Fatigue is repeatedly cited as a major factor in truck crashes and we must do everything we can to make sure that it does not continue to plague our roadways.

In addition, I support the mandating of Electric On-Board Recorders (EOBRs), which objectively document driving time and on-duty status. They will eliminate the use of fraudulent paper log books and will make enforcement of Hours of Service easier. This will help to reduce driver fatigue which so clearly was an issue in my son's death.

The driver that killed Chuck carried an insurance policy of 1 million dollars. One million dollars may seem like a lot of money, until you consider splitting it among 17 people, 5 of whom lost loved ones. Chuck has a 2-year old daughter. No amount of money will make up for the loss of her father but a reasonable settlement would at least provide for her needs as she grows up. This is not what we are being offered. Minimum levels of insurance for trucks have not been

increased in over 30 years. Because of this, we, the families of the victims are being asked to absorb the losses caused by big truck crashes. This is an outrage to my family and to the memory of my son. If the industry were required to absorb the losses it causes, there would be significant changes in the industry which would result in safer highways for all. Minimum insurance levels need to be significantly increased immediately and going forward on a periodic basis.

I urge the Department of Transportation to institute clearer and more direct policies for enforcement of drivers and companies with multiple violations. These drivers and companies need to be removed from the road and given fines large enough to make them reconsider future illegal actions.

I want to make sure that something like this doesn't happen to someone else's family, because someone failed to act or because some policy prevented them from acting to stop negligent drivers and unsafe companies from operating. There is no way to fix our families, but there is a way we can prevent this from happening to someone else.

Thank you.