

February 26, 2014

The Honorable Bill Shuster
Chair
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, D.C. 20515
Sent via fax: 202-225-4629

The Honorable Nick J. Rahall II
Ranking Member
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, D.C. 20515
Sent via fax: 202-226-1270

Dear Chairman Shuster and Ranking Member Rahall:

We are writing regarding the “Surface Transportation Reauthorization Roundtable” on February 26, 2013, and the “Improving the Nation’s Highway Freight Network” Hearing on February 27, 2013. Considering the lack of representation from the safety community during these important sessions, we are submitting this letter and request that it be included in the Record for the Hearing. We look forward to continuing to work together during the development of the surface transportation reauthorization legislation to advance safety.

It is essential that legislative proposals and provisions address the mounting death and injury toll on our streets and highways. After six consecutive years of declining fatalities on our nation’s roads, traffic deaths increased in 2012 to 33,561 fatalities. Moreover, 2012 fatality figures show an increase in large truck fatalities for the third year in a row – a 16 percent increase in truck crash deaths since 2009. In 2012, 3,921 people were killed on our roads in large truck crashes. In fatal truck/car crashes, 98 percent of the deaths are the occupants of the passenger vehicle. According to the federal government, the annual cost to society from crashes involving commercial motor vehicles is estimated to be over \$83 billion. The economic and emotional toll of crashes involving large trucks is significant. Thousands of deaths, tens of thousands of injuries and billions of dollars should not be considered an acceptable cost of doing business when freight is moved across the country by truck.

Our organizations strongly oppose efforts in the surface transportation reauthorization bill to increase federal truck size and weight limits nationally or by state option. Furthermore, we object to including special interest size and weight exemptions for specific industries and specific roads. Instead, we urge Congress to adopt safety proposals which will improve the safety on our highways rather than further endanger motorists and truck drivers. Attached is a chart showing the death and injury toll by freight mode. This Committee would never seriously advance any legislation that would jeopardize public safety in aviation, pipeline or waterborne transportation or rail in order to accommodate industry claims and recommendations for making so-called improvements in freight movement. Yet, numerous proposals are being promoted and pushed under the ruse of freight transportation “efficiency” and ironically, “safety” that will actually result in increased truck crashes, deaths and injuries.

Over three decades of research and real-world experience show that allowing bigger, heavier trucks will not result in fewer trucks or make our roads safer. Furthermore, allowing even bigger, heavier trucks will make a serious infrastructure funding problem even worse. Longer Combination Vehicles (LCVs), large double and triple-trailer trucks, and other heavy trucks do not pay the full costs of their operations and damage to our nation’s roads and bridges. As a result taxpayers must make up the difference.

Furthermore, our organizations oppose any change to national freight policy by legislatively mandating that states must allow 33 foot double trailer rigs. Any requirement that forces every state to allow 33 foot trailers will have major safety ramifications and preempt state laws in 39 states and the District of Columbia which currently do not allow these longer trailers including: AL, AK, AR, CA, CO, CT, DE, GA, HI, IL, KS, KY, LA, ME, MD, MI, MN, MS, MO, NE, NH, NJ, NM, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VT, VA, WA, WV, and WI. Enactment of legislation on behalf of trucking interests will force states that currently do not allow 33 foot trailers amounts to an unfunded mandate forcing states to pay for expensive infrastructure improvements and rebuilding to accommodate oversized rigs on interstates and on- and off-ramps.

Longer trucks are more dangerous to passenger cars. Adding at least 10 feet to the length of current double or tandem rigs, has far reaching and significant implications for the safe use of highways, bridges and ramps. Furthermore, this change could open the door to triple-trailer trucks using 33 foot trailers, which would be well over 100 feet long, compared to the length of an average family car, which is only about 16 feet.

Opposition to proposals to increase truck size and weight limits include a broad coalition of groups representing truck crash victims/survivors, consumer, health and safety groups, law enforcement, and truck drivers because they know first-hand the inherent dangers and difficulties of operating overweight and oversized vehicles on our streets and highways. Furthermore, public opposition is clear and consistent – the public overwhelmingly opposes industry’s relentless push to increase the size and weight of large trucks. A 2008 public opinion poll showed 82 percent of Americans feel trucks pulling double or triple trailers are more dangerous than those pulling just a single trailer. Further, a 2013 public opinion poll found 68 percent of Americans oppose heavier trucks and 88 percent of Americans do not want to pay higher taxes for the damage caused by heavier trucks.

We would also like to take this opportunity to express grave concerns regarding the progress of the Comprehensive Truck Size and Weight Limits Study (“Study”) required in the Moving Ahead for Progress in the 21st Century (MAP-21) Act, Pub. L. 112-141 (2012). Because of on-going problems with the implementation, peer review and agency decisions regarding research elements of the Study, it will not yield accurate, objective or reliable results on which to base any public policy recommendations regarding the safety or infrastructure impacts of changing current federal policy on truck size and weights limits.

The Study is fraught with numerous deficiencies. For example, one of the most egregious problems with the Study is that it assumes a static “snapshot” of current freight tonnage, ignoring estimated future increases in freight shipment by truck. This assumption allows the Study to conclude that heavier/larger trucks, transporting more freight, will make fewer trips and result in fewer trucks on the road. This is a false premise because the number of registered trucks in the U.S. has continually increased, including after every past increase in truck size and weight limits. Most recently, in 2010, when the Federal weight limit was increased on I-95 in Maine, the number of trucks using that highway rose dramatically. Ignoring the future expansion of truck freight is a serious and grievous flaw.

The decision by the Federal Highway Administration (FHWA) to adopt a “no forecasting policy” with regard to future freight tonnage shipped by truck contradicts the FHWA’s own estimate of a significant increase in shipments – a *63 percent increase in truck freight by 2040*. The Study, however, will not account for this expected increase which is irrational and unrealistic since, over time, freight tonnage shipped by truck has nearly always increased. The failure to consider this fact severely damages the validity of the Study, limits its use as a policy tool, and will provide Congress with misleading results.

The Study also plans to accept “voluntarily” submitted fleet data through trucking associations and motor carriers that have a vested economic interest in the outcome of the Study. Voluntary industry-collected data is suspect from an objective scientific standpoint because it is not uniform in quality and may introduce bias into the collected data. Use of voluntary data from advocates with a stake in the public policy outcome is highly suspect, biased and prejudicial. Safety data on the specific truck configurations in the Study is limited and there is currently no crash data to quantitatively measure safety. Lacking safety data that is directly applicable to the configurations being evaluated, the agency contractor is planning to use indirect, surrogate metrics which will result in an inaccurate measure of large truck safety for analysis. This is objectionable and unacceptable.

Additionally, the Study will include only limited data from a few states to evaluate the truck configurations in the Study, and truck configurations selected are not representative of actual conditions. These states are not representative of the topography, road conditions and urban traffic in most of the U.S. The data from these states is inadequate to make generalizations to operations that are national in scope.

Turnpike Doubles and Rocky Mountain Doubles are the heaviest and longest double-trailer truck configurations currently in operation in 21 states. Studies have found that these trucks would have the greatest impact on infrastructure and safety. But these trucks are not being evaluated in the current Study. By not including this configuration in its analysis, the Study will understate the impacts of proposed truck size and weight changes. Moreover, the Study will rely on computer simulations in lieu of real-world data on operational safety. Two-dimensional simulations are limited in applicability to real-world performance and cannot, for example, directly link on-road crash rates with a dynamic performance measure like vehicle off-tracking.

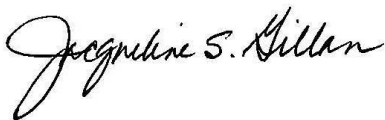
Another serious problem with the Study is that it will use data on only 400 bridges, approximately 0.1 percent of the more than 600,000 bridges in the National Bridge Inventory. This small sample size does not take into account structurally deficient and load-posted bridges, and will not produce accurate results. Additionally, the Study will not look at specific pavement thickness or strength, but only two modes, i.e., whether pavement is flexible or rigid. This will render a suboptimal analysis. The Study analysis is also largely limited to major routes on the national truck network. Consideration of the effects on local roads and bridges which connect to the network and will also bear the ramification of size/weight increases is too small and insubstantial to provide an accurate assessment of these negative impacts. The omission of local roadway and bridge data will critically affect the Study's pavement analysis, as well as its safety and cost analyses.

Additionally, the environmental analysis has been relegated to a subtask of the modal shift analysis. As a result, it will underestimate and downplay the overall environmental impact on air quality and fuel consumption of truck size and weight increases.

Everyday millions of motorists and large trucks share our highways. Families, workers and commercial interests have a personal and financial stake in ensuring our streets and highways are well-maintained, well-preserved and adequately funded. However, public policy decisions should not include trade-offs that favor some users over others, particularly when lives are at stake. We know you also support our goal of guaranteeing the safety of all highway users including families, truck drivers, pedestrians, bicyclists and businesses.

Thank you for your consideration of these serious safety issues and concerns. We look forward to continuing to work with you to advance highway, truck and auto safety.

Sincerely,



Jacqueline Gillan, President
Advocates for Highway and Auto Safety



Joan Claybrook, Chair
Citizens for Reliable and Safe Highways

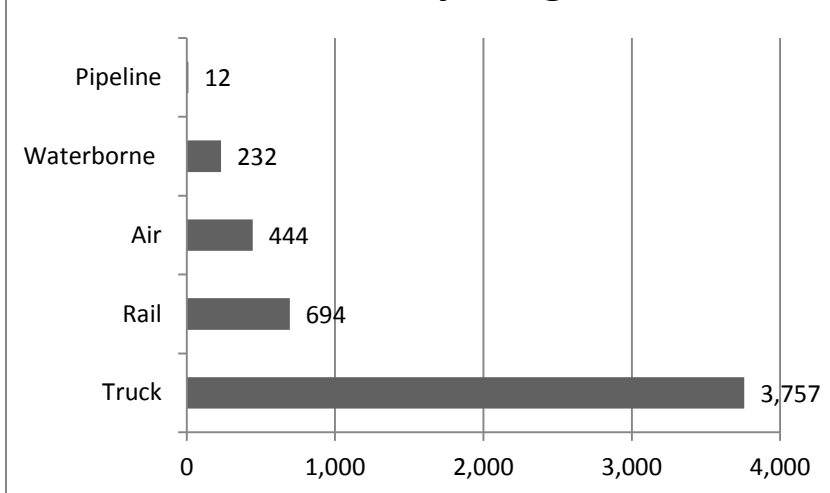


John Lannen, Executive Director
Truck Safety Coalition



Andrew McGuire, Executive Director
Trauma Foundation

2011 Fatalities by Freight Mode



Sources for 2011 information include:

Pipeline Fatalities:

http://ops.fhwa.dot.gov/freight/freight_analysis/nat_freight_stats/docs/12factsfigures/table5_1.htm

Passenger and Freight Waterborne Fatalities:

http://ops.fhwa.dot.gov/freight/freight_analysis/nat_freight_stats/docs/12factsfigures/table5_1.htm

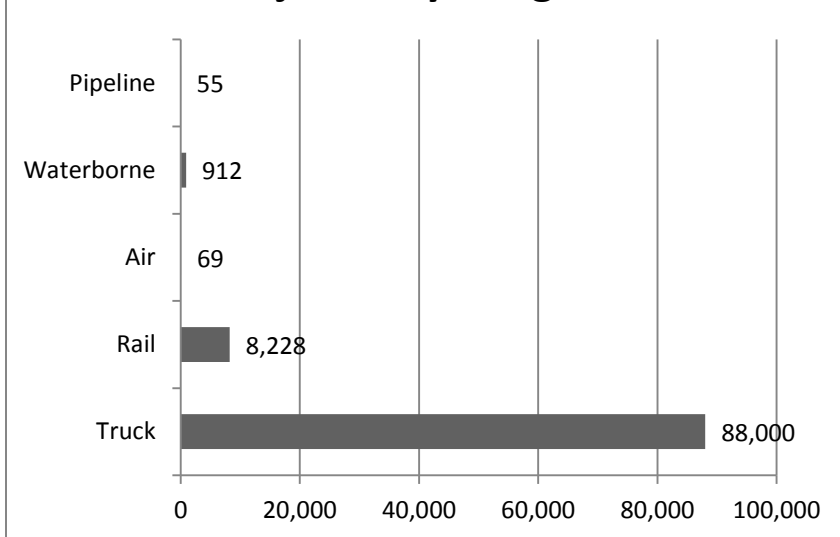
Passenger and Freight Air Fatalities: http://www.nts.gov/data/table10_2012.html

Passenger and Freight Rail Fatalities:

http://ops.fhwa.dot.gov/freight/freight_analysis/nat_freight_stats/docs/12factsfigures/table5_1.htm

Truck Fatalities: <http://www-nrd.nhtsa.dot.gov/Pubs/811752.pdf>

2011 Injuries by Freight Mode



Sources for 2011 information include:

Pipeline Injuries: http://ops.fhwa.dot.gov/freight/freight_analysis/nat_freight_stats/docs/12factsfigures/table5_2.htm

Passenger and Freight Waterborne Injuries:

http://ops.fhwa.dot.gov/freight/freight_analysis/nat_freight_stats/docs/12factsfigures/table5_2.htm

Passenger and Freight Air Injuries: http://www.nts.gov/investigations/reports_aviation.html¹

Passenger and Freight Rail Injuries:

http://ops.fhwa.dot.gov/freight/freight_analysis/nat_freight_stats/docs/12factsfigures/table5_2.htm

Truck Injuries: <http://www-nrd.nhtsa.dot.gov/Pubs/811752.pdf>

Charts compiled by Truck Safety Coalition (2014)

¹ The injuries per air are based on a review of 2011 Aviation Accidents Reports from the National Transportation Safety Board.