



Parents Against Tired Truckers and Citizens for Reliable and Safe Highways

2014 Truck Safety Issues Summary

Safety and Enforcement

Increase Minimum Insurance Levels for Motor Carriers - Minimum levels of insurance for motor carriers carrying property were set at \$750,000 over 30 years ago, have not once been increased during this time, and are woefully deficient. Consequently, a large portion of the damages and losses caused by elements of the trucking industry are imposed upon both the American motoring public and taxpayers. If the entire industry were required to absorb the losses it causes, there would be significant changes that would result in safer highways for all. In April 2014, the Federal Motor Carrier Safety Administration (FMCSA) released a report on its review of minimum financial responsibility that found current levels to be inadequate, and acknowledged that medical care inflation would increase levels to at least \$3.2 million. The Truck Safety Coalition (TSC) supports regulatory and legislative actions to increase minimum insurance levels immediately for inflation, and periodic evaluations to provide for future increases necessitated by inflation and rising health care costs.

- Immediate increase for over 30 years of inflation without a single increase in levels.
- Regular, periodic increases for inflation and health care costs.
- Begin immediate and accelerated rulemaking to address the current inadequate minimum insurance level, and future levels.

Improve Override Protections: Rear/Front/Side Guards - The federal government should require all trucks and trailers to be equipped with energy-absorbing rear impact guards mounted lower to the ground (16 inches), with vertical supports spaced farther apart (mounted 18 inches from the side edges) to effectively protect car occupants from death and injury in rear impact crashes. This safety technology is proven and well known. Actions must be taken to improve the current rear guard regulation and to include side panel and front underride (also referred to as front override) guard requirements.

- Insurance Institute for Highway Safety (IIHS) studies support the need for an improved rear underride guard rule, and in April 2014, the National Transportation Safety Board (NTSB) released another recommendation for an improved rear underride guard requirement and requirements for side and front underride guards. Rulemaking is long overdue.
- Immediate rulemaking for improved rear underride guards—lower, wider, more energy absorbing.
- Accelerate research and rulemaking for front underride guards and for side guards.

Expand FMCSA Oversight and Enforcement - The Federal Motor Carrier Safety Administration (FMCSA) oversees more than 500,000 motor carriers and 3.5 million drivers on a budget that is relatively small when compared with other transportation agencies.

- Funding for FMCSA must be increased to ensure agency accountability in advancing truck safety issues and to expand oversight and compliance efforts.

FMCSA's Compliance, Safety, Accountability (CSA) Program rates drivers and carriers based on several safety categories, called BASICS. The Crash Indicator BASIC uses prior crash history, which currently is the best indicator of future crash involvement, as one aspect of the overall rating system. Research has shown that a past truck crash, regardless of fault, increased the likelihood of involvement in a future crash by 87 percent. In spite of this high correlation to future crash risk, members of the trucking industry would seek to eliminate crashes from the Crash Indicator database by having the FMCSA make secret determinations of causation in crashes challenged by the industry.

In February 2014, the U.S. Government Accountability Office (GAO) released their report on the CSA program. While GAO did make recommendations to improve CSA, overall GAO agreed with CSA's data driven, risk based approach. Additionally, the report confirms FMCSA's claim that the CSA program has helped the agency contact or investigate more motor carrier companies and that it is an improvement over the previous system, SafeStat.

- TSC opposes adding a process to eliminate crash data. This unnecessary process will open the door for tampering with the crash data and will reduce the efficiency of FMCSA's CSA program. TSC supports preserving the Crash BASIC as is.
- TSC supports efforts to maintain and expand public access to data and safety ratings. Any attempts to hide data that is based on activity on public roads and provided by law enforcement, both of which are funded by taxpayers, should be resisted.

Controlled Substances - The TSC supports measures to test and track the use of illegal drugs, and the review and regulation of legal drugs which can cause fatigue and drowsiness.

- Implement Drug and Alcohol Clearinghouse (MAP-21). A rule was proposed in February 2014. Final rulemaking has not yet occurred.
- Permit usage of hair testing.
- Expedite rulemaking on review/regulation of Schedule II drugs.

Improve Work Zone Safety – TSC supports the following improvements to reduce work zone truck crashes and improve safety for work zone workers and for other drivers:

- Expedite research and studies on the use of in-lane rumble strips, electronic warning signs, improved safety infrastructure (such as barriers) and road to vehicle communications to reduce truck crashes in work zone sites.
- Expedite the requirement for these and other safety measures for work zone sites.
- Increase enforcement efforts and penalties for violations in work zones.

Technology

Adoption of Truck Safety Technology - TSC supports immediate rulemaking for the following proven truck safety technology:

- Electronic Logging Devices (ELDs) – A rule for ELDs was proposed in March 2014. The final rule for ELDs has not been issued, and it is now long overdue. TSC supports immediate rulemaking and rapid implementation.
- Speed Governors - Rulemaking has continually been pushed back and is long overdue. TSC supports immediate rulemaking for speed governors, set to 65 mph, in all commercial vehicles.

TSC supports requirements and actions to advance use of crash avoidance technology:

- Immediate rulemaking for electronic stability control.
- Initiate rulemaking process for forward collision avoidance and mitigation systems.
- Include heavy trucks in testing of lane departure warning systems, and complete the necessary research for future rule making.

Truck Driver Conditions and Compensation

Improve Truck Driver Working Conditions and Compensation – TSC supports the following initiatives to improve truck driver health and safety:

- **Reform Truck Driver Compensation Structure** - The TSC supports changes to the compensation structure for truck drivers to ensure truck drivers are paid for every hour worked, and to remove incentives for dangerous behavior that exists under the current pay by the mile scenarios such as driving long and fast.
- **Provide Funding for Jason's Law** - TSC supports adequate funding to expand existing truck rest stops and facilities and to build new truck rest stops in order to ensure that truck drivers have safe and convenient access to rest stops and facilities.
- **Require Comprehensive Truck Driver Training** – TSC supports a requirement for comprehensive truck driver training including behind the wheel. Driver training is a MAP-21 requirement. A proposed rule for driver training was withdrawn in September 2013. A new rule has not been proposed and is significantly overdue.
- **Reduce Truck Driver Fatigue** - The U.S. Department of Transportation (DOT) and the National Transportation Safety Board (NTSB) have repeatedly cited fatigue as a major factor in truck crash causation. The current federal Hours of Service (HOS) regulations allow truck drivers to drive up to 11 hours within a 14 hour work day, a demanding and exhausting schedule.

TSC supports the following actions to reduce fatigue:

- eliminate exemptions from HOS requirements;
- immediately issue the final ELD rule and begin implementation;
- support efforts to implement sleep apnea screening and rulemaking; and,
- preserve the current 34 hour re-start and 30-minute break HOS requirements.

Truck Size and Weight Limits

Retain Truck Size and Weight Limits - Making existing trucks heavier results in more force and destruction in crashes. Increasing truck weight also increases crash risk due to poorer braking and a higher proclivity for roll over. Bigger, heavier trucks produce more roadway and bridge wear and compromise the infrastructure. Studies have shown that longer, heavier trucks operate with lower safety margins on both Interstate and lower class roads.

- The TSC strongly supports retaining the freeze on longer combination vehicles (LCVs) and the current federal truck size and weight limits.
- The TSC opposes any special interest exemptions to TSW limits and any “state option” to increase truck size and weight limits. The “state option” will result in de facto nationwide increase, as occurred with prior “state option” increases.

Restore Fairness and Balance to the Comprehensive Truck Size and Weight Study (Study) -

Although the TSC supported the Study mandated by Congress in MAP-21, we have expressed concerns of bias and conflict of interest in the Study process and with Study participants from the beginning. These issues were raised with DOT officials, both in meetings and in letters. Consequently, a peer review process was added to the Study, and is being conducted by the Transportation Research Board (TRB).

Among other problems, the Study process lacks substantial safety data and uses questionable shortcuts and assumptions to adhere to its tight timeline. For example, the Study’s use of data supplied by organizations and carriers that advocate for truck weight increases, and data from states that are sparsely populated and do not represent conditions where the majority of the population lives and works will produce unrepresentative and flawed results. The TRB peer review first report issued in April 2014 verified many of the concerns and criticisms about the flawed methodology being used and the short time frame for completing the Study. Unless there are significant steps taken to remove issues of bias and restore the Study to a fair and balanced process, the Study will be flawed and the TSC will not support the Study and its results.

Assure a Safety-Focused National Freight Plan - The creation of a National Freight Plan is a tremendous opportunity to envision a comprehensive freight plan. A National Freight Plan should address and reduce freight related fatalities and injuries, environmental impacts, and unfunded costs while supporting the increasing demands for freight. This can be accomplished by expanding intermodal transportation and the use of modes that are safer, environmentally responsible, infrastructure-preserving and cost effective. TSC supports actions to ensure the Freight plan prioritizes safety.