

**Truck Crash Families, Public Health & Safety, Labor, Environment, and Consumer Groups  
Oppose Assault on Truck Safety in Government Funding Bill**

December 2, 2014

The Honorable Barbara Mikulski  
Chair, Committee on Appropriations  
U.S. Senate  
Washington, D.C. 20510

The Honorable Richard Shelby  
Ranking Member, Committee on Appropriations  
U.S. Senate  
Washington, D.C. 20510

The Honorable Harold Rogers  
Chair, Committee on Appropriations  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Nita Lowey  
Ranking Member, Committee on Appropriations  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Mikulski, Ranking Member Shelby, Chairman Rogers and Ranking Member Lowey:

As family members of loved ones killed or seriously injured in preventable truck crashes and truck crash survivors as well as representatives of safety, labor, environment, consumer, and public health organizations, we are united in opposing any special interest anti-safety provisions included in a Continuing Resolution or omnibus funding bill for specific motor carriers, specific industries or specific states. While Congress may call these “riders,” they are actually “assaults” on truck safety. As the 113<sup>th</sup> Congress nears conclusion, trucking and shipping interests are relentlessly pushing an anti-safety agenda that is dangerous, deadly and unprecedented in its attack on public health and safety. Industry’s long wish list includes exempting several states from federal truck size and weight limits; forcing 39 states, including your own home states of Maryland, Alabama, Kentucky and New York, to accept longer trucks which will degrade safety and require expensive infrastructure modifications; and, eliminating the two-day weekend off-duty for truck drivers to rest, while significantly increasing working and driving hours for truck drivers when fatigue is already a well-known and well-documented problem in the industry.

None of these special interest riders has been subject to any committee hearings, adequate safety review or cost/benefit analysis. However, all of them will have a profound impact on highway safety, deaths and injuries. By overwhelming margins in numerous public opinion polls, the American public consistently and convincingly rejects sharing the road with bigger, heavier and longer trucks and increasing truck drivers’ already arduous 70-hour work weeks, no matter the political affiliation, age, sex or geographic location of the respondent.

Truck crashes are a serious, deadly and costly problem to families, our infrastructure, our health care system, and to the economy. Large truck crashes are on the rise. In 2012, 3,921 people were killed and 104,000 more were injured. This is equivalent to a major airplane crash every week of the year. In the past ten years, a total of 44,204 people have been killed and nearly one million people have been injured in crashes involving large trucks. The annual cost to society from crashes involving commercial motor vehicles is estimated to be over \$99 Billion.

**Reject All Truck Size and Weight Increases**

A recent investigative report by CBS’s *60 Minutes* brought national attention to the rapidly declining condition of our nation’s infrastructure and the safety implications of delaying adequate financial investments in repairing and upgrading our roads and bridges (“Falling Apart: America’s Neglected Infrastructure”, Steve Kroft, 11/23/14, <http://www.cbsnews.com/news/falling-apart-america-neglected-infrastructure/>).

Industry claims that allowing bigger and heavier trucks will result in fewer trucks on our roads and bridges and thereby benefit public safety and infrastructure maintenance are wrong and disputed by history. Past increases in truck size have *always* resulted in more trucks on the road. Bigger trucks mean bigger infrastructure damage, bigger safety threats and bigger economic costs to the public. Bigger trucks rapidly accelerate road and bridge damage and decrease safety. These larger trucks do not just stay on interstate highways but also travel on local streets and roads to reach destinations and to make deliveries.

The catastrophic annual mortality and morbidity toll of large truck crashes and the threat to bridge and roadway safety highlighted by last year’s Interstate 5 bridge collapse in Washington State as well as the 2007 I-35 bridge collapse in Minnesota which tragically killed 13 people and injured 145 more innocent motorists serve to validate concerns that the public and safety groups have regarding truck safety.

The special interest truck size and weight exemptions for Idaho, Mississippi and Wisconsin passed by the House in its FY 2015 Transportation, Housing and Urban Development (THUD) Appropriations bill, H.R. 4745, are essentially “earmarks” for these states at the expense of all American taxpayers who bear the cost of infrastructure damage and repairs. Moreover, if special exemptions are made for these states, it is nearly impossible for neighboring states to withstand trucking industry pressures to follow suit and raise truck weights. We urge you to consider these facts as you deliberate these exemptions:

#### **Idaho**

- In the last five years (2008-2012), nearly 100 people were killed in crashes involving large trucks (Fatality Analysis Reporting System (FARS)).
- According to the American Society of Civil Engineers (ASCE), 45% of Idaho’s major roads are in poor or mediocre condition, and 20% of the bridges are structurally deficient or functionally obsolete.

#### **Mississippi**

- In the last five years (2008-2012), 310 people were killed in crashes involving large trucks (FARS).
- 51% of Mississippi’s roads are in poor or mediocre condition, and 22% of the bridges are structurally deficient or functionally obsolete (ASCE).

#### **Wisconsin**

- In the last five years (2008-2012), there were 310 people killed in crashes involving large trucks (FARS).
- 71% of Wisconsin’s roads are in poor or mediocre condition, and 14% of Wisconsin’s bridges are structurally deficient or functionally obsolete (ASCE).

### **FedEx’s Push to Overturn Reasonable Truck Limits in 39 States is Unsafe, an Unfunded Mandate and Unworthy of Congressional Approval**

Longer trucks are inherently more dangerous to passenger cars. Under the FedEx proposal a truck pulling two trailers will be 85 feet in length while a truck pulling three trailers will be 115 feet long. These lengths would dwarf the size of an average family car of about 16 feet in length. One industry-funded study paid for by FedEx purporting to show so-called safety improvements with longer trailers is not objective and does not warrant serious consideration in Congressional deliberations on whether or not to overturn current law in 39 states and put millions of families at unacceptable risk.

A recent example of the death and destruction of large trucks occurred on April 11, 2014, in Orland, California, when a FedEx double-trailer combination truck crashed into a Silverado Stages motorcoach carrying 48 passengers, mostly high school students traveling to visit a college. The crash injured dozens and killed ten people including five teenagers.

If truck lengths are increased from 28 to 33 feet, the laws of 39 states (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, WI) which currently prohibit longer trailers will be overturned. States will be forced to pay for expensive, wasteful infrastructure rebuilding to accommodate these oversized rigs on Interstate and freeway on- and off-ramps, resulting in an unfunded mandate. Additionally, it would set back intermodal efficiency. At present, intermodal rail cars are equipped to carry six, 28-foot trailers end to end. If trailers are lengthened to 33 feet, rail cars would only be able to carry three trailers per trip. This is half the number of trailers and a 41 percent reduction in intermodal efficiency.

### **Truck Driver Fatigue is a Major and Deadly Safety Problem: Truck Drivers Deserve a “Weekend” Off**

A provision added to the Senate’s FY 2015 THUD Appropriations bill, S.2438, rolls back important and commonsense safety reforms to hours of service (HOS) rules which were implemented by the U.S. Department of Transportation in July 2013 after a lengthy rulemaking process which considered thousands of public comments, thorough and compelling scientific research and extensive stakeholder input. While the proposed change to the HOS rule has been portrayed as a “minor tweak” to the rule, it is, in fact, a major change which will result in significantly more working and driving hours for truck drivers. Working and driving hours will increase from 70 hours to 84 hours. This is equal to 14 more working hours per week, 48 more working hours (or nearly 4 ½ additional 11-hour driving shifts) in a month and 624 hours (26 days or 54 added driving shifts) in a year.

Truck driver fatigue is a major safety problem which was recently brought to national public attention after a Walmart truck driver crashed into a limo bus seriously injuring Tracy Morgan and killing James McNair. The public understands this industry-wide problem and the dangers posed to motorists as evidenced by a recent survey conducted by Lake Research Partners demonstrating overwhelming public opposition, 80%, to Congress raising the number of hours a semi-truck driver is allowed to work in a week.

Furthermore, a 2006 survey of truck drivers conducted by the Federal Motor Carrier Safety Administration (FMCSA) found that 65 percent of truck drivers admitted to driving while tired and 48 percent reported that they actually fell asleep behind the wheel while driving. *Enacting the provision in the Senate THUD bill would return truck driver working and driving hours to the HOS rule in place when nearly half of the truck drivers interviewed admitted to falling asleep while driving.*

In conclusion, we strongly urge you to reject all of these special interest demands that degrade safety, endanger road and bridge infrastructure, ignore public opposition and will result in more tragic and preventable deaths and injuries.

Sincerely,

***Organizations***

Jacqueline Gillan, President  
Advocates for Highway and Auto Safety

Georges C. Benjamin, MD, Executive Director  
American Public Health Association

Joan Claybrook, President Emeritus  
Public Citizen

Gary Macfarlane, Ecosystem Defense Director  
Friends of the Clearwater (Idaho)

Kevin Lewis, Conservation Director  
Idaho Rivers United

John Lannen, Executive Director  
Truck Safety Coalition

Steve Owings, Founder  
Road Safe America

Wanda Lindsay, Founder  
The John Lindsay Foundation

***Families of Truck Crash Victims and Truck Crash Survivors***

Ed Slattery  
Lutherville, MD  
Board Member, Parents Against Tired Truckers (PATT)  
Husband of Susan Slattery (killed), Father of Matthew &  
Peter (critically injured)  
Truck crash 8/16/10

Roy Crawford  
Whitesburg, KY  
Licensed Professional Engineer  
Fellow of the National Academy of Forensic Engineers  
Fellow of the American Academy of Forensic Sciences  
Kentucky & West Virginia Volunteer Coordinator,  
Truck Safety Coalition  
Father of Guy Champ Crawford  
Killed in a truck crash 1/12/94

Morgan Lake  
Dunkirk, MD  
Injured in a truck crash 7/19/13

James P. Hoffa, General President  
International Brotherhood of Teamsters

John Risch, National Legislative Director  
SMART-TD (UTU)

Steve Hiniker, Executive Director  
1000 Friends of Wisconsin

E. Patrick Fuerst, Chair  
The Palouse Environmental Sustainability Coalition  
(Idaho)

Claudia S. Brown, Coordinator  
Transition Missoula (Montana)

Jack Gillis, Director of Public Affairs  
Consumer Federation of America

Andrew McGuire, Executive Director  
Trauma Foundation

Janette Fennell, Founder & President  
KidsAndCars.org

Larry Liberatore  
Severn, MD  
Board Member, PATT  
Father of Nick Liberatore  
Killed in a truck crash 6/9/97

Alan Dana  
Plattsburgh, NY  
Volunteer, Truck Safety Coalition  
Son of Janet Dana, Uncle of Caitlyn & Lauryn  
Dana, Brother-in-law of Laurie Dana  
Killed in a truck crash 7/19/12

Daphne Izer  
Lisbon, ME  
Founder, PATT  
Mother of Jeff Izer  
Killed in a truck crash 10/10/93

Dana Logan, Professional Truck Driver  
Cedar Hill, TX  
Volunteer, Truck Safety Coalition  
Injured in a truck crash 6/04

Jane Mathis  
St. Augustine, FL  
Board Member, PATT  
Member, MCSAC  
Mother of David Mathis, Mother-in-Law of Mary Kathryn Mathis  
Killed in a truck crash 3/25/04

Jennifer Tierney  
Kernersville, NC  
Board Member, Citizens for Reliable and Safe Highways (CRASH)  
Member, Motor Carrier Safety Advisory Committee (MCSAC)  
Daughter of James Mooney  
Killed in a truck crash 9/20/83

Marianne & Jerry Karth  
Rocky Mount, NC  
Volunteers, Truck Safety Coalition  
Parents of AnnaLeah & Mary Karth  
Killed in a truck crash 5/4/13

Dawn King  
Davisburg, MI  
Board Member, CRASH  
Daughter of Bill Badger  
Killed in a truck crash 12/23/04

Bruce King  
Davisburg, MI  
Volunteer, Truck Safety Coalition  
Son-in-Law of Bill Badger  
Killed in a truck crash 12/23/04

Frank & Marchelle Wood  
Falls Church, VA  
Volunteers, Truck Safety Coalition  
Parents of Dana Wood  
Killed in a truck crash 10/15/02

Susan Owings  
Atlanta, GA  
Mother of Cullum Owings  
Killed in a truck crash 12/1/02

Linda Wilburn  
Weatherford, OK  
Board Member, PATT  
Mother of Orbie Wilburn  
Killed in a truck crash 9/2/02

Tami Friedrich Trakh  
Corona, CA  
Board Member, CRASH  
Member, MCSAC  
Sister of Kris Mercurio, Sister-in-Law of Alan Mercurio, Aunt of Brandie Rooker & Anthony Mercurio  
Killed in a truck crash 12/27/89

Ron Wood  
Washington, D.C.  
Volunteer, Truck Safety Coalition  
Son of Betsy Wood, Brother of Lisa Wood Martin, Uncle of Chance, Brock, & Reid Martin  
Killed in a truck crash 9/20/04

Jackie Novak  
Edneyville, NC  
Volunteer, Truck Safety Coalition  
Mother of Charles "Chuck" Novak  
Killed in a truck crash 10/24/10

Melissa Gouge  
Washington, D.C.  
Volunteer, Truck Safety Coalition  
Cousin of Amy Corbin  
Killed in a truck crash 8/18/97

Sandra Lance  
Chesterfield, VA  
Volunteer, Truck Safety Coalition  
Mother of Kristen Belair  
Killed in a truck crash 8/26/09