



February 23, 2023

Dear Honorable Representatives of the House Civil Justice Subcommittee,

My name is Russell Swift, and I am a Florida resident of St. Lucie County. I'm writing to share my grave concern for roadway safety and the financial burden that will be imposed already traumatized truck crash victims by **HB 837**. This bill, if passed and enacted would allow the Florida lawmakers to predetermine the range of acceptable compensation for survivors and victims of large truck crashes and allow the perpetrators of these violent and horrific crashes to avoid full accountability for the devastation they cause. This cannot be allowed to pass.

I tragically write to you as someone who is intimately aware of the public dangers that a poorly regulated and unaccountable commercial truck industry can cause to Florida's families. My son Jasen Swift and his friend, Dustin, both corporals in the United States Marine Corps were killed in a large truck crash on their way to their duty station. A negligent and fatigued teen truck driver made an illegal U-turn, blocking all lanes of highway traffic on a dark highway before sunrise. The owner and CDL holder was asleep in the sleeping compartment. My son's vehicle slid under the center of the trailer, killing them instantly. The drivers also failed to register their company for interstate commerce, didn't maintain their mandatory logbooks, and ignored and neglected the hours of service rules for truck drivers. Does this sound like a company that deserves preferential treatment by Florida lawmakers? Taking responsibility for your actions is a value I instilled in my sons at an early age and there is no reason trucking companies, and their insurers, should not be held *fully responsible* for the costs inflicted upon their victims.

We are living in the midst of a truck crash fatality crisis and I implore you, as our elected representatives, to demonstrate that you care. Since 2014, Florida fatal truck crashes have increased over 80%, claiming 344 lives and accounting for over 10,000 injuries in the last year. Truck crash injuries are severe and among the leading causes of spinal cord and traumatic brain injuries which require a lifetime of expensive care.

Instead of adopting stronger safety countermeasures to prevent crashes, the trucking and insurance industry are shamelessly asking Florida lawmakers to pass laws that protect big industry, not the actual victims. This effectively removes any incentive for these companies to meaningfully prioritize safety investments, training, and regulatory compliance and is a virtual guarantee for a continued increase in horrific crashes in Florida. The damage inflicted by 80,000+ lb. trucks are unforgiving and catastrophic. The Insurance Institute for Highway Safety (IIHS) estimates that 97% of truck fatalities occur to passenger vehicle occupants.

In a span of less than a week, no less than three fatal Florida crashes have made headlines, including a side underride fatality crash, the type of impact that killed my son and his friend. The photos are below. I ask that you look closely at them as you decide if HB 837 is in the best interest of your families and your constituents. Those responsible for these violent crashes do not need your help, Florida crash victims do. Florida’s representatives should be taking action to decrease truck crash deaths, not increasing them. **Please safeguard Florida’s most important asset, our people**, I urge you to vote “NO” on HB 837.



Figure 2: On Feb. 15 a UPS double-trailers slammed into this CMV, killing its driver.



Figure 3: On Feb. 21, a CMV impacted this passenger vehicle from behind, killing its passenger.



Figure 1: On Feb. 21, a passenger vehicle passed under a CMV that was not equipped w/side underride guards, killing the driver.

Sincerely,

A handwritten signature in black ink that reads "Russell E. Swift". The signature is written in a cursive style.

Russell Swift, Co-Chair

Parents Against Tired Truckers (P.A.T.T.)