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Safety and Trucking Groups Oppose Bill to Prohibit a Federal Truck Speed Limiter Regulation

Washington, DC – Earlier this month S.2671, the Deregulating Restrictions on Interstate Vehicles and Eighteen-Wheelers (DRIVE) Act was introduced in the United States Senate; its companion in the House (H.R. 3039) was introduced in May. This legislation would prohibit the Federal Motor Carrier Safety Administration (FMCSA) from issuing rules or regulations requiring the use of speed limiters in commercial motor vehicles.¹

The Truck Safety Coalition, Advocates for Highway and Auto Safety, the Trucking Alliance, Road Safe America, and the National Safety Council are steadfastly opposed to this DRIVE Act. The legislation would hinder FMCSA from fulfilling its public safety mission to reduce crashes, injuries and fatalities involving large trucks and buses, which is urgently needed as traffic fatalities remain unnecessarily high.

Since 2009, truck crash deaths have increased by 71%, with 5,700 lives lost and nearly 155,000 injured in 2021 (the most recent year for which data is available).² Speeding continues to be a leading contributing factor in the tragic rise in truck crash deaths and injuries.³

Truck Safety Coalition and Citizens for Reliable and Safe Highways Board Member, Pam Biddle, who lost her son in a speed-related truck crash, implores policymakers to reject the DRIVE Act. "Speed kills. Thousands of lives have been

¹ Available at <<https://www.daines.senate.gov/wp-content/uploads/2023/07/DRIVE-Act-118th1.pdf>>

² Overview of Motor Vehicle Traffic Crashes in 2021, NHTSA, Apr. 2023, DOT HS 813 435. Note: The U.S. Department of Transportation revised the classification of large trucks in both 2016 and 2020 and could effect this statistic.

³ Large Truck and Bus Crash Facts. FMCSA, 2020. FMCSA-RRA-22-005

lost due to speeding semis, and I urge all Members of Congress to reject the DRIVE Act that will enable this tragic loss of life to continue.”

Speed limiters are a proven solution to curbing traffic deaths:

- Rulemaking requiring the use of speed limiters in CMVs was first proposed by DOT in 2011 and by its own estimates, **thousands of lives have been lost** as a result.⁴ (Congressional Research Service)
- Approximately **20% of fatal truck crashes occur at posted speeds 70 mph+**.⁵ (DOT)
- Since 2009, the number of fatal truck crashes involving speeding identified as a driver related factor has **increased 50%**.⁶ (Fatality Analysis Reporting System)
- Speed limiters are a proven safety countermeasure. Speed-related, at-fault collisions involving large commercial vehicles **fell by 76%** after Ontario introduced speed limiter requirements in 2009.⁷ (Ontario Ministry of Transportation)
- **Trucks using speed limiters were in half as many high-speed collisions** as those not using speed limiters.⁸ (Journal of Intelligent Transportation Systems)
- National survey results show Americans overwhelmingly agree on speed limiter usage in large trucks, with 79% of likely voters in support.⁹ (Road Safe America/McLaughlin & Associates)

⁴ Peterman, David. R. (2017). Commercial Truck Safety: Overview (CRS Report No. R44792). Retrieved from Congressional Research Service website: <https://crsreports.congress.gov/product/pdf/R/R44792>

⁵ Speed Limiter Notice of Intent, FMCSA, April 2022.

< <https://www.fmcsa.dot.gov/regulations/speed-limiters> >

⁶ Large Truck and Bus Crash Facts. FMCSA, 2009. FMCSA-RRA-11-025

Large Truck and Bus Crash Facts. FMCSA, 2020. FMCSA-RRA-22-005

⁷ Plonka, Sara et al. Ontario Ministry of Transportation, 2018. Evaluation of Ontario’s Speed Limiter Program for Large Trucks. This statistic is limited to drivers in speed collisions on 100 km/h highways.

⁸ Jeffrey S. Hickman, Feng Guo, Richard J. Hanowski, Richard Bishop, Gene Bergoffen & Dan Murray (2012) Safety Benefits of Speed Limiters in Commercial Motor Vehicles Using Carrier-Collected Crash Data, Journal of Intelligent Transportation

⁹ <https://www.prnewswire.com/news-releases/new-national-survey-shows-overwhelming-support-for-truck-safety-requirements-automatic-emergency-brakes-and-speed-limiters-300737551.html>

Advocates for Highway and Auto Safety President Cathy Chase responded, "At a time when commercial motor vehicle crash fatalities and injuries are skyrocketing, our nation's leaders should be taking action to make the roads safer for all road users, not hampering the use of proven safety solutions like speed limiters. This legislation is ill-advised at best and deadly at worst."

"This legislation poses some serious safety concerns," added Jane Terry, Vice President of Government Affairs at the National Safety Council. "I have used speed limiters, and it kept me at the speed limit when it would have been easy to exceed. Excessive speeding reduces the amount of time the driver has to react in a dangerous situation in order to avoid a crash, increases vehicle stopping distance, as well as reduces the ability of road safety structures, such as guardrails, impact attenuators, crash cushions, median dividers and concrete barriers, to mitigate the impact of a crash. The use of speed limiters is one way to help decrease these dangerous situations to keep all road users safer; we should encourage their use."

"It is absurd that the United States still lags behind the majority of the civilized world in not requiring the use of built-in speed limiters in the heaviest vehicles," lamented Steve Owings, Co-Founder of Road Safe America (RSA). RSA was founded following the tragic loss of Cullum Owings in a preventable speeding semi-trailer truck crash.

"About 98% of the 62,000 trucks operated by Trucking Alliance carriers already use speed limiters, because it's safe for our drivers," said Steve Williams, CEO of Maverick USA and president of The Trucking Alliance. "The science is clear. It takes an 80,000-pound tractor trailer rig much farther to stop when going 80 miles per hour than it does at 65 or 70 miles per hour. Everybody needs to slow down and allowing FMCSA to pursue its rulemaking is the right thing to do."

Speed limiter devices are already standard equipment on large trucks. Most trucking fleets use them, limiting their trucks to a reasonable maximum speed to ensure greater highway safety. The DRIVE Act ignores this overwhelming industry consensus. A speed limiter requirement will save lives and prevent needless suffering. FMCSA must be allowed to continue this critical rulemaking. Our organizations urge all members of Congress to oppose it.