

Statement of

**David J. Osiecki
Senior Vice-President, Policy and Regulatory Affairs
American Trucking Associations, Inc.**

Before the

**SENATE COMMITTEE ON COMMERCE, SCIENCE
AND TRANSPORTATION**

**SUBCOMMITTEE ON
SURFACE TRANSPORTATION AND MERCHANT MARINE
INFRASTRUCTURE, SAFETY, AND SECURITY**

Hearing on Oversight of Motor Carrier Safety Efforts

April 28, 2010



Driving Trucking's Success

**American Trucking Associations
950 N. Glebe Road, Suite 210
Arlington, VA 22203-4181**

Introduction

Chairman Lautenberg, Senator Thune, members of the Subcommittee, my name is Dave Osiecki, and I am the Senior Vice President of Policy and Regulatory Affairs for the American Trucking Associations (ATA). ATA is the national trade association for the trucking industry, and is a federation of affiliated State trucking associations, conferences and organizations that together have more than 37,000 motor carrier members representing every type and class of motor carrier in the country. Thank you for the opportunity to testify.

Mr. Chairman, today I will speak about the trucking industry's recent safety accomplishments and the remarkable long-term improvement in the industry's safety record. I will also talk about the need for a fundamental change in the government's approach to truck safety if we are to make further, significant safety gains. To bring about further meaningful improvements in truck safety, as a truck safety community, we need to move beyond the compliance and enforcement model to a more proactive safety management model.

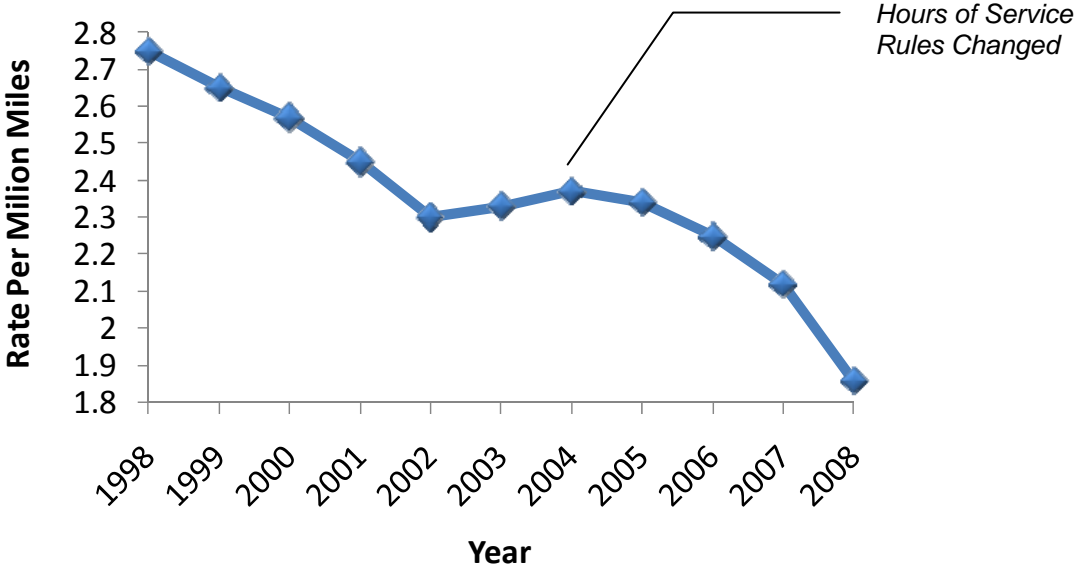
I will also discuss ATA's views on FMCSA's oversight programs such as CSA 2010 and rulemakings such as hours of service. Finally, I will introduce ATA's progressive safety agenda which, if adopted, will provide the tools to help the industry move beyond the current model to a more comprehensive safety management model that will help us achieve even more significant safety gains.

The Industry's Safety Record

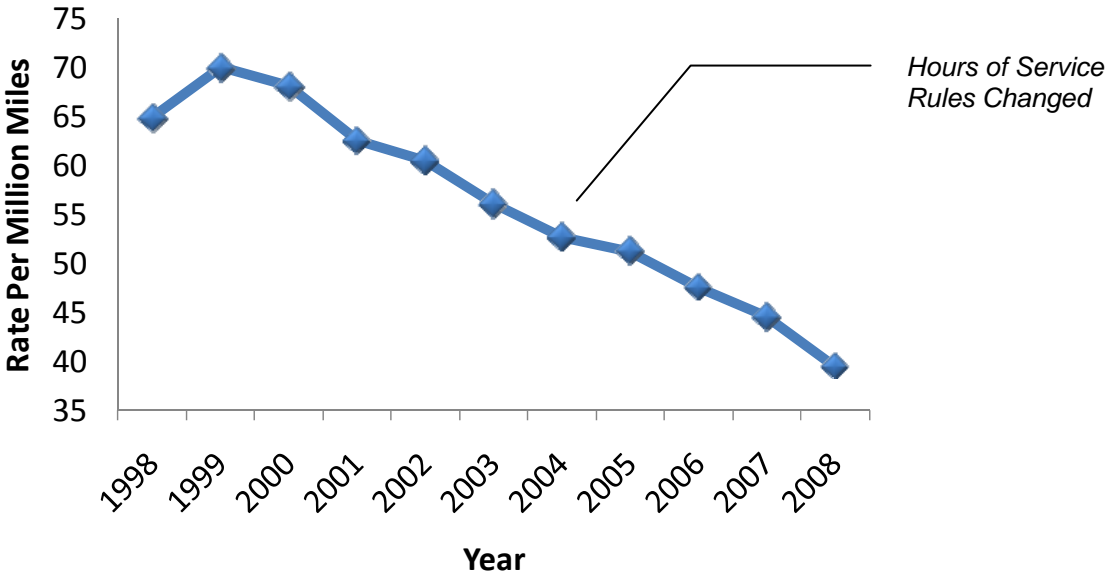
The trucking industry is the safest it has ever been and continues to get even safer. For example:

- The truck-involved fatality rate has decreased 66 percent since 1975, the first year the USDOT began keeping records.
- Over the past decade alone, the truck-involved fatality rate has dropped by 32 percent.
- In actual numbers, there were 1,166 fewer fatalities in 2008 than in 1998—remarkable progress in light of the trucking industry operating 1.3 million additional trucks and 31 billion more miles in 2008 (compared to 1998).
- The truck-involved injury rate has decreased 58 percent since 1988, the first year USDOT began keeping records.
- Over the past decade alone, the truck-involved injury rate dropped by 39 percent.
- In 2008, the truck-involved fatality and injury rates fell to their lowest levels since USDOT began keeping statistics.
- More importantly, in 2008, **the number of injuries and fatalities** in truck-involved crashes reached their lowest ever levels since USDOT began keeping records.
- Comparing 2008 to 2003 (the year before the new hours of service rules became effective) there were 807 fewer fatalities in 2008 (a 16% decrease), and 32,000 fewer injuries (a 26% decrease).

**LARGE TRUCK FATALITY RATE
PER 100 MILLION VEHICLE MILES TRAVELED
1998-2008**



**LARGE TRUCK INJURY RATE
PER 100 MILLION VEHICLE MILES TRAVELED
1998-2008**



Even with this excellent safety progress, some may try to minimize these accomplishments by telling this Committee, and the public, that large trucks are significantly over involved in fatal crashes. Should some organizations make this statement, it is inaccurate and extremely misleading. Allow me to explain.

Some industry and government critics use truck registration figures as a measure of exposure, not truck mileage, which is the commonly accepted measure. Further, they choose not to point out that **trucks have overall crash rates less than half that of other vehicles**. Admittedly, when they do occur, truck crashes are generally more severe than light vehicle crashes, due to size and weight differences between large trucks and passenger vehicles. It is important to understand that **trucks are not more likely to be involved in a crash**, but truck crashes are slightly more likely to result in a fatality when they do occur. This is the case not because trucks are less safe, as some would have you believe, but due to Newtonian physics.

Necessary Steps for Continued Improvement

ATA and the trucking industry is proud of its safety progress and we believe it is, at least in part, the result of many safety initiatives ATA has fought for – and achieved – over the past decades including mandatory drug and alcohol testing, the commercial driver’s license program, and well-reasoned hours of service regulations based on sound science. Yet, truck safety is about more than regulations. It is about understanding the factors that create crash risk and the behaviors and events that precipitate (i.e., cause) crashes. It is about programs, countermeasures and preventive actions that truly address those risks and behaviors. Future FMCSA rules and programs will only succeed to the degree to which they focus on and address crash risk and causation.

Later in this statement, following discussion of four current FMCSA initiatives, I will address the future steps ATA believes are necessary in order to make significant highway safety progress going forward.

Truck Safety Oversight – Current FMCSA Initiatives

ATA appreciates this opportunity to offer its views on some of FMCSA’s current truck safety oversight initiatives, specifically:

- Comprehensive Safety Analysis (CSA) 2010
- Hours of Service
- Electronic Logging
- New Entrant Carriers

1. Comprehensive Safety Analysis (CSA) 2010

ATA generally supports the CSA 2010 initiative since: 1) it is primarily based on safety performance and behaviors rather than compliance with paperwork requirements; 2) focuses limited enforcement resources on specific areas of deficiency (rather than comprehensive on-site audits); and 3) will eventually provide real-time, updated safety performance measurements. In addition, FMCSA plans to employ root-cause analysis of safety problems during its interventions with carriers. In concept, CSA 2010 is very good and could have a positive impact on truck safety. However, the devil is in the details of this program, and ATA has a number of concerns with, and recommendations to improve, ‘the details.’

ATA has numerous improvement recommendations, but we are focused on the three outlined below. ATA believe changes and improvements in these three key areas will have the greatest impact on motor carriers and highway safety in general. ATA's intent in highlighting these areas and making the corresponding recommendations for improvement is to help ensure that relatively safe carriers are not selected for interventions and, more importantly, to ensure that unsafe carriers are selected.

A. Risk Exposure Measurement – Power Unit Count vs. Vehicle Miles Traveled

With respect to carrier exposure, ATA's principle concern is that FMCSA is planning to use a count of each carrier's power units (i.e., number of trucks) as the measure of risk exposure rather than the total number of miles these vehicles travel. As a result, carriers who employ greater utilization of their trucks will have more true exposure to crashes and other safety related events, but will be compared to carriers who have less exposure – though the same number of trucks. This problem is especially acute for trucking companies that utilize team drivers to move expedited freight since their trucks travel more miles and, as a result, have more exposure to adverse safety events. **ATA has been and will continue to urge FMCSA to use vehicle miles traveled as the exposure measure in CSA 2010.**

B. Crash Accountability - In measuring safety performance, CSA 2010 considers all DOT-defined crashes in the scoring and ranking calculations - including those crashes for which the motor carrier and professional driver could not reasonably be held accountable. This is a significant problem in the system since many truck crashes are two vehicle crashes that are initiated by the actions of the driver of the other (non-commercial) vehicle involved. Accordingly, a carrier involved in a number of crashes for which it was not responsible is judged by CSA 2010 to be just as unsafe as a like-sized carrier who was involved in the same number of crashes – but caused them. **ATA has been and will continue to urge FMCSA to make crash accountability determinations on DOT-recordable crashes, and use motor carrier-accountable crashes in CSA 2010. This process should be in place prior to full-scale implementation.**

C. Warnings for Moving Violations - CSA 2010 counts all moving violations reported on roadside inspection reports, regardless of whether or not a citation was ultimately issued to the commercial driver for the violation. This presents several problems. First, since these are merely warnings, there is no due process procedure for drivers to challenge these violations. Second, in some states law enforcement officers must have probable cause in order to stop a truck and conduct a vehicle inspection. In these states, it is common practice for enforcement officials to stop trucks for very minor speeding offenses (e.g., 3 mph over the limit), and issue warnings as justification to conduct inspections. As a result, carriers operating in probable cause states are disproportionately impacted and are very likely to have worse driver violation scores than carriers who operate elsewhere. **ATA is urging FMCSA to focus on using citation data in the system and discard “warnings”.**

ATA has identified a number of additional problems with respect to how the proposed methodology will function. ATA's underlying concern is that the system will not reliably target truly unsafe carriers for intervention. However, we are generally supportive of the program since it focuses on performance-based information and strives to use the agency's limited resources to more efficiently impact unsafe motor carriers.

2. Hours of Service

The current hours of service rules should be retained virtually unchanged. ATA's position is based on three primary tenets:

- The current hours of service rules have provided more restorative rest for commercial drivers. This has had a positive impact on highway safety and has improved compliance with the regulations;
- Modifying the interdependent components of the rules in any substantial way would likely negatively impact highway safety by disrupting the circadian-friendly sleep patterns the current rule has helped to establish; and
- Changes in the rules that reduce productivity would have significant economic consequences, upsetting the equilibrium mandated by Congress and achieved by the current rules.

While it was mentioned above, the excellent safety progress made by the trucking industry while operating under these new rules is worth repeating. Comparing 2008 to 2003 (the year before the new hours of service rules took effect) there were 807 fewer fatalities in 2008 (a 16% decrease), and 32,000 fewer injuries (a 26% decrease). In addition, in 2008 there were 49 fewer truck occupant fatalities (a 7% decrease) than in 2003. This progress was made in 2008 (versus 2003) with more than a million additional large trucks on the road operating almost 10 billion additional miles.

In addition to this safety progress, the data and analysis the agency has developed over the past nearly ten years on driver alertness and hours of service supports retention of the current rule, with one exception. ATA believes, as do the overwhelming majority of professional drivers, that FMCSA should modify the current sleeper berth provision (49 CFR, 395.1 (g)) to allow for additional, limited flexibility that will ultimately improve driver alertness and subsequently improve highway safety. Additional flexibility in the sleeper berth rule would encourage the use of short rest breaks which would promote safety and driver health by:

- Encouraging circadian friendly naps (e.g., naps in the afternoon);
- Promoting shorter continuous driving periods;
- Helping to reduce highway congestion; and
- Increasing operational flexibility.

Giving drivers limited flexibility based on their use of the sleeper berth would give them a useful tool to manage fatigue, avoid times of highway congestion, rest when they feel tired, and otherwise take actions that would improve the quality of the driving job. Research conducted since the current rules were issued suggests that such limited flexibility would ultimately further improve highway safety.

On April 22, 2010, ATA filed extensive hours of service comments with FMCSA and, following today's hearing, we plan to share these with the Committee as further information.

3. Electronic Logging¹

ATA has, for years, supported a requirement that seriously non-compliant carriers be mandated to install electronic logging devices. We applaud FMCSA's recently released final rule on this

¹ The FMCSA refers to such devices as "electronic on-board recording" devices" (EOBRs). However, this term is commonly used to describe comprehensive fleet management systems that do far more than simply monitor hours of service compliance. To distinguish these more comprehensive systems from the ones that FMCSA intended to address in this final rule, ATA uses the term "electronic logging devices" to describe devices that merely track hours of service compliance.

matter since it does just that. ATA also supports meaningful incentives for safe and compliant carriers to voluntarily adopt use of the devices. Unfortunately, the incentives offered in the final rule are weak, at best, and will do little to incent voluntary adoption of the devices.

In our comments to the agency's proposed rule in 2007, ATA offered many suggestions for incentives FMCSA could offer that would be effective in promoting voluntary adoption. These incentives included scheduling flexibility that would allow carriers to extend the 14-hour on duty period up to 2 hours for rest and meal breaks, and additional flexibility for drivers using the split sleeper berth provision in the regulations. However, FMCSA seemed to dismiss these suggestions since there were neither acknowledged nor mentioned in the final rule.

We also have some concerns with the technical and performance specifications for these devices as laid out in the final rule. For instance, the process for assigning driver identification numbers could lend itself to fraud. Further, the rule does not provide for a strong certification program to ensure that the devices are compliant and tamperproof. Finally, the design specifications require that the devices operate in such a wide temperature range that manufactures will have to make fairly radical, costly design changes for their devices to meet the new requirements.

4. New Entrant Carriers

Oversight of new motor carriers is an important FMCSA function. ATA believes that new motor carrier owners, both interstate and intrastate, should be required to satisfactorily complete a safety training class before commencing operation. Further, safety training curricula should meet uniform standards nationwide. Finally, ATA believes FMCSA's initial safety inspection of a new motor carrier should be conducted within 6 months of when a carrier initiates operations, rather than in the current 18 month timeframe.

Crash Causation and Prevention

FMCSA only regulates part of the highway safety equation: commercial motor vehicles. Yet the single largest factor impacting truck safety is the behavior of other motorists. Approximately 85% of truck crashes involve other vehicles. Since FMCSA does not regulate the operation of all vehicles, it is encumbered in its efforts to reduce truck-involved crashes.

As mentioned earlier, to truly be effective in improving commercial motor vehicle safety, FMCSA must address the primary causes of crashes. FMCSA's own research shows that in the majority of large truck/passenger vehicle crashes, the driver of a passenger vehicle was the sole party cited for a related factor (e.g., speeding, failure to yield).² Numerous additional studies have analyzed crash data and arrived at the same conclusion.

For instance, a University of Michigan Research Institute (UMTRI) study of 8,309 fatal-car truck crashes examined driver factors in these crashes and found that car drivers made errors in 81% of these crashes and trucks drivers 26%. Some would have you believe that these figures are slanted because in most instances the truck driver survives the collision to "tell his side of the story." However, the same study looked at crashes where both drivers survived (but there was some other resulting fatality). The result: the driver error proportions for these crashes were very similar to the entire sample.

² Department of Transportation: Federal Motor Carrier Safety Administration, *Report to Congress on the Large Truck Crash Causation Study*, (2006).

In 2002, the AAA Traffic Safety Foundation sponsored research similar to the aforementioned UMTRI study. The AAA study analyzed more than 10,000 fatal car-truck crashes that occurred between 1995 and 1998. This study, too, found car drivers to be disproportionately coded for related factors (e.g., speeding, failure to yield) in these crashes. Specifically, 80% of the car drivers had been attributed a related factor by the investigating officer while 27% of truck drivers had been attributed a related factor in these events.³

In addition, two recent studies conducted by the Virginia Tech Transportation Institute (VTTI) collected data on 210 car/truck incidents using both video and non-video data. The evidence, much of it video, showed that 78% of these incidents were initiated by car drivers, while the remaining 22% were initiated by truck drivers.⁴

Since meaningful solutions to commercial motor vehicle safety require a focus on the primary causes of crashes, FMCSA should direct even more resources toward awareness, education and traffic enforcement programs to address the role of passenger vehicles in car/truck crashes. In light of the agency's statutory limitation on regulating only commercial motor vehicles, the agency must continue find new and creative ways to address this part of the truck-involved crash problem. FMCSA's "Ticketing Aggressive Cars and Trucks" program is one such program, albeit a small program, aimed directly at the high risk behaviors - those that cause crashes - of both car and truck drivers. This program that has been evaluated and shown to be effective. As a result, FMCSA should work to implement it as part of each state's motor carrier safety assistance program.

Another means FMCSA has to impact truck-involved multi-vehicle crashes is to give motor carriers the tools to avert them. For example, regulatory or enforcement-related incentives to adopt crash avoidance technologies will give motor carriers the means to better prevent such crashes.

As a matter of practice, the trucking industry holds itself to a very high standard with respect to crash accountability. Trucking companies evaluate each crash not merely to establish fault, but to determine if the crash could have been prevented in any way. In other terms, they must determine if the driver could have taken any action to have averted the crash. If the motor carrier finds that the accident was preventable (based on a set of uniformly accepted industry criteria), then the driver is held responsible for the crash. FMCSA's *Safety Rating Methodology* employs this same standard. Any crash that is preventable is counted against the carrier in FMCSA's *Safety Rating Methodology*.⁵

This is worthy of note because motor carriers recognize that the key to reducing crashes is finding ways to prevent them, regardless of fault. Congress and FMCSA must adopt this approach as well. In order to further reduce commercial motor vehicle crashes, as a community, we must recognize the scope of the problem, understand the primary causes of these crashes, and have the political will to put programs in place that address all parts of the truck safety equation.

³ AAA Foundation for Traffic Safety, *Identifying Unsafe Driver Actions that Lead to Fatal Car-Truck Crashes*, Washington, D.C., (2002).

⁴ Virginia Tech Transportation Institute, *A Descriptive Analysis of Light Vehicle-Heavy Vehicle Interactions Using In Situ Driving Data*, (2006).

⁵ 49 C.F.R., Part 385, Appendix B, Section II, Subsection B, (e).

The Regulatory Compliance and Enforcement Model

Using the regulatory compliance and enforcement model in the future as the primary means to impact truck safety will yield limited returns, since it only addresses one of the many essential elements of an effective safety program. ATA recognizes that this model is necessary, and we support it. However, this model alone will be insufficient to achieve maximum results. Other safety interventions and countermeasures, beyond regulatory compliance, can address the main causes of crashes even more directly. Taking a broader approach to safety, that is, moving beyond a compliance and enforcement model, will enable even greater safety improvements.

This broader approach must embrace a variety of solutions. Government and industry together can facilitate various active safety interventions, and in fact, some of these interventions depend on government and industry action in order to be implemented. In ATA's view, the most innovative and effective future oversight programs will be the ones that provide motor carriers with the tools to support carrier-based safety improvements.

Here are some examples of FMCSA's current approach to truck safety oversight and how a broader approach to addressing true crash risk and the behaviors could be more effective.

Hours of Service

The current hours of service rules are good rules and have facilitated safety improvements. As described above, ATA supports these rules. ATA is concerned, though, that FMCSA is too focused on regulating time on task (driving hours) as the principal tool to prevent fatigue-related crashes. Crash statistics show that the vast majority of fatigue-related crashes occur in the first 8 hours of driving (i.e. where the actual risk is), not at the end of the driver's shift, where relative risk may be higher but actual risk is miniscule. In light of this fact, focusing on driving hours and, more specifically, focusing on differences in risk between driving in the 9th, 10th or 11th hour of a shift, largely misses the point.

From the medical community ATA has learned that drivers with certain health issues and poor sleep hygiene habits are far more likely to suffer from chronic drowsiness. We also know that time of day, specifically the body's natural circadian rhythms, plays a greater role in driver alertness than time on task. FMCSA could more effectively address fatigue-related crashes by incenting carriers to implement wellness programs, to install alertness monitoring systems, and to develop fatigue management programs that help drivers understand and better manage circadian rhythms.

Drug and Alcohol Test Clearinghouse

The current drug and alcohol testing regulations have helped to ensure that alcohol and drugs play a very limited role in commercial motor vehicle crashes. However, there is a well-known loophole in the current testing program that is being exploited by some drug-abusing drivers. When a driver moves from one trucking company to another, some "positive" drug and alcohol test results are not being discovered by the hiring company because these "positive" results and the driver's work history are self-reported, and not centrally tracked.

To close this loophole, ATA has, for more than a decade, advocated the development of a clearinghouse for positive drug and alcohol test results, so that drivers cannot evade the consequences of their actions by "job-hopping," intentionally mis-communicating their work histories, or otherwise failing to remove themselves from service. However, until very recently, neither FMCSA nor the U.S. Department of Transportation's drug and alcohol policy office seemed to share ATA's urgency to create such a database, but instead focused its resources on verifying that motor carriers comply with minimum required random testing rates.

The Safety Management Model

Today's safety professionals see compliance with safety rules and regulations as a single component of a more comprehensive safety management program. The most effective programs are founded on the principle that the best way to reduce accidents is to focus on individual behaviors that create the greatest risk. Most crashes are the result of personal judgments and poor decisions, not compliance or non-compliance with a regulation.

If every driver were motivated by avoidance of government-imposed consequences, then the compliance and enforcement model would be adequate. Yet, individuals respond not only to rules, but to a sense of personal responsibility, personal enrichment and formal recognition. In other words, people generally respond better to the carrot versus the stick. Understanding this key principle, FMCSA could employ creative initiatives such as a formal recognition of safe drivers in its safety monitoring systems, advocating a special CDL designation for drivers with exemplary safety records, and the like.

The National Safety Council promotes *14 Elements of a Successful Safety and Health Program*. Of note, though, is that only one of these elements is directly related to regulatory compliance. In addition, FMCSA's own Motor Carrier Safety Advisory Committee has identified 20 non-regulatory safety practices that can improve commercial motor vehicle safety. In short, both of these groups recognize that compliance alone is insufficient for maximum safety.

To be even more effective in its mission, FMCSA should be creative in evaluating how it can provide tools and resources that will foster truck safety. For instance, FMCSA could gather and promote the most common and effective risk avoidance strategies employed by motor carriers. Also, the agency, with the backing of Congress, should develop programs that incent carriers to adopt advanced safety technologies such as collision mitigation systems, lane departure warning systems, electronic stability control and emergency warning/braking systems.

Another example is the development of an employer notification system. Under FMCSA's current compliance and enforcement model, safety investigators verify that motor carriers have obtained motor vehicle records on each of their drivers annually. Sometimes these records reflect violations that occurred as much as eleven months prior. To provide more timely information, ATA has advocated a nationwide employer notification system that would promptly alert a motor carrier each time one its drivers had been convicted of a moving violation or the like. Access to such timely information would go a long way toward helping motor carriers swiftly address problem behaviors before they impact safety.

ATA's Safety Agenda

The highway system is the workplace of millions of hard-working, professional truck drivers. As such, it is ATA's role to take a leadership position in making our workplace safer. To that end, ATA has developed an aggressive safety agenda with the goal of further reducing the number of motor vehicle fatalities and injuries. The agenda is comprised of multiple recommendations that address the performance of both commercial and passenger vehicle drivers, safer vehicles, and motor carrier performance. These recommendations are as follows:

1. ATA supports the safe use of technologies and encourages drivers and/or motor carriers to consider a range of policies and safeguards intended to reduce, minimize and/or eliminate

driver distractions that may be caused by the increased use of electronic technologies (e.g., global positioning systems, cellular phones, etc.) during the operation of all types of motor vehicles. ATA strongly encourages and recommends that manufacturers of these devices, vehicle manufacturers, policymakers, motor carriers and organizations representing motor carriers and the motoring public promote and adopt awareness, training, and safety policies on the use of such technologies—unless required by current laws or regulations—during the operation of a motor vehicle on our nation's highways.

2. ATA recommends creation and implementation of national performance-based commercial driver's licensing testing standards that are more rigorous than current state standards. CDL testing standards should be uniform across states and oversight of third party testing entities should be strengthened. Compliance monitoring of state CDL programs should also require strict state compliance with the enhanced federal CDL standards. The existing federal penalty should be used to ensure state compliance with the new federal testing standards.
3. ATA supports a study to evaluate the cognitive functioning and behaviors of individuals between ages 18 and 25 that could be used to establish criteria for graduated commercial driver licensing.
4. ATA recommends creation of more long-term truck parking as well as smarter parking in places where there is an identified shortage of parking.
5. ATA recommends a national, maximum 65 mph speed limit for all motor vehicles.
6. ATA supports strategies to enhance the use of seat belts, such as primary seat belt laws in all states; incentives and penalties to motivate states to pass primary seat belt laws; audible reminders for seat belt use in commercial vehicles; contrasting colors for seat belts so law enforcement can quickly identify non-users; state adoption of the failure to wear a seat belt defense; and denial of workers compensation for drivers who fail to use seat belts. ATA recommends exploring incentives and penalties that will motivate states to pass primary seat belt laws.
7. ATA recommends 50-state implementation of an education and enforcement program, such as Ticketing Aggressive Cars and Trucks, that targets the risky operating behaviors of both passenger and commercial motor vehicle drivers.
8. ATA supports enforcement using red light cameras and automatic speed enforcement for all vehicles deployed in high-risk zones, such as high-crash intersections, school zones and work zones, to reduce crash rates. Motor carriers must receive timely access to data and photos of the power unit and the driver. ATA opposes deployment of enforcement technology for the purpose of revenue generation.
9. ATA supports graduated drivers licensing for non-commercial teen drivers and wants to ensure states have good, uniform standards for graduated driver licensing.
10. ATA affirms that members support .08 g/dl. or less as the legal limit for blood alcohol content (BAC) for passenger vehicle drivers and .04 g/dl. or less as the legal limit for commercial drivers (CDL holders). Further, ATA supports alignment with leading safety advocates on alcohol safety topics such as administrative license revocation, ignition interlock devices, and open container laws.

11. Although ATA does not have a position on setting speed limiters or engine control modules (ECMs) for passenger vehicles, ATA recommends that states consider setting the speed limiters on the vehicles of drivers with certain driving convictions.
12. The speed of all electronically governed class 7 and 8 trucks manufactured after 1992 used in commerce should be governed at a maximum speed not to exceed 65 mph. Speed limiters on newly manufactured class 7 and 8 trucks should be made more tamperproof.
13. ATA supports crashworthiness standards for newly manufactured class 7 and 8 trucks, and a relative scale against which to measure a truck's crashworthiness.
14. ATA supports a mandatory national employer notification system and recommends development of a standard protocol specifying type, format, and frequency of information required to be transmitted from the states. Violations/offenses to be reported to the states should also be standardized. States should be required to fully participate in this national system and provide information in a timely fashion. The retention period for violations/offenses on a driver's motor vehicle record should be left to the state's discretion.
15. ATA recommends creation of a national clearinghouse for positive drug and alcohol test results (this has been ATA policy since 1999). Prior to hiring an employee, employers would be required to check with the clearinghouse for an applicant's failed tests and previous refusals to test.
16. ATA supports creation of the National Registry of Certified Medical Examiners provided the certification requirements are not unduly burdensome, the supply of examiners is sufficient in all areas of the country, and the system allows for information sharing among examiners.
17. ATA recommends following, shepherding, and stewarding the safety benefits of the Driver Information Resource (DIR). ATA recommends carriers access this data for drivers and that they access this data prior to hiring a driver.
18. ATA recommends new motor carrier owners, both interstate and intrastate, be required to satisfactorily complete a safety training class before commencing operation. Safety training curricula should meet uniform standards nationwide. The Task Force also recommends that the Federal Motor Carrier Safety Administration (FMCSA) safety inspection be conducted at 6 months rather than at the current 18 months. Further, the Task Force recommends requiring new carriers to attach proof of training to their application for a DOT number.

For more details on each of our 18 recommendations, click here to download a copy of ATA's *Safety Agenda*:

<http://www.truckline.com/Newsroom/Policy%20Papers/Safety%20Task%20Force%20Report.pdf>

ATA feels strongly that these recommendations should be acted on quickly, since they will have a certain, positive impact on highway safety. To that end, we are hopeful that these recommendations will be a component of the safety title of upcoming highway reauthorization legislation.

However, if such legislation continues to be delayed due to other legislative priorities, we urge Congress to act expeditiously on a separate safety bill that incorporates these items, so that critical improvements to highway safety will not be delayed.

Conclusion

Mr. Chairman, thank you for the opportunity to offer our views on how collectively we can further improve truck and highway safety. As I mentioned at the beginning of my testimony, the trucking industry is justifiably proud of its recent safety accomplishments as well as its excellent long-term safety improvement. While as an industry we will strive to continue this safety progress, it will be incremental at best if we don't have the political will to change the fundamental government approach to truck safety oversight.

We must move beyond the current regulatory compliance and enforcement model as the primary means to improve truck safety. Instead, we must move toward an active safety management model that more directly attacks the main causes of crashes. This new model must be based on understanding the factors that create crash risk and the behaviors and events that precipitate crashes. It must also focus resources on giving motor carriers tools, like a drug and alcohol clearing house and an employer notification system, that will help motor carriers more effectively facilitate truck and highway safety improvement.