



MOTOR CARRIER SAFETY ADVISORY COMMITTEE

Minutes Motor Carrier Safety Advisory Committee Meeting March 31 – April 1, 2011

The Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Safety Advisory Committee (MCSAC) met March 31 – April 1, 2011, in Louisville, KY. In accordance with the provisions of Public Law 92-463, the meeting was open to the public.

Mr. Larry Minor, the FMCSA Designated Federal Official (DFO), called the meeting to order at 8:45 a.m. on Thursday, March 31, 2011. The following individuals attended the meeting:

COMMITTEE MEMBERS:

Bill Dofflemyer, Captain, Maryland State Police
Scott Hernandez, Lieutenant Colonel, Colorado State Patrol
Thomas Jacques, Master Patrol Officer, Pittsburgh Police
John Lannen, Executive Director, Truck Safety Coalition
Terry Maple, Superintendent, Kansas Highway Patrol
Jane Mathis, Board of Directors, Parents Against Tired Truckers
Stephen Owings, President, Road Safe America
David Parker, Senior Legal Counsel, Great West Casualty Company
Robert "RC" Powell, Master Trooper, Virginia State Police
Danny Schnautz, Operations Manager, Clark Freight Lines, Inc.
Lester Sokolowski, Senior Vice President of Sales and Marketing, Strategic Safety Solutions, LLC
Todd Spencer, Executive Vice President, Owner-Operator Independent Drivers Association

FMCSA REPRESENTATIVES PRESENT FOR ALL OR PART OF THE MEETING:

Donna Aggazio, Public Affairs Specialist
Bill Bronrott, Deputy Administrator
Tretha Chromey, Special Assistant to the Deputy Administrator
Anne Collins, Associate Administrator for Field Operations
Larry Minor, Associate Administrator for Policy
Bivan Patnaik, Chief, Regulatory Division
William Quade, Associate Administrator for Enforcement
Shannon Watson, Senior Adviser to the AA for Policy

OTHERS PRESENT FOR ALL OR PART OF THE MEETING:

Tim Adams, IRP, Inc
Ryan Bowley, OOIDA
Jim Freeland, Douglas and Sons Trucking
Randy Dunn, OOIDA
Mirna Gustave, Macrosystems
Albert Johnson, Driver Convoy
Vickie Johnson, Driver Convoy
Dave Kraft, Qualcomm
Dave Lehman, C.L.I. Transport



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Richard Luce, Jr., Buske Lines
Scott McNeill, Bylo Oil Co.
Rod Nofziger, OOIDA
Oliver Patton, Heavy Duty Trucking
Ronald Peters, Ronald Peters Trucking
Larry Shickles, Star of America, LLC
Irwin Shires, Panther Expedited Services
Joan Tilghman, ICF International
Elizabeth Turner, Volpe National Transportation Systems Center
Vinnie, LCR Hallcrest
Liza Wallis, ICF International
Don Werner, Werner Fuels

TASKS:

The Committee continued discussing Task 11-01 "Patterns of Safety Violations by Motor Carrier Management". Discussions for this task will continue at the June meeting.

The Committee finalized an addendum to Task 10-03 (Fatigue Management for Commercial Motor Vehicle Operators) to include information from the January 2011 United States Government Accountability Office (GAO) report, *Commercial Motor Carriers: More Could Be Done to Determine Impact of Excessive Loading and Unloading Wait Times on Hours of Service Violations* (GAO-11-198).

The Committee was introduced to Task 11-02 "Roadside Violation Severity Weightings in the Carrier Safety Measurement System". The Committee will begin discussing this task at the June meeting.

The Committee was introduced to Task 11-03 "Oversight of the Long-Haul Cross Border Trucking Pilot Program". The Agency will ask for volunteers for a subcommittee to begin discussing this task at the June meeting.

PRESENTATIONS:

William Quade, Associate Administrator for Enforcement at FMCSA presented "Roadside Violation Severity Weightings in the Carrier Safety Measurement System" and "Oversight of the Long-Haul Cross Border Trucking Pilot Program".

Bivan Patnaik, Chief of the Regulatory Division at FMCSA presented "FMCSA's 5-year Rulemaking Priority Plan".

MCSAC members Todd Spencer (OOIDA) and Stephen Owings (Road Safe America) led a discussion on "chain of responsibility" concept for the US, in which all stakeholders in a freight job share accountability for keeping truck drivers alert, rested and compliant based on the GAO-11-198 report.

DEPUTY ADMINISTRATOR'S REMARKS: FMCSA Deputy Administrator Bill Bronrott thanked the MCSAC members for coming together to discuss safety and encouraged everyone to be relentless in finding solutions to truck and bus safety. Mr. Bronrott mentioned that a recent report indicates that traffic deaths have gone down to the lowest level in 65 years even though vehicle miles travelled have gone up.



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He quoted Secretary LaHood as saying "it's still far too many deaths, we cannot rest -- we have to be persistent in our pursuit of safety".

PUBLIC COMMENT PERIOD:

Jim Freeland, a driver since 1948, spoke to the committee about a variety of issues. He is concerned that those who make the laws have never driven a truck and therefore do not have an accurate perspective of the Hours-of-Service regulation and its impact on actual real world situations. Mr. Freeland also spoke of incorporating safety regulations for shippers and holding them accountable for packaging and maintenance.

Irwin Shires, Government Qualifications Coordinator at Panther Expedited Services spoke to the Committee regarding Compliance, Safety, Accountability's (CSA) Safety Measurement System (SMS) methodology. Mr. Shires is concerned with how carriers are grouped together within safety event categories and believes this method unfairly compares large carriers to small carriers that cannot "compete" and a larger differentiation must occur.

Mr. Randy Dunn, an OOIDA member, addressed the committee regarding the Hours-of-Service proposed regulations, electronic on board recorders (EOBRs), sleep apnea and other regulations that he believes will harm small businesses because they are expensive to implement. His concern is that if the Agency forces these types of regulations, the carriers will not be able to afford to pay good drivers.

Richard Luce of Buske Lines spoke to the committee regarding training for new drivers. Mr. Luce believes new drivers should be required to have on-the-road training with experienced professionals so that they can have the "real-world" experience necessary to understand how their trucks operate and diagnose problems. Further, Mr. Luce said that the trainers should have a minimum of three years as a driver in order to train and that training companies today are not doing that.

Albert Johnson, a team driver for Driver Convoy, commented on Hours-of Service. Mr. Johnson appreciates the 34 restart as it gives drivers a chance to rest but believes the 10 hour break is unnecessary especially the requirement to be in the sleeper berth; he believes the Agency should consider going back to the 8 and 8 format for team drivers which allows them to be well rested, have a meal and go back to driving.

ADJOURNMENT: The meeting was adjourned at 2:00 pm on Friday, April 1, 2011.

We hereby certify that, to the best of our knowledge, the foregoing minutes are accurate and complete.

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David R. Parker
Chair
Motor Carrier Safety Advisory Committee

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Larry W. Minor
Designated Federal Official
Motor Carrier Safety Advisory Committee