

**Remarks Prepared for Anne S. Ferro
FMCSA Administrator
Food Shippers of America Annual Meeting
February 22, 2010
Orlando, FL**

Introduction

Good afternoon. It's great to be here speaking to you along-side Secretary of Transportation Ray LaHood.

And, thank you for the gracious invitation to be here.

First of all, I want to commend all the food shippers who worked tirelessly in the Mid-Atlantic region during our recent snow storms. Under poor driving conditions, the work of your drivers kept grocery store selves stocked to their best ability.

What would we do without our supplies of toilet paper, milk, eggs and an indulgence like ice cream during a crippling snowstorm?

Trucks are an absolutely vital part of how commerce moves in our country. Every single person in this country is affected by the safe and efficient movement of your trucks.

The trucking industry is also a major transportation sector employer. You are part of what makes our nation move and thrive.

Approximately one in 20 workers in the U.S. is employed in trucking related activities.

Thank you for what you do – in transporting our goods to where they are needed. Our safety record has never been stronger.

My job is to do **more** to make our roads safe. I've been on the job as FMCSA Administrator since November, and in that time, I have challenged the FMCSA workforce to break the traditional “way we've always done it” mindset.

The FMCSA just turned a corner by entering our 11th year. In the next decade, we have an opportunity to examine programs and policies in new ways in order to improve safety for everyone who travels on our highways and roads.

Core Priorities

With that in mind, I will address the initiatives and programs that fall within the three key priorities for our agency.

As I see it, our safety mission at FMCSA is driven by these priorities:

1. Raise the safety bar to enter the industry;
2. Maintain high safety standards to remain in the industry; and
3. Remove high-risk operators from our roads and highways.

These priorities frame all we do. But, we can and must always do more – because one fatality on the road is one too many.

Distracted Driving

As the Secretary described to you, we took a big step forward by announcing that existing federal regulations may be enforced against most interstate truck and bus drivers who text while driving.

Our announcement makes it crystal clear that texting while driving is an unsafe activity that these basic safety regulations are intended to prohibit.

We will also be launching a formal rulemaking that will propose prohibiting Commercial Motor Vehicle drivers who are operating in interstate commerce from texting while driving and that will consider disqualifying drivers convicted of texting while driving from holding a commercial drivers' license.

These are important safety steps and we will be taking more to eliminate the threat of distracted driving.

Our research shows that drivers who send and receive text messages take their eyes off the road for an average of 4.6 seconds while texting.

At 55 miles per hour, this means that the driver is traveling the length of a football field, including the end zones, without looking at the road.

Because all of you are responsible for professional drivers, it is especially important that you communicate the importance of setting a good example for the nation.

There is no question, that one of the challenges of the texting ban will be effective enforcement.

Remember, it wasn't long ago that we heard doubts about how to enforce laws requiring seat belts or laws that prohibit drinking and driving.

Raising awareness of the safety risks for each behavior has helped get more people to use seat belts and to not drive drunk.

We can and will do the same for distracted driving – with your help.

Hours of Service

Another issue of great interest throughout the country is the status of the hours-of-service rules. The hours-of-service rules were put in place to help prevent fatigue-related crashes, injuries and fatalities that involve commercial trucks and ultimately, to improve safety for everyone.

In keeping with President Obama's good government pledge, we held four open listening sessions on the hours-of-service rules.

Too much time can be spent in Washington, D.C. without knowing what the rest of the country is doing or thinking. That is why we are working to make sure we are not operating in a vacuum by understanding how the current hours-of-service rule is working.

The feedback we've received during the listening sessions will allow us a better perspective when looking at the research and developing a proposal for a new HOS rule.

Each listening session was well attended and we got a number of great questions. Participants shared their thoughts and ideas by attending in person, dialing in by phone or submitting comments and questions via the internet.

We are hearing from every corner of the trucking community – drivers, owner – operators, carriers, safety enforcement, safety advocates and labor.

If you couldn't get to a listening session, more opportunities are available.

You can send in comments by mail, email or fax. Instructions are on the FMCSA web site. Go to www.fmcsa.dot.gov for more information.

We will also hold a fifth listening session in late March at the Mid-America Truck Show. I encourage you to participate. Continue to visit the FMCSA website for updates.

CSA 2010

Another program designed to maintain high safety standards by helping us reach larger numbers of carriers is the Comprehensive Safety Analysis 2010 – known as CSA 2010.

I'm pleased that CSA 2010 has gained attention as we prepare for its roll out later this year. By now, many of you know that CSA 2010 will raise the bar for commercial carriers by looking at seven key factors:

1. Unsafe Driving
2. Fatigued Driving
3. Driver Fitness
4. Crash History
5. Vehicle Maintenance

6. Improper Loading and Cargo

7. Controlled Substances – Drugs and Alcohol

Over time, I think all of us – in the safety enforcement community and in the transportation industry – have come to recognize the inefficiency of the current one-size-fits-all compliance review model.

CSA 2010 will not only improve safety, it will help **all of us** become more effective.

It is built on the foundation of a new safety measurement system with seven evaluation factors rather than the current system that includes only four evaluation factors.

CSA 2010 will give state and federal enforcement personnel the information we need to determine the most appropriate level of intervention to use to bring about improvements in a carrier's safety management practices and provide a streamlined, data-driven approach for making safety fitness determinations.

CSA 2010 will give carriers highly focused safety performance information to identify potential problems and take action to correct those performance issues before they result in an enforcement intervention by FMCSA.

Also, we will implement a range of interventions, ranging from warning letters to comprehensive, on-site compliance reviews.

Most of these interactions can be done by email, fax, or phone – so it will not be as disruptive to your business operations as a full blown compliance review.

Starting in 2008, we have had four states [*Georgia, Colorado, New Jersey and Missouri*] take part in a test of CSA2010 and have had added another five states [*Minnesota, Montana, Kansas, Maryland and Delaware*] last year.

We have drafted a notice of proposed rulemaking to change how our safety fitness determinations will be made under CSA 2010, and the notice is currently under Departmental review. We anticipate publishing this proposal and receiving public comments later this year.

Implementing CSA 2010 will ultimately expand our reach and make our roads safer.

Right now, we and our state partners undertake approximately 17,000 on-site, comprehensive compliance reviews each year. Without a compliance review, it is not possible to generate a safety rating or update a previously issued safety rating.

Under the CSA 2010 model, we will touch more carriers and achieve the ability to evaluate the safety performance of 175,000 to 200,000 carriers on a **continual basis** using roadside inspection data, crash data and investigation data.

It is important to identify safety performance problems more effectively than our current process and provide carriers with information they need to correct performance problems **before** they result in a poor safety rating – CSA 2010 is the tool to help us achieve that.

Electronic On-Board Recorders

Another issue I know you are very interested in is the status of the rulemaking on electronic on-board recorders.

A final rule is pending in the Office of Management and Budget.

Also, we posted a schedule at the Department's Significant Rulemaking web site for developing a new EOBR rulemaking to consider expanding the population of motor carriers that would be required to use the devices.

While I can not comment on the final rule, I can recommend a very interesting presentation on EOBR technology that was made before the Motor Carrier Safety Advisory Committee.

You can find it online at mcsac.fmcsa.dot.gov.

More announcements will come from FMCSA as the rule progresses. So, stay tuned.

Food Safety

FMCSA's focus is on improving commercial vehicle safety. This includes cargo securement. It includes hazardous materials. It includes drug smuggling interdiction. And it also covers the basic safety of our food as it is being transported by truck.

We have a big job to do. That is one reason why the President's budget calls for funds to hire 118 additional personnel across all functions of the agency, including more truck and bus safety inspectors, over the next two years.

One of the aspects of a truck safety inspector is to be on the lookout for obvious signs of food spoilage or mishandling.

We work cooperatively with the USDA in every region of our country.

Should a state or federal truck safety inspector spot a concern with a food commodity shipment, they are instructed to immediately contact their USDA counterpart for follow-up.

As I have indicated from the beginning, we can only make progress in safety if we all work together. This is true for vehicle safety, and it is certainly true for food safety as well.

Conclusion

FMCSA has entered a new decade and with your help we can improve safety for everyone and work to keep your businesses profitable too.

I have outlined a few of the defining moments coming soon. We have a President who is committed to investing in our transportation system and we have programs on the horizon that will bring us effective and efficient enforcement of our safety laws.

CSA 2010 will begin nation-wide later this year; hours of service is being given a fresh look in an open environment and risky behaviors such as distracted driving will be made a thing of the past.

Thank you.