

**Remarks by Anne S. Ferro
FMCSA Administrator
Fleet Forum
“Rising to the Challenge”
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Introduction

Good afternoon and thank you for that kind introduction, Tom. It is my pleasure to join you at the Fleet Forum to talk about the strides we are making at the Federal Motor Carrier Safety Administration in pursuit of our safety-first mission.

The Mid America Truck Show is the place to be – reaching thousands of truckers, truck company owner and industry providers. All focused on one thing – getting the load from point A to point B...Safely.

Safety is US DOT’s number one priority and it clearly shapes our agenda in helping to keep our roads and highways safe. America’s roads and highways are the safest they’ve ever been. In fact, we have seen a 24 percent reduction in truck-related fatalities over the past 4 years.

That is great progress. But, I will not sugar coat the fact that our roads must be safer. We will not let up when upwards of 3,500 people die and 60,000 are injured in large truck-related crashes EACH YEAR. We will not take the American people’s trust lightly or their safety for granted.

We are committed and passionate about safety. At FMCSA, we believe that our roads can become safer places ONLY by raising the bar, maintaining high safety standards and removing unsafe carriers, drivers and trucks from operating.

Working within these three principles, FMCSA is deploying a mix of strategies to fulfill our mission. From field to headquarters with our state partners, we have great strides in safety these past few years and I am glad to update you on a few we've completed and give you a glimpse of what's ahead.

Recent Safety Accomplishments

Late last year, we published a well-formulated hours of service rule that takes strong action to help truck drivers get the rest needed to be fully alert behind the wheel. We did this for one reason and that is because it will save lives.

While this rule cannot ensure that truck drivers will be rested, it can give drivers more time off to get better rest on a daily and weekly basis.

Secretary LaHood has made a concerted push to tackle our nation's distracted driving epidemic. He's talking to ALL drivers and changeling states to pass the right laws.

From CMVs, FMCSA issued texting and hand-held cell phone bans, designed to drive home the fact that no call or text is so important that you should risk your own life and the lives of innocent people.

Through our Compliance, Safety, Accountability, or CSA program, we have established an enforcement platform that has greatly strengthened our focus on at-risk carriers.

This program is proving the concept that what gets measured gets done: Both large and small carriers are using the safety measurement system or SMS to monitor and improve their scores. In fact, in the past year, our CSA SMS web site recorded 27 million visits.

We see carriers that bring scores down below the alert status by using the system to identify and correct problems.

The majority of carriers who received a warning letter or other intervention IMPROVED. CSA gives carriers tools to improve their BASIC percentiles. CSA collects data on a sizable population of carriers, particularly those involved in crashes.

Despite reports to the contrary, we have sufficient data on 200,000 active carriers. This represents 80 percent of the CMVs operating with recent activity. More importantly, these 200,000 carriers are responsible for 92 percent of reported crashes.

CSA improves driver safety performance. In just a year, we are finding that rates of all safety violations have decreased by 9 percent and driver violation rates have

decreased by 12 percent. We hear from you that drivers are paying more attention than ever to driving safely.

Crash Accountability

We know there is a strong interest in crash accountability by carriers and drivers. FMCSA has spent several months pursuing a program under CSA and the SMS that could look at crashes for which a carrier had greater responsibility and consider weighting them differently than other crashes in the SMS.

The underlying concept is that we identify those carriers that are causing crashes and prioritize them for intervention.

Several areas require further study before making a decision on how to best approach this issue. These include the uniformity and consistency of police accident reports across the nation; the process for accepting public input; and the actual effect on SMS to better identify carriers that have a high risk of crashes.

Ultimately, we will be asking if the investment improves safety outcomes. We will be conducting additional research and analysis in the coming months that looks at the cause of crashes and weighting of those crashes in the SMS.

Ultimately, does it help us save lives? Once we have completed our work, we will publish a notice in the Federal Register. I encourage you to provide your input when it comes out.

SMS Preview

Over time, we have a strong commitment to improve CSA's SMS as better technology, new data and additional analysis become available.

Based on findings from our own analysis and information received from enforcement, industry and other groups, we plan to improve the SMS in the following ways:

We will change the Cargo-related BASIC to Hazardous Materials BASIC to better identify safety problems related Hazardous Materials. We will strengthen the Vehicle Maintenance BASIC by incorporating cargo or load securement violations from today's Cargo-Related BASIC.

We will better align SMS with Intermodal Equipment Provider regulations.

We will align violations included in the SMS with CVSA inspection levels by eliminating vehicle violations derived from driver-only inspections and driver violations from vehicle only inspections.

We will redefine populations of carriers subject to lower Hazardous Materials and Passenger Carrier intervention thresholds while the percentage for thresholds stay the same.

You can preview these changes starting on Monday, March 27. Between April and June we will be reviewed feedback received with the intent of making this package of improvements operational by July 2.

During our preview period we will collect, assess and address feedback from you. Read the Federal Register Notice coming out on March 26 and the CSA web site for all updates.

What's Ahead

We continue to move forward with other key strategies to protect the safety of truck drivers and all motorists.

They include soliciting information about electronic on-board recorders, issuing regulations concerning medical examiners, potential physical qualification requirements for drivers who have been diagnosed with sleep apnea, and a rulemaking regarding a drug and alcohol positive test and refusal clearinghouse for drivers.

We are taking important steps to gather information on whether EOBRs have been used to harass truck and bus drivers, and if so, how.

On Friday morning, we are holding the VERY FIRST listening session at this Truck Show as part of a comprehensive outreach effort to hear from as wide an audience as possible.

We do this because we want to hear a diverse range of comments and concerns about electronic on board recorders and the risk EOBRs pose for driver harassment.

Another rule on the front burner will set baseline training and testing standards for medical professionals who perform driver physicals through the establishment of a National Registry of Certified Medical Examiners. This rule is specifically required by federal law.

Medical examiners would be required to complete a training course and pass an examination to prove they understand FMCSA's medical standards.

Our goal is to ensure that the examiners understand FMCSA's medical standards to avoid issuing medical cards to drivers who should not be operating commercial vehicles. The final rule is currently under review at the President's Office of Management and Budget.

Later this year we plan to issue a notice of proposed rulemaking that would establish a clearinghouse to track commercial drivers' positive drug and alcohol tests. The rule would require employers to check the database before hiring. Finally, our Motor Carrier Safety Advisory Committee and Medical Review Board met earlier this year to finalize recommendations on standards for drivers with obstructive sleep apnea and suggested treatment options.

Recommendations from this meeting will be considered by the agency for regulatory guidance for all commercial drivers.

FMCSA will also reach out to others with expertise and knowledge in this area and will publish regulatory guidance on sleep apnea in the Federal Register later this year. This will give commercial motor vehicle drivers, motor carriers, medical examiners and others, the opportunity for public comment.

The guidance provided by the MCSAC and MRB will take us steps closer to identifying and addressing safety problems resulting from work hours, fatigue and health issues. Our goal is to develop and implement solutions that will make a difference in safety on our roads – by saving lives.

Rising to the Challenge

We all know that some wait time at shipping and receiving facilities is to be expected in complex supply chain operations. We do believe that more can be done to reduce the impact of excessive loading and unloading wait times on hours of service violations.

Excessive detention time could impact the ability of drivers to perform within the hours of service safety regulations.

We need a real change in our transportation culture to recognize that safety means more than complying with safety rules. It means changing work-rest schedules that contribute to fatigue.

To help FMCSA get a clearer understanding of the impact of detention time and its relationship to hours of service violations, FMCSA is dedicated to examining the issue of detention time using the most reliable data and research.

To do this, FMCSA will begin a multi-year study, later this year, to examine the nature of the problem of detention or waiting times and the potential safety impacts that can occur as a result of long detention times. In the long run, this study will help us understand what action, if any, is warranted.

New research is planned to examine the relationship between how driver compensation and safety. The proposed study will survey carriers to determine how they pay their drivers, pay by the mile or pay by the hour, and what impact their compensation package has on safety.

Some in the trucking industry believe that the pay method you chose facilitates the safest operation. Paying drivers by the hour requires a team culture and management capability that focuses and rewards safe productivity.

Look at your company thoroughly and see what makes it a good place to work. Whatever can be done to make the job better may also make the job safer.

Reauthorization

One important step to improve truck and bus safety is to pass a new surface transportation bill. This will provide us with the necessary tools we need to

improve oversight of the commercial motor vehicle industry and that will save lives and invest in infrastructure.

Last week, the Senate passed a two year surface transportation bill that includes many of these important tools. This bill will enhance our ability to crack down on "reincarnated carriers;" give us new enforcement tools to improve compliance with FMCSA's safety rules; and help us implement CSA.

These provisions will help us get bad actors off the roads and make our nation's roads safer for the traveling public.

As Secretary LaHood has said, "maintaining a world class infrastructure system is critical to creating an economy built to last. Our country needs and deserves a commitment to our surface transportation that will create jobs by rebuilding and modernizing our roads and bridges. This will allow us to compete and grow in the global economy."

At FMCSA, we are pleased that the Senate bill includes so many important considerations to improve truck and bus safety, and we will continue to work with the House and the Senate as they continue towards enacting a new reauthorization bill this year.

Conclusion

The inventor Thomas Edison once said, "Opportunity is missed by most people because it is dressed in overalls and looks like work."

Well, making our roads safer IS work, hard work that takes a strong commitment from a lot of people to make it happen.

The reward to such work is worthwhile – is like nothing else because it saves lives. Together we can all make a difference in safety on our nation’s roadways.

Thank you for your attention and I’ll be happy to take questions if time permits.

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