

**Remarks Prepared for Anne S. Ferro  
FMCSA Administrator  
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**Introduction**

Good morning everyone. Thank you to President Vic Parra and Board Chair Godfrey Lebron for the invitation to come and speak to you today.

I appreciate you all coming out this morning bright and early.

I have been the FMCSA Administrator for a little over three months – still new to the job – but not new to motor carrier issues.

***Economic Recovery***

Let me begin by adding another perspective to the theme for your conference – “thriving in a new economy.”

We want you to thrive in a new economy. Your companies, your drivers and your buses take people to where they need to go – every single day and that is a valuable service to the public and makes the economy a healthier one by keeping people on the move – getting them to jobs, appointments and bringing families together.

I want you to know that you can count on the Obama Administration to make an unprecedented commitment to modernize and upgrade our transportation infrastructure.

The Administration is determined to help reduce congestion and improve the efficiency and safety of our roads. Investments being made by the President are all about achieving the right outcomes at the local and regional level – like reducing congestion that can help keep buses on schedule and keep roads safe too.

At FMCSA, our main mission supports all the efforts being made to modernize transportation in this country – and that's safety.

We are in our second decade as an agency, and with that milestone is an opportunity to examine programs and policies in new ways, and when we can, with a fresh look, in order to move to the next level.

In the scheme of things, FMCSA is a moderate-sized agency. For an agency of our size, we have a very broad set of responsibilities.

Passenger carrier safety, by its very nature, holds a singularly strong focus for everyone at our agency – in headquarters and around the country. I want to emphasize that point.

But, we also oversee trucking companies that transport hazardous materials – fuels, explosives, industrial components, biological hazards, contents that are radioactive. We regulate a highly segmented trucking industry comprised of more than 680,000 carriers.

We update medical qualification requirements for some 10 to 12 million commercial drivers' license holds in the United States. We administer more than 300 million dollars in state grants to support commercial vehicle safety inspection and enforcement efforts.

We are the engineers behind information technology platforms that serve the law enforcement community, carriers and the public.

And, following the closure of the Interstate Commerce Commission in 1995, FMCSA became responsible for overseeing the interstate household goods industry.

### ***Core Priorities***

Our responsibilities run the gamut. Regardless of the specialized sector, however, our focus remains concentrated on three key priorities for our agency.

As I see it, our 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 our critical safety responsibilities. All three of them speak directly to the passenger carrier industry. Let me review them quickly.

***Raising the Bar to Entry & Maintaining High Standards***

At the Departmental level, and on FMCSA's part, we have taken several steps to take a fresh look at motorcoach safety. One is a new comprehensive multi-modal safety action plan designed to improve motorcoach safety across the board.

Secretary LaHood has said that "the improvements laid out in the safety plan will not only help reduce the number of motorcoach crashes, it will also help save lives and reduce injuries."

The Action Plan has seven priority action items contained in it. Some fall to the National Highway Traffic Safety Administration. Some fall to the Federal Highway Administration. There are also charges to the Pipeline and Hazardous Materials Safety Administration and to the Federal Transit Administration.

FMCSA has the lead responsibility of putting into place several of these necessary and required actions including:

- Initiate a rulemaking to propose requiring electronic on-board devices on all motorcoaches to better monitor drivers' duty hours and manage fatigue.
- Initiate a rulemaking to propose prohibiting testing and limiting the use of cell phones and other devices by motorcoach drivers.
- Enhance oversight of carriers attempting to evade sanctions.
- Establish minimum knowledge requirements for persons applying for authority to transport passengers.

As FMCSA Administrator, I am committed to move forward on these items with your help and cooperation.

We recently began a robust vetting process to investigate applicants for passenger carrier operating authority.

We believe our efforts in this area are paying off.

Since the time our vetting process began, 256 applicants have been dismissed and 26 have withdrawn from the process – out of 1,340 applicants.

Also the number of applicants has dropped. Aside from economic considerations, we believe the vetting program is a contributing factor to the decline in applicants.

***Remove High-Risk Carriers & Drivers***

As many of you are aware, FMCSA and its state enforcement partners have, for the past number of years, been conducting unannounced state and region “strike forces” targeting passenger carriers.

The most recent strike force activity spanned 14 states from Virginia to Maine and was timed for maximum effect to coincide with the Pre-Thanksgiving holiday period last year.

The strike force resulted in over 1,320 inspections of passenger motor carriers.

We also conducted over 70 compliance reviews of high risk passenger carriers from this strike force alone.

I will not reveal when or where the next passenger carrier strike forces will take place – but I guarantee you – there will be more.

They have been very effective and they remain an important component in our enforcement arsenal.

On a regular basis, the number of compliance reviews conducted on passenger carriers has dramatically increased over the past several years.

Last year, we completed 1,286 compliance reviews – nearly three times more reviews – than the 457 conducted during fiscal year 2005.

Aside from the “big ticket” items, there’s been a lot more going on at FMCSA and I’d like to take a few minutes to update you on some of the major activities underway.

### ***Distracted Driving Prevention***

Many of you – no doubt – are aware of Secretary LaHood’s strong emphasis on safety and in particular of his mission to eliminate distracted driving as an all too common behavior.

Many of you know of the Summit on distracted driving which the Secretary led in the fall.



Several weeks ago, we took a big step forward in eliminating the risky behavior of distracted driving. We announced that existing federal regulations may be enforced against most interstate truck and bus drivers who text while driving.

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

Coincidentally, if you recall, prohibiting texting and limiting the use of cell phones was called for in the motorcoach safety action plan.

We will also be launching a notice and comment rulemaking proceeding to request public comments on the subject. And, we will consider disqualification penalties for drivers convicted of texting while driving.

These are important safety steps and we will be taking more to eliminate the threat of distracted driving – which has become an epidemic in this country.

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.

There is no question that one of the hardest parts of the texting ban will be effective enforcement.

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

But, raising awareness of the safety risk for each unsafe behavior has helped get more people to use seat belts and not drink and drive.

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

## ***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 CSA 2010 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 President's Office of Management and Budget.

While I can not comment on the rule, I can recommend to you a very interesting presentation made before the Motor Carrier Safety Advisory Committee.

You can find it online at [mcsac.fmcsa.dot.gov](http://mcsac.fmcsa.dot.gov).

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

## **Conclusion**

American poet Maya Angelou once said, “To make a difference is not a matter of accident or a matter of causal occurrence of the tides. People **CHOOSE** to make a difference.”

We at FMCSA agree. I also believe that our partnership can make a difference. We choose to join forces and work together and make a difference for the purpose of saving lives.

Thank you for serving the American people. Have a good meeting and thank you once again for asking me to join you.