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Truck Writers of North America
Annual Awards Banquet**

Trucking through the Government 101: Who Does What?

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Introduction

Thank you very much for the kind introduction!

Congratulations to all of the award winners to be announced shortly. It is a great pleasure for me to participate in tonight's celebration where we give recognition to the finest in reporting, public relations and marketing in the trucking industry. I believe that all of you are winners for being nominated, since you are the best in what you do.

Thank you for the invitation to speak ... It's great to be here. I owe a debt of thanks to the generosity of people in the industry who've shared their knowledge with me ... so let me try to pay it back ... and I hope you will also pay it forward by sharing with others.

Every industry has its own language, including an alphabet soup of acronyms, trucks – and trucking - though the U.S. Government is no exception.

I'd like to help by giving you a roadmap, if you will, to who does what in the various agencies -- within and outside the U.S. Department of Transportation -- whose activities include drivers and technicians, vehicles and components, and motor carriers.

So, please fasten your virtual occupant restraints, this is going to be a VERY fast ride! I'll be handing out notes at the end.

Federal Agencies Affecting Trucking

At DOT, there are seven agencies whose programs touch trucking safety.

The **Federal Motor Carrier Safety Administration**, FMCSA, where I hang my hat, is an Agency whose primary mission is to reduce crashes, injuries, and fatalities involving large trucks and buses. We do this through our three core principles: raising the safety bar to enter the industry; requiring high safety

standards to remain in the industry; and removing high-risk carriers, drivers, and vehicles from operating.

Until January 1, 2000, when FMCSA became a separate DOT agency, we were part of the Federal Highway Administration. FMCSA sets and enforces the Federal Motor Carrier Safety Regulations (FMCSRs). These regulations apply to all employers, employees, and CMVs that transport property or passengers in interstate commerce. Basically, if you are moving passengers or freight that crosses State lines or National borders, or affects those movements, you are subject to those regulations.

As an agency, FMCSA regulates more than 500,000 trucking companies and 12,000 interstate bus companies. We oversee physical qualification standards and drug and alcohol testing requirements of 4 million active commercial driver's license holders. We do this with 1,100 employees, most of whom work in the field in every state.

The **National Highway Traffic Safety Administration** – NHTSA for short -- sets and enforces safety performance standards for motor vehicles and motor vehicle equipment. New vehicles offered for sale or use in the United States must meet the Federal Motor Vehicle Safety Standards (FMVSS) that are in effect on the date of manufacture.

As far as vehicle regulations are concerned, the easiest way to remember what NHTSA and FMCSA do is that NHTSA's Federal Motor Vehicle Safety Standards cover the newly-manufactured vehicles. Once they go into operation, the Federal Motor Carrier Safety Regulations come into play.

NHTSA -- along with the Environmental Protection Agency -- sets and enforces vehicle fuel economy and emissions control standards. The agency also investigates safety defects and odometer fraud in motor vehicles, provides consumer information on motor vehicle safety, conducts research on driver behavior, and helps States and local communities address safety needs.

Let's hit the road – that's the **Federal Highway Administration's** area.

FHWA supports State highway systems by providing financial assistance for the construction, maintenance and operations of the Nation's 3.9 million-mile highway network. This includes the Interstate Highway System, primary highways, and secondary local roads.

But, FHWA does a lot more than build roads. The FHWA Office of Safety works to reduce highway fatalities through the "4Es": engineering, education, enforcement, and emergency medical services.

FHWA's Office of Operations covers many programs – including truck size and weight standards.

Special cargoes are important too. The **Pipeline and Hazardous Materials Safety Administration** (PHMSA) regulations for highway transportation are designed to ensure the safe and secure transportation of hazardous materials.

And, when it comes to sharing the roads, the **Federal Railroad Administration** (FRA) is the go-to agency for highway rail grade crossing safety. FRA works closely with FMCSA and FHWA. We have a real success story here: the number of grade-crossing fatalities has gone down by more than 50 percent over the last two decades.

Remember Get Smart? Well, I barely do ... so let's get Intelligent instead. As part of the **Research and Innovative Technology Administration** or RITA as we call it, the mission of the Intelligent Transportation Systems Joint Program Office -- ITS/JPO for short -- focuses on intelligent vehicles, intelligent infrastructure and the creation of an intelligent transportation system by integrating them together.

Last, but definitely not least, is the **DOT Office of Inspector General**. The OIG provides independent and objective reviews of the efficiency and effectiveness of DOT operations and programs to the Secretary of Transportation and to Congress. OIG also detects and prevents fraud, waste, and abuse. With respect to motor carrier safety, OIG investigates allegations that companies and individuals have violated criminal statutes relative to the Motor Carrier Safety Regulations.

Now that we've toured DOT, let's look at some of the other agencies ...

Outside of DOT

Despite the best efforts of the people who design, manufacture, and operate vehicles, accidents do happen. Learning the causes of accidents is crucial to prevent them from reoccurring – or as our next agency, the **National Transportation Safety Board** titled its 30th-anniversary report, “Out of Tragedy, Good Must Come.”

The NTSB is an independent agency. It is responsible for investigating every civil aviation accident in the United States and significant accidents in other modes of transportation (such as railroad, highway, marine, and pipeline), and issuing safety recommendations aimed at preventing future accidents.

Although the NTSB does not issue regulations or conduct enforcement activities, it has had a strong influence in shaping transportation safety. As of early 2013, the NTSB has issued over 13,000 safety recommendations to more than 2,500 recipients.

The **Environmental Protection Agency's** mission is to protect human health and the environment. EPA's programs that are of particular interest to the trucking world are in the Office of Transportation and Air Quality.

OTAQ is responsible for carrying out laws to control air pollution from motor vehicles, engines, and their fuels. OTAQ manages the voluntary SmartWay program. And, as I mentioned, the work on heavy duty vehicles is done in coordination with NHTSA.

The mission of the **Department of Energy** uses transformative science and technology to ensure America's security and prosperity by addressing its energy, environmental and nuclear challenges.

Within DOE, the Office of Energy Efficiency and Renewable Energy (EERE) shines a light on two important activities.

The National Clean Fleets Partnership works with large private fleets to reduce petroleum use. The initiative provides fleets with specialized resources, expertise, and support to incorporate alternative fuels and fuel-saving measures into their operations.

The 21st Century Truck Partnership is working to enable trucks and buses to safely and cost-effectively move larger volumes of freight and greater numbers of passengers -- while emitting little or no pollution and dramatically reducing the dependency on foreign oil.

Many elements of the **Department of Defense** (DOD) include heavy-duty land vehicles in their missions – I'll only talk about one here. The National Automotive Center (NAC), part of the Tank Automotive Research, Development, and Engineering Center (TARDEC), is the connection point for U.S. Army and Marine Corps ground vehicle technology.

It serves as the Army focal point for the development of "dual-use" automotive technologies and their applications to military ground vehicles. NAC works to improve vehicle performance, safety, energy use and endurance, while also reducing the military's design, manufacturing, operations and maintenance costs.

The last agencies and programs I'll talk about focus on worker and workplace safety.

The **U.S. Department of Labor** has three offices whose work includes trucking-industry matters: OSHA, MSHA, and Employment Standards.

OSHA's mission is to assure the safety and health of America's workers. It sets and enforces standards; provides training and outreach, and establishes partnerships.

For drivers of REALLY big rigs used in mining operations, the **Mine Safety and Health Administration** has responsibility for protecting the safety and health of mine and minerals-processing workers.

In the **Employment Standards Administration, the Wage and Hour Division** has a very wide range of responsibilities, including the Federal minimum wage, overtime pay, and related recordkeeping.

The **National Institute of Occupational Safety and Health (NIOSH)** is a unit of the Centers for Disease Control and Prevention, in the Department of Health and Human Services. NIOSH performs and sponsors research to improve workplace safety and health through safe practices, policies, and procedures.

Recent truck driver studies have included work-task assessment of package-car drivers, driver physical data to improve the design of truck cabs, and a health and injury survey.

Making Contact and Finding Out More

So, let's say you've learned about a new project and you want to find out more ... You'll find that Federal agencies are a lot like the private sector – you'll need to go through a Public Affairs office to get an interview.

If you're looking for general information, life is a bit easier than it used to be.

If you go to an agency's main web portal, you will find a "Contact Us" tab – that will either send you directly to the Public Affairs office, or to main offices within an agency. FMCSA's main web page has a "Media" tab with direct contact information for its Office of Communications.

You also can subscribe to an Agency's RSS feeds, or to join its email list for new information. Some Agencies also have Twitter accounts or Facebook pages.

Three special topics, as far as communications are concerned, are regulations, contracts, and enforcement activities.

For regulatory actions, there is a statute – the Administrative Procedure Act – that sets out the ground rules for notice and public comment. So, until a document is placed on the “Reading Desk” at the Office of the Federal Register, we cannot discuss it with the public. In DOT, there is a public website that provides the projected schedule and status for all rulemakings that are required to be reviewed by both DOT and the Office of Management and Budget. And, once a draft is at OMB, you can track its status there.

Information on contracts and other procurements is also governed by statute, and there certain information that cannot be made public prior to – or even after award.

Once an award is made, though, an Agency might issue a press advisory, or the successful awardee might do that. For research studies in progress, the Government is required to give the OK for communications between the performing organization and an outside requestor.

As far as investigative activities are concerned, agencies often announce when they start, and when they end. Work in progress is usually off-limits. There are exceptions – the NTSB often provides updates while on-scene work is going on – and I’ve included their “media resources” link in my handout.

Conclusion

In closing, I’ll sign off the way my office does in its written correspondence: I hope this information is helpful. I hope you find that the “alphabet soup” of government isn’t so hard to decipher after all.

Thank you so much for the opportunity to speak, and I wish everyone great story opportunities, deadlines met, and safe travels!

I am happy to answer any questions.

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