

Remarks by Anne S. Ferro
FMCSA Administrator
“Getting the Job of Safety Done”
Utah Trucking Association Management Conference & Truck Expo
St. George, UT
Thursday, May 9, 2013

Good morning, everyone. It is a pleasure to join you today to discuss how the Federal Motor Carrier Safety Administration is working to meet our safety mission.

Safety is FMCSA’s number one priority. Everything we do – from enforcement to outreach to rulemaking – is focused on one goal: saving lives by reducing crashes.

Today, I would like to discuss our shared approach for a safer future for the motor carrier industry and the challenges we face toward achieving it.

Safety First Mission

With your help, our roads are getting safer. In fact, America’s roads and highways are safer today than they’ve ever been. Truck-related fatalities dropped 28 percent between 2005 and 2011.

But when nearly 4,000 people are killed and over 88,000 people are injured in large truck and bus crashes every year – we know we must do more.

Every single day, 10 people on average are killed in large truck crashes, and 241 people are injured.

This is our daily reminder that we must correct the safety issues that continue to claim lives.

In Utah alone, **22 people died** in large truck-related crashes in 2011 and **502 people suffered injuries** as a result of a crash. These lives are lost forever – fathers and mothers gone from their children’s lives, families torn apart and friends no longer with us.

Over the course of 2012, FMCSA, the Utah Department of Transportation, and the Utah Highway Patrol conducted more than **35,000 driver or vehicle safety inspections** and **330** investigations of trucking companies. All of this enforcement activity feeds into our Compliance, Safety, Accountability program - which I will talk about shortly.

Focus on Unsafe Drivers

We know that the majority of drivers and truck companies operate safely. Our job is to focus on those that do not. We do this through 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.

Our strategy is simple: Apply each of these core principles to CMV safety so we can honor our commitment to make the roads safer for everyone.

Compliance, Safety, Accountability

Our state partners work with us to maximize our resources; however our combined efforts address only a fraction of the trucking companies and trips each day.

Each year we conduct more than 20,000 investigations – a drop in the bucket when compared to the size of the industry. That’s why we need to use our extensive inspection data to focus our limited resources on the carriers that most need our attention.

FMCSA is committed to CSA’s continual improvement and its Safety Measurement System or SMS. We regularly engage all CMV stakeholders to improve our enforcement program and tools. That’s why we created a CSA subcommittee as part of our Motor Carrier Safety Advisory Committee.

Like MCSAC, the CSA Subcommittee brings together important perspectives from motor carriers, enforcement personnel, safety advocates, shippers, and the insurance industry, providing FMCSA with ongoing and constructive feedback on the CSA program.

Last month the MCSAC made its first recommendations for FMCSA to consider as we move forward with the CSA program. The report included ideas on how we can best use the crash data to address carriers’ safety performance. Additionally, the MCSAC offered ideas about public accessibility of the SMS data. We appreciate the work of the MCSAC and look forward to receiving more of its ideas to improve how we carry out CSA.

FMCSA’s commitment to transparency and collaboration is achieving results in other ways too. The SMS improvements made effective in December 2012 were preceded by a four-month public comment period in which motor carriers and enforcement personnel could view the impacts of the proposed changes.

This year, FMCSA is focusing on a number of SMS-related initiatives. As a top priority, we are working to improve the public display of SMS data by reinforcing the understanding that SMS is the Agency's intervention prioritization tool, recognizing the association between the BASICS and crash risk, and better highlighting a motor carrier's individual, rather than relative performance.

And of course, other significant priorities during 2013 include the completion of our Crash Weighting Research results during the summer and continued work toward publication of the safety fitness determination notice of proposed rulemaking.

Simply, the more you tell us, the more useful SMS can become.

These enhancements are part of FMCSA's work to continually strengthen its safety enforcement tools. Together, we can improve safety on our Nation's roadways.

Hours-of-Service and Driver Fatigue

Driver fatigue is a clear leader among causes of crashes. Our new hours-of-service rule reduces the effects of fatigue on drivers by cutting maximum allowable work hours from 82 to 70 hours per week, on average. It requires drivers to take at least one 30-minute break, at a time of their choosing if they intend to drive later than the 8th hour after coming on duty.

Taking effect on July 1, these provisions make clear that FMCSA will assess the maximum civil penalties allowed by law against drivers and companies that commit the most serious violations of the legal driving limits.

Please make sure your drivers are knowledgeable about the new hours of service requirements. Please visit the FMCSA web site at: www.fmcsa.dot.gov. Our hours of service page has a variety of reference materials, including a hand book and logbook examples available for download.

We also plan to distribute “visor cards” to drivers on the new rule. These cards will be distributed during CVSA’s annual Roadcheck safety blitz in early June. Look for these cards as another tool for your drivers.

Electronic Logging Devices (ELDs)

Another way we are getting the job of safety done is by moving forward with a supplemental notice of proposed rulemaking (SNPRM) on electronic logging devices. This SNPRM will address employee harassment and meet the Congressional requirements in the Moving Ahead for Progress in the 21st Century Act or MAP-21, our most recent authorization.

The SNPRM will reflect input from comments received during our recent listening sessions on driver harassment and from our MCSAC recommendations on harassment and technical specifications. FMCSA plans to publish the SNPRM later this year.

As we move forward on the new electronic log rulemaking, we will continue to consider information and feedback that we receive from drivers, carriers, law enforcement personnel, and interested citizens.

National Registry of Certified Medical Examiners

All of us agree that safety begins with the driver. Toward that end, ensuring that drivers are *fit, healthy, and well rested* is a priority for FMCSA.

No driver should be issued a license or be driving if he or she does not meet the medical requirements. In keeping with this priority, FMCSA issued a final rule in May 2012 that established the *National Registry of Certified Medical Examiners*. Required by Federal law, the National Registry rule sets baseline training and testing standards for medical professionals who perform commercial driver physicals.

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

The rule requires that by May 21, 2014, all medical examiners authorized to perform FMCSA physicals must be listed on the National Registry. Once the rule is fully implemented, only medical certificates from medical examiners on the Registry will be considered valid.

Our goal is to make sure that examiners understand our medical standards so that they avoid issuing medical cards to those who should not be operating. By ensuring that medical examiners know FMCSA's medical standards, we hope to improve the *health* of our drivers and the *safety* of the traveling public.

National Drug & Alcohol Clearinghouse

Safe roadways depend on *responsible* employers and drivers that comply with the Agency's drug and alcohol testing requirements.

FMCSA prepared a notice of proposed rulemaking to establish a *Commercial Driver's License Drug & Alcohol Database* that would record positive drivers' test results for controlled substances and alcohol and other violations of the drug and alcohol testing regulations.

The rulemaking for a National Clearinghouse—supported by Congress and required by MAP-21—ensures that drivers who test positive or have refused to submit to testing, complete the return-to-duty process prior to returning to the road.

FMCSA believes that the National Clearinghouse will ensure that only qualified CDL holders operate commercial vehicles on our roads.

The proposed rule would require truck and bus companies to report verified positive drug and alcohol test results, test refusals, negative return-to-duty test results, and follow-up testing.

The President's Office of Management and Budget received the proposed rule on March 26. We expect to publish the notice of proposed rulemaking in the Federal Register this summer.

Entry Level Driver Training

Because successful training builds a culture of safety for drivers, we are exploring how to implement a rule which would establish entry-level driver training standards for CDL applicants. We have held two listening sessions this year and our MCSAC completed its review of the proposed rule last month. Right now, we are still gathering information for proposed driver training standards.

Please give us your feedback before a rule is completed. Visit www.regulations.gov and look for Docket ID FMCSA 2007-27748 and follow the on-line instructions.

Driver Compensation

Drivers deserve adequate training and proper compensation. To this end, the Agency plans research to examine the relationship between driver compensation and safety.

The proposed study will survey carriers to determine how they pay their drivers; by the mile or by the hour and what impact compensation has on safety. Some in the trucking industry believe that the pay method you chose impacts safety. Paying drivers by the hour requires a team culture and management that focuses on 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, often serves to make the job safer.

Safety Technologies

Many of you invest in safety technologies, – which is another way to get the job of safety done.

Safety-minded truck companies are adopting onboard safety systems. These include lane departure warning systems, collision mitigation braking systems, roll stability control systems and electronic stability control systems.

They justify these investments with their own operational data – often not including the impacts on insurance premiums.

In addition to FMCSA and other DOT-funded research, independent studies show that fleets' use of these technologies provides safety benefits in terms of crash reductions and often offer a positive investment.

The sustained positive effects of these improvements lower the carriers' performance risk leading to more favorable insurance rates.

Conclusion

I want to thank the Utah Trucking Association for inviting me to speak today about what we are doing to meet our safety mission. There is a lot to be done but we are excited for the opportunity to establish an operating environment where trucks can share the road safely and all vehicles are protected against crashes.

Change and progress come one step at a time – and working together helps get us there faster. Being deliberate in our steps and combining our strengths will make sure that the safety of the motoring public always comes first.

I appreciate the opportunity to be with you today and am happy to take your questions.

###