

**Remarks for Jack Van Steenburg  
FMCSA Assistant Administrator and Chief Safety Officer  
ATA Leadership Meeting  
Cross Border Committee  
Scottsdale, AZ  
May 18, 2015  
10:30 a.m.**

FMCSA is working diligently with our neighbors to both the north and the south to ensure roadways are safe no matter which side of the border a CMV operates.

In this globalized world, people and goods routinely cross borders, fueling economic growth and jobs, and the impacts of our highway safety efforts must be able to cross borders as well.

We want to make sure foreign CMV carriers and drivers that we allow into the U.S. are held to the same, high standards as their American counterparts.

We have put in place safeguards to ensure that all trucks – foreign or domestic -- on U.S. roads are safe and that unsafe carriers and drivers are taken off the road.

**Status of NAFTA Cross- Border Trucking Program**

- The Department of Transportation has completed a three-year pilot program to test the safety of granting authority to Mexican motor carriers to conduct long-haul, cross-border trucking services in the United States.

- In January 2015, USDOT and FMCSA provided a report to Congress documenting the findings and conclusions of the pilot program and announced in the Federal Register that applications for authority to operate beyond the border commercial zone would be accepted.
  - At the conclusion of the pilot program, the 13 participating carriers were converted to standard operating authority and can continue to operate beyond the commercial zone.
  - In addition, FMCSA has received 8 completed applications.
  - We have recently completed Pre-Authority Safety Audit (PASA) training for our field staff and will be scheduling PASAs of the applicant carriers in the coming weeks.
  
- Mexico is expected to lift more than \$2 billion in annual retaliatory tariffs on U.S. goods. This is an important step toward significantly strengthening the U.S.-Mexico bilateral relationship and meeting U.S. obligations under NAFTA.

We have the goal of ensuring safe operations of foreign carriers operating on U.S. roadways. We have put in place safeguards to help ensure that outcome:

- Long Haul Authority Requirements: Mexican companies applying for long-haul operating authority will be audited to ensure their safety management and driver qualification programs are adequate before they are approved to operate in the U.S.

- And, Mexican long haul authority comes with very specific requirements and prohibitions:
  - All vehicles will be marked with a USDOT number with an X suffix
  - All CMV power units must have a CVSA decal for 3 years after receiving standard/permanent authority.
- Long-Haul Authority Prohibitions: Mexico-domiciled carriers converted to long haul operating authority will be prohibited from:
  - Domestic point-to-point transportation services
  - Transportation of HM that require placarding beyond the commercial zone
  - Transportation of passengers (bus) or express delivery services.

### **Harmonization of Truck Inspections with Mexico**

We are making progress with our counterparts in the Mexican government to harmonize truck inspection standards. This step will improve CMV safety by ensuring that inspections done on either side of the border will hold CMVs to compatible standards of safety.

- It would also improve efficiency at the U.S.-Mexico border so that inspections conducted in Mexico would meet U.S. annual inspection standards.

- In May 2015, a new standard for truck inspections in Mexico went into effect.

### **CDL Reciprocity Agreement with Mexico**

We are engaged in talks with Mexican counterparts to renew the existing CDL reciprocity agreement.

- The original reciprocity MOU was signed in 1991.
- In January 2015, an action plan was established and a first draft of revised agreement was circulated.
- Expected to complete by September.

### **Foreign Conviction Withdrawal Database (FCWD)**

FMCSA has implemented the Foreign Conviction and Withdrawal Database, or FCWD.

- Through this system, the States report traffic enforcement convictions of Mexican and Canadian licensed drivers directly to FMCSA, which then uses this information to act as the “51<sup>st</sup> State” and disqualify foreign drivers from operating in the United States.

### **Beyond the Border with Canada**

FMCSA is working with our Canadian counterparts on harmonizing regulations and joint enforcement efforts.

- **Medical cards:** FMCSA is working with Canada to identify the best way for certain Canadian CMV drivers to demonstrate that they have received a medical exam.
  - The U.S. and Canada already have CDL and medical reciprocity agreements.
  - However, there is a certain class of Canadian CDL holders who operate small CMVs and are not required to present proof of a satisfactory medical report in order to be issued a Canadian driver's license.
  
- **Safety Rating Reciprocity:** FMCSA is continuing to conduct compliance reviews in Canada due to Congressional mandates to conduct reviews on certain high-risk carriers.
  - However, we continue to meet with CCMTA and plan to engage in discussions aimed at working more collaboratively on motor carriers of mutual interest to minimize duplication of enforcement efforts.
  - We also continue to collaborate with the Canadian Council of Motor Transport Administrators (CCMTA) on information sharing and enforcement activities on motor carriers deemed by FMCSA to be unsatisfactory or unfit to operate.

### **International Trade Data System**

FMCSA is working with Customs and Border Protection to put crucial data at the fingertips of safety inspectors. Our efforts will allow for a more comprehensive screening assessment than can be accomplished through current manual methods.

FMCSA signed an MOU with Customs and Border Protection to create an interface between FMCSA's Query Central and the International Trade Data System (ITDS) which contains the Automated Commercial Environment (ACE).

- The MOU facilitates the automatic transfer of data from ACE which receives e-manifests (required information about driver, vehicle, and carrier for all incoming trips) and distributes key data to relevant government entities for screening purposes.
- FMCSA's Border Safety Application makes use of the QC/ACE interface and presents it to the safety inspector on a tablet device at key screening points.
- We look at operating authority, OOS status, licensing & insurance, a CVSA decal on file, their ISS score. We expect to soon have the CDL status and whether there is a driver hazmat endorsement.
- We have formally requested that CBP add a data element to the MOU: the Free and Secure Trade (FAST) Program transponder identification number. This will allow for more efficient and accurate identification of incoming trips.

### **Wrap-Up**

Thanks again for inviting me to speak. These cross border matter are important as both an economic and a highway safety matter.

We appreciate your engagement and insight on these issues and I am happy to answer any questions.

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