

**WRITTEN STATEMENT OF
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U.S. DEPARTMENT OF TRANSPORTATION**

**BEFORE THE
SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND URBAN
DEVELOPMENT AND RELATED AGENCIES,
COMMITTEE ON APPROPRIATIONS,
U.S. HOUSE OF REPRESENTATIVES**

April 3, 2014

Chairman Latham, Ranking Member Pastor, and Members of the Subcommittee, thank you for the opportunity to be here today to discuss the President's Fiscal Year (FY) 2015 budget request for the Federal Motor Carrier Safety Administration (FMCSA).

The President's request of \$669 million for FMCSA in FY 2015 will provide the resources to support our number one priority – the reduction in crashes, injuries, and fatalities involving commercial motor vehicles (CMV). To direct how we use these resources to accomplish our mission, in 2012 the Agency developed a multiyear Strategic Plan shaped by three core principles: raise the bar to enter into the commercial motor carrier industry; require high safety standards to remain in the industry; and remove high-risk carriers, drivers, and service providers from operation.

FMCSA regulates approximately 500,000 active interstate truck and bus companies that travel over 280 billion vehicle miles each year. Large truck- and bus-related mileage grew 30 percent from 2002-2012. Over this same period, large truck and intercity bus registration increased 27 percent. Despite this growth in commercial motor vehicle traffic, there was a 24 percent reduction in fatalities in crashes involving these vehicles – from 5,539 in 2005 to 4,183 in 2012.

To meet the challenge of continuing safety improvements, our FY 2015 budget dedicates \$316 million to Motor Carrier Safety Operations and Programs for Federal enforcement, research, technology, and other Federal programs that target reducing serious injuries and deaths resulting from CMV crashes.

The majority of the budget, \$353 million, will be dedicated to our Safety Grants Program. In partnership with the States and other safety partners, FMCSA uses grants to enforce commercial truck and bus safety laws, with special attention to motorcoach companies and to carriers hauling hazardous materials. The Department of Transportation's reauthorization proposal improves the efficiency of our grant programs, eliminates cost burdens to the States, and reduces the Federal cost of administering these programs, allowing us to redirect the savings to our core safety mission.

Our FY 2015 funding request provides the resources to accomplish our goals and fund key priorities. It requests additional field-based positions, including hiring 154 new personnel primarily to support safety intervention programs.

Motor Carrier Safety Operations and Support

Research and Technology: The President's budget includes \$10 million for FMCSA's multi-year Research and Technology programs focused on producing safer drivers and carriers. The program has made innovative contributions to the Agency's safety mission by providing scientific research findings on driver behavior and technology applications. For example, the Agency has collected millions of miles of naturalistic driving video and data in both trucks and motorcoaches. In FY 2015, FMCSA will begin evaluating aspects of naturalistic driving video to determine the causes of safety critical events, interactions with passengers and other vehicles to determine how potential crash conflicts could be mitigated. The Agency has also developed a number of new research projects to build a more robust motorcoach research program, including evaluating naturalistic driving video, testing tire safety, examining minimum maintenance requirements, extending motorcoach fire research to include school buses, and identifying the amount of restorative sleep needed for bus drivers.

Information Management (IT Development and Sustainment): We are requesting \$36 million for the operations, maintenance and logistical support of the safety mission critical systems, and to continue building out modernized IT architecture. FMCSA's systems are key mechanisms for driving success across its three core principles. The current systems and processes, while maximized to the greatest extent possible, have technology and automation limitations and may not be suitable for meeting future requirements and demand as the baseline number of motor carrier companies and commercial drivers continues to grow at a rapid pace. FMCSA will launch a large-scale field operational test of the Wireless Roadside Inspection program to assess the use of advanced and existing technologies to electronically verify the safe operating status of commercial motor vehicles in real time.

Compliance Safety Accountability (CSA): At the top of FMCSA's safety agenda is CSA, FMCSA's compliance model to improve CMV safety and reduce large truck and bus crashes, injuries, and fatalities on our Nation's highways. We will continue to improve our carrier interventions selection tool, the Safety Measurement System (SMS). This funding would improve the program including researching and implementing dynamic peer grouping to eliminate significant fluctuations in scores when a carrier moves between peer groups, and exploring and implementing improvements to the DataQs system to allow carriers additional levels of review for violations cited during roadside inspections. This request includes FTE and MCSAP grant funds in anticipation of the establishment of an adjudications process.

Motorcoach Safety Oversight Program: Recent motorcoach crashes underscore the importance of bus passenger safety for us all. While we know that mile for mile, motorcoaches are one of the safest forms of commercial passenger transportation, the recurrence of bus crashes with severe injury and loss of life has caused us to re-evaluate our approach to bus safety enforcement. The motorcoach program is the centerpiece of our proposal. Last year, we

evaluated and enhanced our investigation methods to uncover dangerous business practices and patterns of unsafe behavior. Utilizing new enforcement authorities provided under Moving Ahead for Progress in the 21st Century Act (MAP-21), the FY 2015 request includes \$9 million to investigate, intervene, and remove unsafe motorcoach operators from the road. We will use targeted safety interventions, stakeholder engagement and outreach, and regulatory and program evaluations. Through evaluations and other analysis of the passenger carrier oversight system, we will strengthen our authority and practices.

Regulatory Development: In FY 2015, FMCSA anticipates completion of the MAP-21 mandated rulemaking concerning electronic logging devices (ELDs). On March 13, the Agency released its proposed amendments to the Federal regulations to establish: (1) minimum performance standards for hours-of-service (HOS) ELDs; (2) requirements for the mandatory use of these devices by drivers currently required to prepare HOS records of duty status; (3) requirements concerning HOS supporting documents; and (4) measures to ensure that the mandatory use of ELDs will not result in harassment of drivers. This rulemaking supplements the Agency's 2011 Notice of Proposed Rulemaking and addresses issues raised by the U.S. Court of Appeals for the Seventh Circuit in its 2011 decision vacating the Agency's 2010 final rule. The proposed requirements for ELDs would improve compliance with the HOS rules and thereby decrease the risk of fatigue-related crashes attributable to non-compliance with the applicable HOS requirements.

Another important MAP-21 requirement the Agency intends to complete in FY 2015 is the establishment of an electronic repository for positive alcohol and controlled substances test results. On February 20, FMCSA published a notice of proposed rulemaking to establish the Commercial Driver's License Drug and Alcohol Clearinghouse for all CDL holders. The proposed rule would require employers of CDL drivers and service agents to report positive test results and refusals to test to the Clearinghouse and thus would improve both driver and employer compliance with DOT's alcohol and controlled substance testing program. Employers would be required to check the Clearinghouse to make sure current and prospective employees do not have drug and alcohol violations that prohibit them from performing safety sensitive functions, such as driving CMVs. We are soliciting comments on this rule through April 21.

Consumer Enforcement, eBroker and Freight Forwarder Provisions: During FY 2015, using additional authorities provided under MAP-21, FMCSA will be aggressively working to protect consumers and ensure compliance with the Agency's regulations. Recent enforcement efforts have resulted in significant civil penalties against household goods moving companies involved in fraudulent activities, and have also resulted in revoking the authority of some of the carriers due to their egregious violations.

Border Crossing Facilities: FMCSA has requested \$16 million for the replacement and improvement of the Border Truck and Bus Safety Inspection Facilities. Approximately \$14 million would be used for truck and bus inspection facilities on the border and an additional \$2 million to cover increased rent payments for border facilities.

Motor Carrier Safety Grants

A key priority for FY 2015 is to begin implementing the next surface transportation reauthorization proposal based on the Administration's priorities. The increased authorities granted to FMCSA in MAP-21 have helped the Agency continue to make progress improving large truck and bus safety. The Agency's reauthorization proposal consolidates a number of existing grant programs and reduces the administrative burden on our grantees. This proposal strengthens our ability to provide financial assistance to State motor carrier programs to support investigations and interventions by State enforcement personnel, identify and apprehend traffic violators, and conduct roadside inspections.

The FY 2015 President's budget request of \$353 million in grants includes \$288 million under the Motor Carrier Safety Assistance Program to support programs that improve motor carrier compliance and safety through State and local law enforcement programs. Formula grants fund roadside inspections, interventions, investigations, and targeted enforcement, while discretionary funds support FMCSA's High Priority program, which encourages best practices and innovative enforcement of safety initiatives at the State and local level. The reauthorization proposal combines our existing Basic and Incentive MCSAP grants with the New Entrant Safety Audit, Data Quality and Border Enforcement legacy grant programs.

FMCSA has requested \$39 million to provide funding for grants to States that focus on the operator's role in commercial vehicle safety and CDL improvement programs. The requested increase will assist States to create required annual plans to document their compliance with the CDL requirements and their ability to test, issue license, and disqualify drivers, as required.

Conclusion

Thank you, Mr. Chairman, for the opportunity to discuss the FY 2015 President's budget request. I look forward to working with all of you as we continue to improve motor carrier safety on our Nation's highways.