

**Prepared Remarks for Daphne Jefferson
FMCSA Deputy Administrator
Massachusetts Motor Transportation Association
Framingham, MA
May 21, 2015**

I'm very pleased to be with you today at your Spring Event. I appreciate the kind invitation to speak with you about the Federal Motor Carrier Safety Administration and our efforts to improve highway safety.

It is also nice to be here in Massachusetts, the home state of FMCSA's Chief Counsel, Scott Darling. He definitely has not forgotten his roots. He comes to work every day in a Red Sox cap and his Boston accent tends to thicken when he gets on a roll talking about his passion for highway safety.

Before I begin, I want to thank your members for all you do for the American people. We all rely on truck drivers to transport gas to the pump, food to the shelves and clothes to the rack.

- Americans deserve a safe, efficient and reliable transportation system to power the economy and get us where we are going as safely as possible.

Crash Statistics

That said, the crash data suggests there is still some work for us to do to reach that goal.

- In 2013, there were about **3,806 fatal crashes** involving large trucks and buses, a 2 percent increase over the previous year. [*according to the most recent FARS data*]
- **4,251 people lost their lives** in these crashes, a 1 percent increase over the previous year.
- What was an eye-opener for me is that *large truck occupant fatalities* have increased almost 40 percent since 2009, to 691 in 2013. More and more of your own are dying in crashes every year. We all need to step up our efforts to bring those numbers down.
- One important way is to wear safety belts. Please make sure that you and your drivers do this every trip, every day.

At FMCSA, our mission is exactly that: To prevent crashes, fatalities and injuries involving large trucks and buses.

- We are responsible for regulating more than half a million interstate motor carriers and nearly 4 million active CDL holders.
- This is a broad mission and we need your help and partnership.

Let me spend a few minutes to update you on a number of FMCSA initiatives and rulemakings that you should know about.

I'm sure you are very interested in hours of service, so let me begin with that.

34-Hour Restart Study

We are moving ahead on a naturalistic study comparing the operational, safety, health, and fatigue impacts of the restart provisions in effect before and after July 1, 2013, as mandated by Congress.

Here are the latest developments:

- A few weeks ago the CMV Driver Restart Study team completed the driver recruitment phase and impaneled more than 240 drivers. Their trucks have been equipped with the necessary technology to collect information on duty cycle, sleep patterns, alertness, and safety performance.
- We have a robust sample of drivers representing a broad spectrum of the industry, including long-haul, regional and short-haul operations. The drivers are employed by fleets of all sizes, operations and sectors, include flat-bed, refrigerated, tank, and dry van operations (to the extent practicable).
- The study is being conducted by the Virginia Tech Transportation Institute and the University of Pennsylvania, and led by some of the Nation's leading experts on fatigue.
- It is designed to measure the fatigue and safety performance levels of drivers whose work schedules involve one-night restarts compared to those who take the two nights off duty as required by the 2011 revisions to the restart rule.
- We are committed to completing a rigorous and objective study that will meet the standards required by the Office of Inspector General oversight and independent peer review.

- By September, the data collection phase will be complete. And we expect to meet the deadline for completion by the end of the year.
- FMCSA would like to thank the many associations, organizations, and carriers for their assistance in meeting the driver recruitment goals.

Electronic Logging Devices

Another of my Agency's priorities is publishing a Final Rule on electronic logging devices. *We cannot discuss the provisions of a Final Rule publicly before it has been published.*

What I can say is that the rule is designed to benefit everyone by:

- 1) Helping businesses cut paperwork and save money;
- 2) Making it easier for law enforcement and safety inspectors to review driver hours-of-service (HOS) records;
- 3) Protecting drivers from harassment;
- 4) And by improving hours of service compliance, ELDs are estimated to prevent about 20 fatalities and over 400 injuries each year.

We intend to publish the Final Rule this year, and the compliance date would be two years after that.

We are continually working to improve our Compliance, Safety, Accountability program that we use to guide our compliance and enforcement efforts.

We are preparing to PROPOSE a package of enhancements to the Safety Measurement System (SMS) designed to improve its performance to identify and prioritize carriers for interventions.

Some of these changes are a bit technical, so bear with me:

- We are changing the Intervention Thresholds in several BASIC categories to better reflect that BASIC's correlation to crash risk.
- Making two changes to the Hazardous Materials compliance BASIC:
 - Segmenting the HM BASIC by cargo tank and non-cargo tank carriers.
 - Releasing the HM Compliance BASIC to the public.
- Violations for operating while out-of-service will be moved to the Unsafe Driving BASIC.
- We are increasing the maximum Vehicle Miles Traveled to more accurately reflect operations of high-utilization carriers.

There will be a Federal Register notice seeking comments on these proposed changes. As always, FMCSA will provide motor carriers, drivers and the public an opportunity to preview and comment on such changes before going operational - we appreciate your engagement in this process.

Safety Fitness Determination

One of the Agency's top priorities for the year is the publication of the notice of proposed rulemaking (NPRM) on Safety Fitness Determination (SFD). This

proposed rule will propose expanded use of roadside inspection data, in addition to findings from investigations, to determine a carrier's Safety Rating.

- This would allow FMCSA to assess the safety fitness of a larger number of motor carriers on a monthly basis.
- One of the most important parts of the proposed rule will be public input. Please do not hesitate to provide us your thoughts on this proposed rule.

Entry-Level Driver Training

- We want to be sure that entry-level drivers have the knowledge and skills they need to succeed before they get behind the wheel of a CMV. With that in mind, we are in the midst of a negotiated rulemaking on requirements for entry-level driver training.
 - The 26 members of the advisory committee known as ELDTAC have been meeting since late February to discuss a range of options on these topics:
 - Curriculum content
 - Delivery of training
 - Accreditation
 - Financial aid, and
 - Compliance dates.
- The committee will continue through May 29, after which it will issue recommendations to the Agency.

- The Agency is on target to issue its NPRM by October 15 of this year and a Final Rule in September 2016.

Beyond Compliance

While it is easy for all of us to get caught up in the day-to-day press of business, we at FMCSA also have been creatively thinking ahead about new ways to improve highway safety.

One such idea is what we are calling *Beyond Compliance*. The concept is that we can incentivize carriers to go beyond our regulations to achieve greater safety on our roadways.

The program is still new and would have three parts:

- 1) Identifying new safety technologies and safety management practices that we want to incentivize for early adoption.
- 2) Determining the incentives for voluntary adoption.
- 3) Monitoring ongoing compliance of early adoption.

In March, we asked our Motor Carrier Safety Advisory Committee (MCSAC) to give us its thoughts.

- In April, we published a Federal Register notice seeking input on how best to proceed. If you have any ideas about Beyond Compliance, please submit your ideas.
- Once we receive input and data, we will determine if this program is appropriate and implementable.

Driver Recognition

Let me wrap up by saying we are pleased to be working together with industry to recognize safe drivers. We know there are huge numbers of you doing good work every day.

Recently, our Chief Safety Officer Jack Van Steenburg attended an awards ceremony that recognized four interstate truck drivers who have neither received a moving violation nor been involved in a crash in their entire driving careers, dating back to the 1970s. That is astonishing and shows the level of professionalism and commitment to safety within the industry.

- To recognize the best and safest drivers, we have been working with the carrier industry membership organizations to design a prototype of a poster that is almost ready to be put on display at DOT headquarters.
- I am certain the final product will be something we can all be proud of.

Conclusion

Thanks again for giving me the opportunity to speak.

And please remember: At the end of the day, it takes all of us working together to ensure the trucking industry serves the American people well and is the safest it can be.

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