Minutes

Motor Carrier Safety Advisory Committee Meeting

December 3-4, 2012

The Federal Motor Carrier Safety Administration’s (FMCSA) Motor Carrier Safety Advisory Committee (MCSAC) met December 3-4, 2012, in Alexandria, VA. In accordance with the provisions of

Public Law 92-463, the meeting was open to the public.

Mr. Larry Minor, the FMCSA Designated Federal Official (DFO), called the meeting to order at 8:30 a.m. on Monday, December 3, 2012.

The following individuals attended the meeting:

**COMMITTEE MEMBERS PRESENT FOR ALL OR PART OF THE MEETING**

Rob Abbott, Vice President of Safety Policy, American Trucking Associations

Lamont Byrd, Director of Health and Safety, International Brotherhood of Teamsters

Paul Claunch, Major, Arkansas Highway Police

Bill Dofflemyer, Captain, Maryland State Police

Scott Hernandez, Lieutenant Colonel, Colorado State Patrol

Henry Jasny, General Counsel, Advocates for Highway and Auto Safety

John Lannen, Executive Director, Truck Safety Coalition

Janice Mulanix, Assistant Chief, Enforcement and Planning Division, California Highway Patrol

Stephen Owings, President, Road Safe America

Norm Littler, American Bus Association *(for Peter Pantuso, Monday only)*

Clyde Hart, American Bus Association *(for Peter Pantuso, Tuesday only)*

David Parker, Senior Legal Counsel, Great West Casualty Company

Robert Petrancosta, Vice President of Safety, Con-Way Freight

Danny Schnautz, Operations Manager, Clark Freight Lines, Inc.

Todd Spencer, Executive Vice President, Owner-Operator Independent Drivers Association

**FMCSA REPRESENTATIVES**

Anne Ferro, Administrator

Larry Minor, Associate Administrator for Policy

Donna Aggazio, Senior Speechwriter/Public Affairs Specialist

Rich Clemente, Transportation Specialist

Sean Gallagher, Project Manager

Bivan Patnaik, Chief Regulatory Development Division

Shannon Watson, Senior Advisor for Policy and MCSAC Liaison

**OTHER ATTENDEES**

Sarah Alves, ICF International

Jim Angel, PeopleNet

Cindy Atwood, CVTA

Megan Benfatti, NSTA

Timothy Cama, Transport Topics

Gary Catapano, NSTA and FirstGroup

Stephen Clark, Teletrac

Richard Cofer, Southern Company

Marlene Dakita, PTDI

Magda Dimmendaal, NSTA

Jim Edwards, MITA Group

Fred Fakkema, Zonar Systems

Mike Fox, NTSB

Mike Gardner, Con-way Freight

W.P. Grizard, APTA

Mirna Gustave, MacroSys

Brandon Haller, U.S. GAO

Clyde Hart, American Bus Association

Callie Hoyt, Trucking Alliance

Emad Isaac, Rand McNally

David Kraft, Qualcomm

Bill Keppen, Keppen Assoc.

Norm Littler, ABA

Earnestine McMillian, Greyhound

Luis Mejias, Volpe Center

David Money, PTDI

Laura O’Neill, OOIDA

Sean Saunders, Con-way Freight

Alan Smith, Greyhound Bus Lines

Rudy Supina, DATTCO Inc.

Ronna Weber, NSTA

Jeff Vincent, Int’l Union of Operating Engineers

**TASK**

The MCSAC Committee began discussion on Task 13-1: Recommendations on Minimum Training Requirements for Entry-Level Commercial Motor Vehicle (CMV) Operators.

**REMARKS AND COMMITTEE ACTION**

Anne Ferro, FMCSA Administrator, addressed the Committee on the new MCSAC Charter and changes in Committee leadership and membership. The Administrator thanked the MCSAC members for their work over the past year and announced that the newly approved MCSAC Charter limits the chairman to 2 years and establishes a new vice chairman position, also a two-year term, to succeed the chairman at the end of his/her term. Administrator Ferro announced that Stephen Owings will serve as Chairman effective January 1, 2013, and thanked outgoing chairman Dave Parker for his service since 2007. For the position of vice chairman, Administrator Ferro asked the Committee to select a member of the committee for that position. On Tuesday, December 4, the committee nominated Scott Hernandez and Janice Mulanix for vice chairman. A vote was held and Scott Hernandez was selected as vice chairman.

**MINUTES**

The Committee unanimously accepted the minutes from the August 27-29, 2012 MCSAC meeting.

**PRESENTATIONS**

Richard Clemente, Driver and Carrier Operations Division, FMCSA presented “Entry Level Driver Training Policy Initiatives.”

Martin Walker, Ph.D., Chief, Research Division, FMCSA presented “Entry Level Driver Training Research Plan.”

David Money, Executive Committee Member, Professional Truck Driver Institute presentation.

Joseph Comé, Assistant Inspector General for Highway and Transit Audits, U. S. Department of Transportation presented “U. S. Department of Transportation Office of the Inspector General Roles and Mission and FMCSA-Related Work.”

Brandon Haller, Ph.D., Assistant Director, Physical Infrastructure, U. S. Government Accountability Office (GAO) presented “The Role of the U. S. Government Accountability Office.”

**PUBLIC COMMENTS**

***Alan Smith, Greyhound***

Mr. Smith began by stating that the Committee not make the motor coach and school bus industry a part of the trucking industry and that training standards for the motor coach industry have to be different than for the trucking industry and that at the least bus training standards should be higher like CSA standards are higher.

On the second day, Mr. Smith stated that training requirements for passenger carrier and bus could be written into the Federal motor carrier safety regulation motor coach and bus rule book, as opposed to rules for the trucking industry. He also stated that it would be helpful to have more than one person on the Committee representing the bus industry as FMCSA fills empty Committee slots.

Finally, Mr. Smith discussed Greyhound’s training regimen and stated that on-going recurring training is necessary for new hires and that re-certification is necessary for seasoned drivers every two years. Mr. Smith invited Committee members to attend a driver training school in Atlantic City and to view the online training (“Driving on Target”) that Greyhound provides.

***Gary Catapano, NSTA, First Student and First Group***

Mr. Catapano stressed that rule-making for passenger carriers need to be called out separately from motor carriers due to the significant differences between trucking and passenger carriers, including additional differences for school buses.

Mr. Catapano agrees that training criteria should be performance based and qualitative, not quantitative and that training criteria should be based on the quality of the curriculum and instructors since data shows that this can reduce the amount of training hours. Mr. Catapano agreed to work with Mr. Minor to provide the Committee with relevant data.

On the second day, Mr. Catapano stated that his company conducts drug and alcohol testing as well as a physical prior to commencing training to reduce risk. He then stated that standards for accreditation should be based on data and that while the Section 383.111 approach is a good start, some things are missing, and that some are irrelevant such as elements unrelated to school bus drivers.

Mr. Catapano next stated that the public school bus industry is less safe than the private school bus industry and that the regulated sector of school bus transportation is safer than the unregulated side, and he cited a University of Michigan study backing up this claim.

Mr. Catapano stated that more behind the wheel training and less in class training should be required.

Finally, Mr. Catapano stated that he is not asking for an exemption. He stated that their preferred approach is that the Committee writes the rule in way that makes sense for the entire passenger industry.

***Cindy Atwood, Commercial Vehicle Training Association***

Ms. Atwood stated that CVTA supports an enhanced entry-level driver training rule that raises the bar for the industry and requires states to standardize rules and testing; however, they do not support this rule. She stated that any regulation should provide greater flexibility and training requirements that better reflect industry practices.

Ms. Atwood stated that the proposed 120 hour ELDT requirement is arbitrary and will diminish safety and that the requirement lacks scientific data. Ms. Atwood stated that CVTA currently requires 120 hours of classroom and 48 hours behind the wheel and that adopting new requirements will affect students’ access to trucking school funding including Federal and state grants such as Pell grants and military education benefits.

Finally, Ms. Atwood stated that the Committee should consider the performance-based program that CDTFI sent to the FMCSA in the past.

**ADJOURNMENT:** The meeting was adjourned at 5:00 pm on Tuesday, December 4, 2012.

We hereby certify that, to the best of our knowledge, the foregoing minutes are accurate and complete.

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Stephen Owings

Chairman, MCSAC

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Larry W. Minor

Designated Federal Officer, MCSAC