

**Talking Points for
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Introduction

- Thank you for the kind introduction and the opportunity to speak to you today.
- I last spoke at an NSC event last September in San Diego, and I always look forward to your events and seeing familiar faces.

I want to address a number of topics today:

- The latest crash data,
- Update on FMCSA priorities for 2015,
- The benefits of our Compliance, Safety and Accountability (CSA) program,
- Updates on our Hours of Service restart study,
- Rulemakings (Coercion, National Registry, and Drug and Alcohol Clearinghouse)
- GROW America and driver compensation.

Crash Statistics

The most recent 2013 crash statistics contain both good news and bad news.

- In 2013, according to FARS, there were 3,806 **fatal crashes** involving large trucks and buses, a 2 percent increase over the previous year.

- 4,251 people lost their lives in these crashes, a 1 percent increase over the previous year.
- Good news: Crashes and fatalities in 2013 are down more than 20 percent from their high in 2005.
- Bad news: Crashes and fatalities continue to creep up, since the lows in 2009.

Crash Factors

The leading driver-related factors for large truck drivers boil down to speed and distraction:

Driver Related Factor	Number	Percent
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1. Speeding	314	8.1%
2. Distraction/Inattention (cellphone/eating)	229	5.9%
3. Vision Obscured (weather, roadway design)	169	4.4%
4. Failure to Yield Right of Way	155	4.0%
5. Failure to Keep Proper Lane	150	3.9%
6. Impairment (fatigue, alcohol, illness)	148	3.8%

Safety Belt Use

The statistics continue to show what should be obvious to us all; namely that CMV drivers who were not wearing a safety belt increased their odds of dying in a crash.

- At least 38% of large truck occupants who died did not use any safety restraint.
- Of the 264 large truck fatalities where the occupant was not wearing a safety restraint, 109 (41%) were partially or totally ejected from the vehicle.
- 44% of all motor vehicle occupant fatalities involved failure to use any safety restraint.
- This is an easy area for improvement. We need to continue working hard to get all drivers to buckle up.

Work Zones Deaths

- Fatal crashes in work zones also continue to be a problem, and large trucks and buses are overrepresented.
- In 2013 (the last year for which we have data on fatal crashes), there were 527 fatal crashes and 579 total deaths in work zones. Of those crashes, 146 involved a large truck.
- Bottom line: Commercial motor vehicles continue to be involved in a disproportionately high number of work zones crashes—more than one in

four (compared to about 1 in 10 of all fatal crashes involves a large truck or bus).

FMCSA has a number of initiatives under way to tackle this problem

- FMCSA ban on CMV driver texting,
- \$25 million in CVISN grants to States with a priority on programs to alert CMV drivers of approaching work zones,
- Stakeholder meetings, most recently at Work Zone Symposium at CVSA Spring Workshop.

Pedestrian Deaths

Transportation Secretary Foxx has declared pedestrian and bicyclist safety “a top priority.”

- In 2013, 409 pedestrians and 91 bicyclists lost their lives in crashes involving large trucks and buses—in the case of pedestrians, that is an increase from the previous year. For bicyclists, it is a 22 percent increase compared to the previous year.
- The top reasons for pedestrian and bicyclist fatalities often were beyond the control of the CMV driver.
 - 1) area of crash was dark
 - 2) pedestrian/bicyclist failed to yield
 - 3) pedestrian/bicyclist BAC above .08
 - 4) pedestrian/bicyclist in roadway improperly

- 5) pedestrian/bicyclist darted or dashed

FMCSA is encouraging MCSAP partners to use FY15 grants to address CMV-related pedestrian and bicycle safety issues.

Five Priorities for 2015

We are working hard to achieve our five safety priorities in 2015.

- We are on track to publish an **Electronic Logging Device** final rule this year. We want to improve compliance with hours of service regulations and help businesses cut paperwork and increase efficiency in reviewing driver logbooks.
- We are working toward rolling out **CSA Phase 3** which will include nationwide implementation of off-site reviews and expanded use of cooperative safety plans.
- We are working towards publishing the **Safety Fitness Determination** Notice of Proposed Rulemaking. We will consider expanding the use of roadside inspection data – in addition to findings from investigations – to determine a carrier’s safety rating.
- We will complete implementation of the **Unified Registration System** to streamline the existing registration process.

- To be clear: applications for operating authority for passenger carriers and household goods carriers will continue to be vetted even after URS goes into effect.
- Our fifth priority is **inspection modernization** and is designed to address the needs of roadside safety inspectors. The changes will help us improve the uniformity of roadside inspections, an issue I know you are interested in.

Benefits of Compliance, Safety, Accountability (CSA)

We are confident in our Safety Measurement System (SMS), which is our primary prioritizing tool to help us focus our resources on carriers that pose the highest future crash risk. SMS draws its data from 3.5 million roadside inspections and over 100,000 crash reports each year.

Our approach is pro-active. We want to stop a crash from occurring in the first place. A carrier that is showing consistent non compliance, even after a handful of inspections, is a problem that needs to be addressed right now – and not AFTER the carrier is involved in a crash.

The primary benefits of SMS:

Benefit #1: SMS data keeps the industry accountable, the public informed, and puts safety in the board room.

- As a regulatory agency our mission is safety and we have a responsibility to the American people to be transparent in everything we do.
- Nearly 70 million user sessions on the website each year, suggesting a large public demand for this information.
- FMCSA websites and apps contain SMS data for more than 500,000 active motor carriers of all sizes. We just released QC Mobile app for Apple and Android devices to make access easier for law enforcement.

Benefit #2: SMS effectively identifies carriers at risk for crashes.

- Carriers identified by SMS for interventions have a crash rate *more than twice* the national average.
- Carriers with only one alert have a crash rate 79% higher than the national average. Carriers over threshold in unsafe driving – 93% increase in crash rate.
- Carriers with sufficient data to be assessed in at least one BASIC over the alert threshold are involved in over 90% of CMV crashes.
- ATRI came out in strong support of the value and predictability of crash rate; if over thresholds.

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 required by FY2015 Consolidated Appropriations Act that was passed by Congress last December.

- We have successfully met our recruitment and enrollment targets for a sample of drivers from fleets of all sizes, operations, and sectors of the industry.
- The study is underway with the transportation research institute at Virginia Tech and some of the leading experts on fatigue based on five months of data collection, independent peer review, and OIG oversight.
- We are on track to finalize the study later this year.

Coercion Rule

- As you know, we are working on a rulemaking authorized by MAP-21 to prohibit coercing drivers to violate FMCSA safety regulations, such as hours-of-service limits or drug and alcohol testing requirements.
- The major provisions of this rule include prohibitions against coercion, procedures for drivers to report incidents of coercion to FMCSA within 60 days, and rules of practice the Agency will follow in response to allegations of coercion.
- A Final Rule is slated to be published later this year.

Reauthorization/GROW AMERICA

The proposals in the GROW AMERICA Act advance the Agency's safety mission. GROW AMERICA is a six-year funding bill to increase investment in the Nation's infrastructure and support millions of American jobs maintaining and repairing bridges, highways, railways and transit systems.

The main provisions of the proposal pertaining to FMCSA:

- Streamline grant programs that will empower State and local communities.
- Expand the locations where motorcoach inspections may occur.
- Give FMCSA jurisdiction over brokers of passenger transportation. This will enhance FMCSA's ability to prevent unsafe bus companies from reorganizing themselves as unregulated "brokers."
- Allow for criminal prosecution of a person who knowingly and willfully violates an imminent hazard out-of-service (OOS) order issued to prevent the death or serious physical harm to the public. A criminal case would have to be filed by a U.S. Attorney because FMCSA cannot do that directly.

GROW AMERICA and Driver Compensation

We want CMV drivers to be compensated when they are on duty but not driving. For those drivers who are paid by the mile or by the load, compensating them for their time spent waiting for loading/unloading means they would be less likely to push the limits of their hours of services.

- This proposal does not conflict with Fair Labor Standards Act.
- It does not impact collective bargaining if certified by National Labor Relations Board (NLRB).

Driver detention – industry standard is 2-hours for loading/unloading, and the average detention time is 1.4 hours, according an FMCSA study published in December.

- Medium-sized carriers impacted more by detention times than larger carriers.
- For private fleets, detention times were less than the average – 1.2 hours.
- About 11% of drivers reported being detained more than 2 hours.

National Registry

We care about driver health and its impact on safety. That is the reason FMCSA created the National Registry of Certified Medical Examiners.

For the past year, we have been requiring all medical examiners who perform USDOT physical examinations and issue medical certificates to be trained and tested on our medical qualification standards and listed on the Registry.

We now have reached and exceeded our goal of more than 40,000 ME's registered, adding more every day across the country.

Drug & Alcohol Clearinghouse

- Last February, we published a Notice of Proposed Rulemaking to establish a Commercial Driver's License Drug & Alcohol Clearinghouse.
- The NPRM would require commercial truck and bus companies -- and other entities responsible for managing drug and alcohol testing programs -- to report verified positive drug and alcohol test results, test refusals, negative return-to-duty test results and follow-up testing into one nationwide system.
- This information would then populate a federal repository with compliance data on CDL holders.
- The agency is currently addressing comments received and will develop a final rule.

Conclusion

Please remember: At the end of the day, it takes all of us working together to ensure the CMV industry is the safest it can be.

I am happy to answer any questions you may have.

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