

THE OUTREACH AND EDUCATION 2011 ANNUAL REPORT TO CONGRESS

Pursuant to Section 4127 of the
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
(P.L. 109-59)
December 2011

Section 4127 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (P.L. 109-59) prescribes the Federal Motor Carrier Safety Administration's (FMCSA) activities for conducting outreach and education programs. Section 4127 directs the Secretary of the U.S. Department of Transportation (DOT) to conduct, through any combination of grants, contracts, or cooperative agreements, the outreach and education program that FMCSA and the National Highway Traffic Safety Administration (NHTSA) will administer. The Secretary is also required to transmit an annual report to Congress on the programs and activities carried out under this section.

The FMCSA is responsible for regulating the safety of interstate truck and motorcoach travel in the United States. Its primary mission is to reduce crashes, injuries, and fatalities involving large trucks and buses. To accomplish its mission, FMCSA relies on strong partnerships with its stakeholders.

The FMCSA also actively pursues increased outreach and education initiatives to promote safe operation and the best highway practices for commercial motor vehicles (CMV) and passenger vehicles. The FMCSA's outreach and education programs support the DOT's strategic objective to "enhance public health and safety by working toward the elimination of transportation-related deaths and injuries." In addition, FMCSA provides information to increase public awareness about the transportation of household goods in interstate commerce to enable consumers to avoid becoming victims of moving fraud.

Through this document, FMCSA is reporting on the following initiatives completed or underway in Fiscal Year (FY) 2011: (1) the Ticketing Aggressive Cars and Trucks (TACT) Program, (2) the CMV Safety Belt Usage Improvement Program, (3) the Passenger Carrier Safety Outreach Program, (4) the Household Goods Consumer Complaint Telephone Hotline, and (5) the Household Goods Consumer Information Program.

TICKETING AGGRESSIVE CARS AND TRUCKS PROGRAM

One strategy FMCSA employs to meet its primary mission is the TACT Program. TACT is a high visibility traffic enforcement project conducted by States and localities to promote safe driving behavior and reduce crashes between CMVs and passenger vehicles. Specifically, a TACT project is comprised of three components. The first is targeted enforcement activities coupled with extensive communications outreach to educate motorists on how to safely share the roadway. The third component includes an evaluation component comprised of pre- and post- traffic enforcement activities to measure reductions in crashes, fatalities, and injuries caused by unsafe driving behaviors (i.e., unsafe lane changes, tailgating, and speeding). Since

the previous congressional update, the FMCSA's partner States have continued to find that TACT projects are valuable supplements to more traditional traffic enforcement, particularly when strategically targeted at high-crash corridors or at particular times of the year.

Background

The TACT Program began in 2004 as a collaborative effort between FMCSA and NHTSA to answer a congressional request to educate the motoring public on how to share the road safely with CMVs. The initial TACT project was sponsored by the State of Washington and was based on the Selective Traffic Enforcement Program model, which is also designed to induce motorists to drive safely. The results from the State of Washington TACT project showed an increase in passenger car drivers' awareness of TACT messages when passing CMVs. Violation rates for speeding and following too closely were also reduced. Overall results showed that TACT was an effective model for reducing the number of passenger-commercial vehicle collisions.

The success of the Washington State TACT project led to the creation of similar TACT projects in four additional States (Georgia, Kentucky, North Carolina, and Pennsylvania) and the creation of the TACT State Peer Exchange Network (T-SPEN). The T-SPEN includes State and local program stakeholders; local, State, and Federal government agencies, including law enforcement agencies; trucking associations; media partners; and other traffic safety organizations. The T-SPEN is designed to share TACT lessons learned and best practices.

Improvements to Date

The FMCSA continues to implement findings from a TACT best practices study. This FMCSA-sponsored study, completed in FY 2009, outlined several key themes that impact the success and sustainability of the TACT Program. The best practices study included several recommendations related to FMCSA's TACT grants. As a result of the study, FMCSA improved the quality of the grant applications received by providing a streamlined set of application instructions and sample proposal outlines to make it easier for States to understand the TACT Program and submit a quality application. The FMCSA also created a scorecard to assist FMCSA Division Offices in evaluating TACT grant proposals.

The FMCSA also awarded a grant in FY 2010 to the University of Alabama to conduct a TACT Program proof-of-concept study. The purpose of the study was to define successful enforcement and communications criteria that are needed for an effective TACT evaluation. Findings from the TACT Program proof-of-concept study are expected by the end of calendar year 2011. Additional information is located in the FY 2011 activities section below.

TACT Program Growth

There are currently 23 States/localities enrolled in TACT. The Commonwealth of Pennsylvania continues targeted enforcement with a streamlined communication component, but does not engage in a TACT Program evaluation. The FMCSA is working to ensure all participants follow the model by helping them overcome the challenges to the evaluation component. The TACT members include the following:

The original five TACT States (since 2004 - 2007):

1. Georgia
2. Kentucky
3. North Carolina
4. Pennsylvania
5. Washington

Ten TACT members were added in FY 2008 and FY 2009—eight States and two localities:

6. Alabama
7. Colorado
8. Indiana
9. Louisiana
10. City of Reno, Nevada
11. Montana
12. New Jersey
13. Oregon
14. City of Austin, Texas
15. Utah

Five TACT members were added in FY 2010—three States and two localities:

16. Arizona
17. Broward County, Florida
18. City of San Antonio, Texas
19. Florida
20. South Carolina

Three TACT members were added in FY 2011:

21. Michigan
22. Minnesota
23. Nevada

FY 2011 TACT Activities

In FY 2011, FMCSA made three improvements to the administration of the TACT Program. These improvements included: 1) the streamlining of the evaluation component; 2) continuing to dedicate High Priority grant funding to TACT grants and exploring TACT activities under other grant programs; and 3) conducting TACT outreach communications. These improvements leveraged the success of the TACT Program and made better use of FMCSA resources. Specifically, these improvements yielded better TACT Program evaluation results, made grants more effective, and made it easier for States and localities to learn about and participate in the TACT Program.

- **Streamline the Evaluation Component.** Each TACT project currently requires the State or locality to design and conduct three components—communications, enforcement, and evaluation. Each component has proven to be critical to the success of TACT projects. However, without uniform procedures nationwide, many States have needed and will need significant assistance with the development and implementation of evaluation plans. Other States have decided not to apply for a TACT grant because of the complexity of implementing the evaluation component. As mentioned above, the TACT proof-of-concept study results will be available by the end of FY 2011. The FMCSA intends to use the results in FY 2012 to provide guidance to ensure that effective and uniform evaluations are administered in each State. This guidance would define evaluation measures and include a reporting format to better assess the success of the TACT Program and identify areas for improvement. These findings will also provide a baseline for FMCSA to assess how to best incorporate an effective evaluation component in all TACT grant programs.
- **Award TACT Grants.** The FMCSA reserved up to \$10 million out of the \$15 million available in FY 2011 Motor Carrier Safety Assistance Program (MCSAP) High Priority funding to increase CMV and non-CMV traffic enforcement projects/programs such as TACT. Grant award data analysis conducted in FY 2011 indicates that the cost to implement a State-wide TACT project costs about \$600,000. Currently, each of the 23 participating TACT members is funded out of MCSAP High Priority funding. Therefore, High Priority grants funds are not adequate to support the nationwide deployment of the TACT Program. For FY 2012, FMCSA is investigating ways to leverage current resources under the MCSAP formula grant program and exploring other funding options to allow for continued TACT growth without sacrificing program results.
- **Conduct TACT Outreach Communications.** To reflect program changes and new TACT program information, particularly as a result of the TACT Program proof-of-concept study, FMCSA is updating the TACT Web site with information and tools for TACT grant recipients. The TACT Web site, located at www.fmcsa.dot.gov/safety-security/tact/, serves as an online resource to help States and localities plan and implement a TACT project. The information and tools provided on this Web site also help to educate motorists and CMV drivers about the dangers of unsafe driving behaviors.

CMV SAFETY BELT USAGE IMPROVEMENT PROGRAM

The CMV Safety Belt Usage Improvement Program's goal is to increase safety belt use among CMV drivers. The program began after FMCSA's June 2003 "Safety Belt Usage by CMV Drivers" study revealed that only 48 percent of CMV drivers wore safety belts. The CMV Safety Belt Partnership now consists of 30 members, including representatives from other Federal agencies, industry associations, insurance companies, and safety and law enforcement organizations. In FY 2010, FMCSA proactively reached out to motorcoach organizations to request their participation in the partnership. To date, three motorcoach organizations have participated in partnership activities.

Safety belt use among CMV drivers reached an all-time high last year, according to the 2010 Safety Belt Usage by CMV Drivers Survey, a national survey sponsored by the Agency. The overall safety belt usage rate for drivers of all medium- and heavy-duty trucks and buses rose from 74 percent in 2009 to 78 percent in 2010. The usage rate for other passengers in a CMV also increased from 61 percent in 2009 to 64 percent in 2010. Meanwhile, safety belt usage among CMV drivers of all medium- and heavy-duty trucks and buses has steadily increased from 65 percent in 2007 to 72 percent in 2008 and 74 percent in 2009. This 2010 survey result represents a 20 percent increase in safety belt usage compared to 2007 survey results.

The FMCSA continues to work closely with the CMV Safety Belt Partnership to develop outreach materials for distribution to motor carriers and CMV drivers. The FMCSA's Outreach and Education Division maintains a Web site, located at www.fmcsa.dot.gov/safetybelt, dedicated to communicating information on how to increase safety belt use among this population. The Web site contains educational materials to inform motor carriers and commercial drivers about the importance of wearing a safety belt, successful State enforcement models, relevant research studies, presentations, and public service announcements.

The FMCSA's Outreach and Education Division continues to publish the FMCSA Safety Belt Program e-Update, which highlights Partnership and State activities related to increasing CMV driver safety belt use. This newsletter is distributed nationwide and is available on the FMCSA Web site.

The Agency will continue its efforts to identify the 22 percent of drivers who are non-users of safety belts and correlate survey data with demographic information to develop profiles of the non-user population. This information will allow FMCSA to develop targeted messages for the non-user population in FY 2012 and beyond.

PASSENGER CARRIER SAFETY OUTREACH PROGRAM

The Passenger Carrier Safety Outreach Program's goal is to provide the public and the commercial passenger carrier industry up-to-date and comprehensive safety information in order to reduce injuries, crashes, and fatalities. The commercial motorcoach industry transports more than 500 million passengers annually in the United States. While motorcoach travel is one of the safest forms of commercial passenger transportation, fatal motorcoach crashes are tragic events that affect the families and co-workers of victims in addition to the lost lives. The Passenger Carrier Safety Outreach Program provides regulatory, safety, and educational information to the public and industry in a variety of formats, ranging from an interactive Web site to informational brochures.

The FMCSA redesigned the passenger carrier consumer area of the Agency's Web site to make it easier to use. The Web page, located at www.fmcsa.dot.gov/safety-security/PCS/Consumers.aspx, includes an interactive system for individuals and groups to find safe and appropriate interstate passenger transportation in their area. It provides current, easy to understand safety information about interstate passenger carriers nationwide. This system is useful to school districts, churches, and other groups seeking safe commercial bus transportation.

The brochures on the Web site provide the motorcoach industry with an overview of essential information in the following regulatory areas: (1) licensing and insurance requirements for for-hire motor carriers of passengers; (2) driver qualifications; (3) hours of service; (4) inspection, repair, and maintenance; (5) safety rules for private motor carriers of passengers; (6) school bus operations; and (7) Federal requirements for 9-15 passenger vehicles operating in interstate commerce. These easy-to-understand brochures have been broadly distributed, and FMCSA continues to receive requests for additional copies from motor carriers and industry associations.

The FMCSA has produced a “Think Safety: Every Trip, Every Time” pre-trip safety checklist that helps consumers review a bus company’s safety record, safety rating, and operating authority status before buying a ticket or hiring a bus company for group travel. The Office of the Secretary and FMCSA held a media event on May 5, 2011, to announce the consumer pre-trip safety checklist as well as a redesigned consumer Web site with complaint filing enhancements and the FMCSA’s enforcement initiatives to improve passenger carrier safety.

The FMCSA’s National Consumer Complaint Database (NCCDB) Web site and telephone hotline currently allows the public to file a complaint about CMV-related concerns. The FMCSA has made preliminary enhancements to the NCCDB Web site by adding a specific complaint-filing section for bus and motorcoach passengers. The FMCSA is in the process of making additional enhancements, including a specialized Web page for alleged violations of the Americans with Disabilities Act regulations. When all enhancements are completed, FMCSA will increase public awareness of these tools through outreach efforts.

HOUSEHOLD GOODS CONSUMER COMPLAINT TELEPHONE HOTLINE

The FMCSA continues to support the toll-free Household Goods Consumer Complaint Telephone Hotline and related Web sites to receive, monitor, and address consumer complaints, and provide information about the transportation of household goods. In FY 2010, the hotline received 1,902 complaints. As of August 29, 2011, the hotline had received 2,106 complaints. The increase is most likely due to partnerships with government and State agencies utilizing NCCDB to upload complaints. Comparing FY 2011 complaint numbers to complaint numbers for FY 2004 to 2008, the decrease in complaints is most likely the result of an increase in consumer knowledge regarding their rights and responsibilities.

Household Goods Consumer Complaints

| Fiscal Year | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
|-----------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Number of Complaints | 1986 | 2783 | 2879 | 2764 | 2627 | 2470 | 1909 | 1902 | 2106 |

Source: FMCSA’s Household Goods NCCDB. Total validated household goods complaints only.

In FY 2011, FMCSA continued to operate the Household Goods Consumer Complaint Telephone Hotline in addition to performing the following activities:

- Ensure all written, telephone, fax, e-mail, and Internet consumer complaints are entered into the Household Goods NCCDB.
- Provide general database system maintenance, including activities required to keep the NCCDB operational. Examples of such activities include system patches, server software maintenance, and end-user support.
- Maintain the computer-generated letter system that sends routine agency responses immediately to the consumers filing household goods complaints with FMCSA.
- Notify household goods carriers and brokers regarding a complaint, if the complainant authorized FMCSA to release complaint information. By doing so, companies will be alerted to problems before they become severe or repetitive and warrant investigation and possible enforcement action.
- Inform consumers, carriers, and brokers in hostage load situations of their rights and responsibilities.
- Identify and target for investigation and appropriate enforcement the most egregious household goods carriers and brokers violating the commercial regulations.
- Develop and distribute pamphlets, posters, and other educational materials.

HOUSEHOLD GOODS CONSUMER INFORMATION PROGRAM

An estimated 40 million households move each year—approximately 1.6 million of these move across State lines. As of August 26, 2011, there were approximately 5,890 active household goods carriers compared to 4,800 in 2010, representing a 23 percent increase. There are approximately 830 active household goods brokers registered with FMCSA compared to 500 in 2010, representing a 66 percent increase. While most household goods moves are conducted without incident, a significant number leave consumers dissatisfied, overcharged, or without their personal possessions. As a result, FMCSA increased its enforcement and outreach efforts to protect the public from illegal activities and deceitful business practices by dishonest moving companies and brokers.

The transportation of household goods continues to be challenging. This is, in part, because individual shippers (i.e., consumers) are typically less knowledgeable about regulations and motor carrier responsibilities, and are more susceptible to misunderstandings, false promises, and fraud. The FMCSA Household Goods Consumer Information Program goal is to improve the level of consumer protection and awareness of consumers' rights and responsibilities.

In July 2011, FMCSA launched its new and improved *Protect Your Move* Web site (www.protectyourmove.gov). The Web site provides information for consumers to plan a successful household goods move and to avoid becoming a victim of moving fraud. During the first 10 months of FY 2011 (October 2010 to August 1, 2011), there were 4,638,818 Web site hits compared to 2,850,815 for the same period during FY 2010. This represents a 63 percent increase. The average daily hit rate for the first 10 months of FY 2011 was 15,209 compared to a daily hit rate for the same period of 9,346 for FY 2010. This represents a 63 percent increase in the number of daily hits to the Web site. The average visit lasted nearly 11 minutes for the

first 10 months of FY 2011, which was lower (35 percent) than the 17-minute average visit length recorded for the same period last year. The page views for the first 10 months of FY 2011 were 709,465 compared to 703,267 for the same period last year. This is an increase of 0.8 percent compared to the same period last fiscal year.

The FMCSA also produced a public service announcement for release regarding household goods consumer rights and protections. The Public Service Announcement is available at <https://www.protectyourmove.gov/>.

SUMMARY

The FMCSA is committed to providing outreach and education activities that support DOT's strategic safety objectives and the FMCSA's goal of reducing crashes and crash-related injuries and fatalities by preventing and minimizing the severity of truck and bus crashes. The FMCSA continues to plan, fund, and implement programs that combine both education and enforcement to reduce traffic injuries and fatalities associated with large truck and bus crashes. In addition, FMCSA provides information to increase public awareness about the transportation of household goods in interstate commerce to enable consumers to avoid becoming victims of moving fraud.