

**THE SAFETY AND SECURITY OF TRANSPORTATION
INTO THE UNITED STATES BY MEXICO-DOMICILED MOTOR CARRIERS
IN FISCAL YEAR 2011 ANNUAL REPORT**

Pursuant to Section 135 of H. Rept. 111-564 accompanying
the Departments of Transportation, and Housing and Urban Development,
and Related Agencies Appropriations Bill, 2011 (H.R. 5850)
June 2013

Background

Since the early 1990s, the U.S. Department of Transportation (DOT) has actively pursued increased compliance with the Federal Motor Carrier Safety Regulations (FMCSR) by Mexico-domiciled motor carriers. Since 1995, DOT has supplemented basic Motor Carrier Safety Assistance Program funds with additional grant monies for border enforcement activities. In Fiscal Year (FY) 2011, \$27.25 million of Border Enforcement Grant funds were directed to the southern border States to conduct vehicle and driver inspections as a complement to the enforcement activities of Federal inspectors.

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to reduce crashes, injuries, and fatalities involving commercial motor vehicles (CMV). However, FMCSA also supports the programs of other Federal agencies whose primary focus is security. The FMCSA works closely with the U.S. Customs and Border Protection (CBP) to ensure that border safety inspection activities are coordinated with border security and other CBP responsibilities. The FMCSA assists the Transportation Security Administration in implementing Section 1012 of the USA PATRIOT Act regarding the issuance of licenses to operate CMVs transporting hazardous materials. The FMCSA provides industry outreach for developing effective security plans for highway transportation of hazardous materials as well as providing company and driver anti-terrorism tips on its public Web site. In FY 2011, FMCSA conducted two dedicated Trucks and Terrorism Workshops attended by 162 officials. The Trucks and Terrorism training module was presented as a part of 117 Drug Interdiction Assistance Program courses offered to 7,035 law enforcement officials from throughout the United States.

United States-Mexico Cross-Border Trucking Pilot Program

In April 2011, FMCSA announced its concept for the initiation of a U.S.-Mexico cross-border long-haul trucking pilot program to test and demonstrate the ability of Mexico-domiciled motor carriers to operate safely in the United States beyond the municipalities and commercial zones along the U.S.-Mexico border. Comments and input on the Agency's plans were received and reviewed and, in July, the Agency announced its intent to proceed with the pilot program. Additionally, the Secretary of Transportation signed a memorandum of understanding with the Government of Mexico establishing the reciprocal agreement of the two countries for the pilot programs. As a result, the Government of Mexico agreed to suspend half of the tariffs imposed for the United States non-compliance with the requirements of the North American Free Trade Agreement.

A September 2011 Federal Register notice provided details on the first Mexico-domiciled motor carriers that had successfully completed the required Pre-authorization Safety Audit (PASA). The first motor carrier received its certificate of registration and completed its first crossing on October 14, 2011. Mexico then suspended the remaining tariffs. Additional information about the conduct and results of the program will be presented in subsequent annual reports.

Safety Performance Data

This report serves to summarize information drawn from the major safety activities conducted at the southern border to ensure that Mexico-domiciled motor carriers are operating safely within the United States. These activities include inspections of Mexico-domiciled motor carriers and Federal license checks of Mexico-domiciled drivers conducted during border facility and other roadside safety inspections as well as during PASAs. Federal and State personnel perform inspections and driver's license checks within the Federal inspection compounds, at State inspection facilities adjacent to these compounds, and in the surrounding counties.

The percentages of inspected drivers and vehicles placed out of service are FMCSA's primary measures of motor carrier, vehicle, and driver safety performance. Low and decreasing out-of-service (OOS) rates indicate greater compliance with FMCSRs, leading to safer operations on the Nation's highways. Driver and vehicle OOS rates are quantifiable and comparable over time.

The following table presents OOS rates for Mexico-domiciled CMVs from FY 1993 through FY 2011. This table indicates that driver and vehicle OOS rates for Mexico-domiciled CMVs inspected along the southern border decreased from 24.73 percent and 50.17 percent, respectively, in FY 1993, to 0.93 percent and 16.03 percent, respectively, in FY 2011. The comparable averages, based on all inspections performed throughout the United States, of driver and vehicle OOS rates in FY 2011, were 5.00 percent and 20.27 percent, respectively. The number of inspections performed increased markedly between FY 1993 and FY 2011 as additional safety compliance resources were directed to the southern border. In the same period, truck and bus entries from Mexico into the United States increased 101 percent, from 2.51 million in FY 1993 to 5.05 million in FY 2011. Increased enforcement is reflected in the more than 20 times increase in border zone inspections performed per 100 CMV entries from Mexico.

**Mexico-Domiciled (MX) Motor Carrier
Driver and Vehicle Out-of-Service (OOS) Rates – FY 1993 through FY 2011**

Federal Fiscal Year	Truck & Bus Entries from Mexico (millions)	Total Border Zone Inspections	Border Zone Inspections per 100 CMV Entries	MX Carrier Inspections	Percent of Total	MX Driver OOS Rate Percentage	MX Vehicle OOS Rate Percentage
1993	2.51	11,222	0.45	2,395	21.34%	24.73%	50.17%
1994	2.83	11,462	0.41	2,819	24.59%	22.47%	60.33%
1995	2.99	13,189	0.44	4,274	32.41%	20.83%	54.57%

Federal Fiscal Year	Truck & Bus Entries from Mexico (millions)	Total Border Zone Inspections	Border Zone Inspections per 100 CMV Entries	MX Carrier Inspections	Percent of Total	MX Driver OOS Rate Percentage	MX Vehicle OOS Rate Percentage
1996	3.18	34,457	1.08	7,597	22.05%	17.68%	47.25%
1997	3.76	59,432	1.58	23,457	39.47%	11.41%	43.58%
1998	4.15	62,185	1.50	24,305	39.08%	9.90%	41.90%
1999	4.56	107,158	2.35	31,099	29.02%	8.10%	39.43%
2000	4.81	161,724	3.36	52,291	32.33%	6.89%	36.76%
2001	4.61	211,999	4.60	72,470	34.18%	7.70%	33.88%
2002	4.71	233,699	4.96	102,039	43.66%	7.29%	27.08%
2003	4.58	306,131	6.68	160,864	52.55%	3.47%	23.57%
2004	4.74	320,707	6.77	165,770	51.69%	1.97%	23.29%
2005	4.84	356,929	7.37	192,835	54.03%	1.12%	20.43%
2006	5.07	427,353	8.43	210,881	49.35%	1.26%	20.94%
2007	5.11	424,480	8.31	214,870	50.62%	1.03%	21.57%
2008	5.24	430,648	8.22	221,221	51.37%	1.24%	21.20%
2009	4.51	450,127	9.98	234,064	52.00%	1.61%	17.95%
2010	4.92	492,767	10.02	265,614	53.90%	1.16%	16.60%
2011	5.05	488,760	9.68	262,421	53.69%	0.93%	16.03%

Sources: The CBP national and field offices data, FY 1993 through 2011; FMCSA Motor Carrier Management Information System analyses, through January 2012.

Driver's license check data are provided for FY 2004 through FY 2011. These checks were conducted through Mexico's Federal commercial driver's license system, Licencia Federal Information System, the Commercial Driver's License Information System (CDLIS), and the International Justice and Public Safety Network, during the course of roadside or port of entry inspections. During FY 2011, there were 250,572 driver's license checks conducted for Mexico-domiciled drivers entering or operating in the United States. The percentage of valid licenses presented in FY 2011 was 98.2 percent, and 1.8 percent of the licenses presented were expired. Less than 0.1 percent (7 of the licenses presented) were from disqualified drivers.

**Mexico-Domiciled Commercial Drivers' License Checks from CDLIS and
International Justice and Public Safety Network
FY 2004 to FY 2011**

Federal Fiscal Year	Status						Total Checks
	Valid		Expired		Disqualified		
	count	%	count	%	count	%	
2004	98,141	95.1%	5,010	4.9%	58	0.1%	103,209
2005	113,067	96.7%	3,881	3.3%	25	0.0%	116,973
2006	178,189	97.7%	4,157	2.3%	25	0.0%	182,371

Federal Fiscal Year	Status						Total Checks
	Valid		Expired		Disqualified		
	count	%	count	%	count	%	
2007	180,163	98.3%	2,999	1.6%	174	0.1%	183,336
2008	188,231	98.6%	2,658	1.4%	82	0.0%	190,971
2009	231,120	96.6%	8,045	3.4%	41	0.0%	239,206
2010	250,640	98.5%	3,713	1.4%	44	0.0%	254,397
2011	246,163	98.2%	4,402	1.8%	7	0.0%	250,572

Source: The FMCSA Gateway to LIFIS, TML Information Services, Inc., through December 2011.

The FMCSA maintains a dynamic enforcement program based on motor carrier inspection and compliance review data. Carriers with poor inspection records are directed to improve performance and may be ordered to pay a fine or be placed out of service. These actions by FMCSA prevent noncompliant and unsafe carriers from operating in the United States, thereby improving the safety of motor carrier transportation at the southern border.