

**Prepared Remarks for Anne S. Ferro
FMCSA Administrator
Minnesota Trucking Association Annual Conference
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Introduction

Good morning. It's a pleasure to be in Minnesota at such an important time for motor carrier safety.

First of all, thank you, for the stellar job you do in keeping trucks moving safely throughout the nation.

I applaud the Minnesota Trucking Association for its focus on safe driving. As your campaign states, it starts with the basics: urging drivers to keep both hands on the wheel, supporting seat belt laws and staying true to the national 65 mph speed limit.

Minnesota has a strong reputation for putting safety first. Your state's 26 percent drop in truck-related deaths last year and 38 percent over the past decade is impressive.

It's truly an amazing record Minnesota truckers have achieved and all this was accomplished despite hazardous weather, congested roads and more and more distracted drivers in all types of vehicles on the roads we share.

It's a combination of factors that saves lives and our effectiveness rests on strong partnerships to achieve common goals. So, I am especially pleased to be here to thank you for past and present actions and the opportunity to talk about how we can work together going forward to achieve even greater gains in lives saved. As our economy improves, we must redouble our focus on safety.

Economic Outlook

For the nation as a whole, we are moving in the right direction in our economic recovery. After 22 straight months of job losses, our economy has created new private sector jobs for six months in a row – totaling nearly 600,000 new jobs so far this year.

Trucking business prospects are looking brighter too, and with trucks hauling two-thirds of our nation's freight, it's a leading economic indicator. Even last week's reports on the Federal Reserve data show trucking companies around the country, including here, picking up business and hiring as firms ramp up inventories and consumers begin buying again.

The ATA reports found that truck tonnage increased about seven percent in May over the year before...the sixth straight month of gains. June tonnage reports just released show a 1.4 percent drop from May, a reminder that the recovery is slower than we would like. Yet we're moving in the right direction, just as we are with safety.

FMCSA Core Principles

FMCSA's safety mission is framed by three core principles: to raise the safety bar to enter the industry; to maintain a high safety standard to remain in the industry; and to remove high-risk carriers, drivers and vehicles from operating.

Here are some examples of what I mean:

Raising the Safety Bar

We are raising the safety bar to enter the motor carrier industry by several new and ongoing initiatives that focus on drivers, vehicles and motor carrier companies.

We recently strengthened our audits of new entrants into the industry to identify start-up truck and bus companies deficient in key areas that must be addressed in order to continue operations.

We have tough new screening tools for passenger carriers that operate illegally and place passengers at risk. These are carriers that "reincarnate" themselves and apply for operating authority under new names and addresses to avoid enforcement actions and civil penalties for unsafe practices under their previous business name.

Reigning in these "bad actors" requires constant attention and tremendous resources. We recently expanded our "background checks" program to include household goods carriers. We'll be expanding the effort to apply to all authority applicants over the next several years.

For drivers, we launched a pre-employment screening program earlier this year that allows companies to access driver inspection and crash records as part of the hiring process. This gives companies tools to make informed hiring decisions. If you are serious about hiring the safest drivers – and I know you all are – find out more about the program by going to our website at www.fmcsa.dot.gov or by calling FMCSA's office in St. Paul.

Maintain High Safety Standards

In order to maintain high safety standards in the industry, we are preparing to take our centerpiece safety initiative to all fifty states over the next 12 months. That program, of course, is CSA 2010.

Minnesota has the distinction of being one of the first states to go 100 percent CSA, since June 1, 2009. Few other states have as much experience or insight into the program than Minnesota.

From your own experiences, I have heard of companies that originally were resistant but grew to value the safety performance information CSA gives them. With pre-employment screening and CSA companies are operating more safely, hiring safer drivers and more competitive than ever.

Using current performance data, CSA will help us more clearly determine motor carrier safety fitness and better target enforcement efforts against unsafe operators. With significant input from industry stakeholders like MTA, we have built CSA on three interdependent pillars – like a three-legged stool.

First – is a new safety measurement system based on a much more robust safety data system; second – is a new safety fitness rulemaking focused more on on-the-road performance and sustained accountability; and, third, an enhanced intervention process that provides more tools for our enforcement staff and greater flexibility for intervening with carriers that show performance problems – to accelerate corrective action before crashes occur.

In all the CSA test states, including Minnesota, we were able to conduct up to one-third more investigations than under our current SAFESTAT approach. This ability to reach more drivers and carriers means greater safety on our roads. This is the next generation of FMCSA's continuous improvement in safety compliance enforcement.

We have heard your concerns about the new safety measurement system on issues such as the use of power units as a measure of carrier exposure. As a result of your valuable input as carriers directly involved in our CSA test, as well as input from our enforcement staff and program analysis, we are making changes that will result in a more equitable and effective system.

Specifically: In the unsafe driving and crash assessment areas, the measure of exposure will be changed from power units only to a combination of power units and vehicle miles traveled; in the controlled substances and alcohol factor, the measure of exposure will change from power units to the number of relevant inspections; updates have been made to severity weights as well for some violations;

And a more strategic approach to addressing carriers with a history of size and weight violations will be employed rather than counting these violations in the cargo-related area. This new approach will include alerts to roadside inspectors when carriers have a history of size and weight violations.

I'm pleased to announce that on August 9, carriers based in Minnesota and other CSA pilot states will be able to view their compliance and performance assessments based upon the improved system.

These results will be available from the CSI website that you have become familiar with during the CSA test. Then, on August 16, carriers across the country in all states will be able to log onto our data preview website to see where they stand, and start taking corrective action prior to our scheduled implementation later this year.

For further information on these updates you can go to our CSA website, <http://csa2010.fmcsa.dot.gov>, and link to all the latest facts and details.

When CSA goes "live" in every state by the end of this year, all roadside inspectors will use the new measurement system with the newly adjusted methodology to identify carriers for inspection and to intervene on safety deficiencies to prevent roadway tragedies from happening in the first place.

Once again, thank you for the major role your companies here in Minnesota played in this pilot phase as we've worked hard to develop and fine tune CSA – Compliance, Safety, Accountability.

Hours of Service and EOBRs

I know another topic of high interest to every driver and carrier is the hours of service rulemaking. It's been a front burner issue for a long time.

Late last year we initiated a process to give the broadest possible range of stakeholders an open opportunity to provide their feedback on a proposed Hours of Service rule. We did it through an open docket and by holding a series of listening sessions around the country. The wide range of perspectives has been invaluable.

As of Monday, July 26, the Hours of Service proposal rests in the hands of the President's Office of Management and Budget. OMB has up to 90 days to complete its review and then we will publish the proposal in the Federal Register and seek additional public comment. A comment period is expected to begin by November.

At the same time, we have published a new rule to help us reach a higher standard of safety – electronic on-board recorders – or EOBRs. This final rule will require carriers with serious patterns of hours of service violations to install electronic on-board recorders.

We expect to publish a proposed rule on the broader use of EOBRs by the end of the year.

Remove High Risk Carriers/Behavior/Drivers

As I mentioned earlier, our third core principle is to remove high risk carriers, drivers and vehicles from the roadways.

Let me highlight a couple of initiatives. The first, takes an aggressive stance against the very dangerous, high-risk behavior of distracted driving.

Under the leadership of Transportation Secretary LaHood, FMCSA has issued a proposed rule to ban texting for commercial motor vehicle drivers. We expect to publish a proposed rule on cell phone use and a final rule on texting later this year.

Minnesota's support for the Secretary's texting ban and of your ongoing efforts to educate your members on the dangers of distracted driving is commendable and sets the example for other states.

The second is a proposed rule to create a national drug and alcohol test clearinghouse and to mandate stricter reporting requirements on CDL holders who test positive for drugs or alcohol or otherwise don't comply with drug and alcohol testing requirements.

There is more that we are doing to remove truly unfit and unsafe drivers and carriers from our roadways such as virtual weigh and inspection stations at the roadside and tools like infrared brake warning detection. Together, these measures improve safety and increase efficiency on our highways.

Conclusion

During the recent Congressional hearing on CSA 2010, **Congressman Tim Walz**, representing the first district of Minnesota, summed up the complexity of FMCSA's mission.

He told a story about a scientist working in quantum physics who left his career because he wanted a greater challenge.

That man decided the greater challenge he needed was in – highway safety! Quantum physics was too “easy to deal with; he reasoned he needed something where all variables were *unimaginable*.”

By working together, we remove some of the most difficult variables.

Through our CSA framework we have a data-driven and performance-based approach that will identify many more high risk carriers. All the major safety factors have been identified, analyzed and correlated to crash risk. We have the right tool in CSA.

Let me stop here to welcome your questions and to thank you for making safety your number one priority – not just by words but by your actions and outcomes.