



# Commercial Vehicle Safety Alliance

promoting commercial motor vehicle safety and security

April 22, 2009

The Honorable James Oberstar  
Chairman, Transportation and Infrastructure Committee  
U.S. House of Representatives  
Washington, DC

The Honorable John Mica  
Ranking Minority Member, Transportation and Infrastructure Committee  
U.S. House of Representatives  
Washington, DC

Dear Congressman Oberstar and Mica:

As the committee discusses the Authorization of the Department of Transportation's Programs, we respectfully request that it extend the existing limited exemption from axle-weight limits for over-the-road buses and transit buses for the duration of the next authorization bill. Both OTRBs and transit buses are subject to the same regulations with respect to mandates that require heavier brakes, environmental equipment and wheelchair lifts.

CVSA's Passenger Carrier Committee has studied this issue and has concluded it would not pose a threat to the safe operation of over-the-road buses. In addition, the industry asked the Federal Highway Administration, whose concern was related to the dead weight of the vehicle on the bridge deck, to run computer models of the heaviest fully loaded coach over the 600 different bridges in the national inventory – and it passed.

We would like to emphasize that we are not in any way suggesting that through this exemption a change be made to the overall vehicle weight limits for commercial motor vehicles, trucks or buses. It simply addresses the single axle weight for over-the-road buses and transit vehicles. CVSA fully supports enforcement against buses that violate the total overall weight limitation and we will continue our policy regarding the of inspection buses.

Lastly, I strongly urge the committee in the reauthorization process to consider how it addresses all existing and future interstate exemptions, whether they have been obtained through regulatory or legislative processes. Our recommendation is that they should be sunsetted on a date certain in the future, with the requirement that they be re-applied for through the regulatory process specifically outlined in Section 31315 of the U.S. Code, and administered by the Federal Motor Carrier Safety Administration. Along with the criteria in Section 31315, FMCSA should, to the extent any exemptions are warranted based on the

evaluation criteria and Agency review, establish a standard baseline exemption that would be applied nationally with respect to the particular industry segment seeking the exemption. Taking this approach should also require FMCSA to review their 1988 tolerance guidelines on intrastate exemptions and withdraw those no longer justified.

Our reasoning for this is the base of uniform commercial vehicle safety regulations is slowly eroding at both the federal (regulatory and statutory) and state levels. This lack of uniformity created by the increasing number of exemptions creates confusion among roadside officers which leads to less than optimal oversight and enforcement, and, more concerning, it increases the risk for crashes and fatalities. Safety is not unique to certain types of commercial motor vehicles, drivers or carriers. We have been able to gather statistics from FMCSA which indicate several of the exempted industry segments have crash and out of service rates at least equal to, and in some cases higher than, the trucking industry as a whole. We would be more than happy to share this data with you and discuss this issue in more detail if you so choose.

CVSA is an international not-for-profit organization comprised of local, state, provincial, territorial and federal motor carrier safety officials and industry representatives from the United States, Canada and Mexico. Our mission is to promote commercial motor vehicle safety and security by providing leadership to enforcement, industry and policy makers.

We appreciate your consideration of this issue.

Sincerely,

A handwritten signature in black ink that reads "Stephen F. Campbell". The signature is written in a cursive, flowing style.

Stephen F. Campbell  
Executive Director