

news release



COMMERCIAL VEHICLE SAFETY ALLIANCE

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TRUCK CRASH, OUT-OF-SERVICE RATES INCREASE FOR AGRICULTURAL AND UTILITY INDUSTRIES THAT RECEIVED EXEMPTIONS IN 2005 HIGHWAY ACT

CVSA Seeks Repeal of Exemptions, Strict Application of Statutory Requirements

WASHINGTON, DC (April 22, 2009) – A study by the U.S. Department of Transportation’s Volpe National Transportation Systems Center found that agricultural carriers operating exclusively within a 100-mile radius had a 19 percent higher crash rate than agricultural carriers operating outside a 100-mile radius during the period of 2005-2007. The study also saw utility service motor carrier crash rates jump by 40 percent during this same period.

“Since driver related factors are such a large contributor to crashes, it stands to reason that the hours-of-service exemptions provided in the last Highway Act (SAFETEA-LU) are largely responsible for the increased rates,” said CVSA Executive Director, Stephen F. Campbell. Campbell called the Volpe study a compelling reason to repeal these hours-of-service exemptions. “Safety is clearly compromised by these exemptions and they should be repealed in the upcoming Transportation Reauthorization Act”, he said.

SAFETEA-LU exempted agricultural carriers from the hours-of-service regulations if they operated only within a 100-mile radius from their central base of operation. It also exempted utility service vehicle drivers from all hours-of-service regulations.

The study also showed that in 2007 agricultural carriers as a whole had higher violation and out-of-service rates than the rest of the trucking industry in the categories of unsafe driver, driver fitness, vehicle maintenance, and improper loading. The overall average increase was 32 percent. Agricultural carriers operating solely within a 100-mile radius had higher violations and out-of-service rates than those operating outside of a 100-mile radius in the categories of unsafe

driving, driver fitness, vehicle maintenance, and improper loading. The overall average increase in this case was 24 percent.

In addition to repealing these exemptions based on the data in the Volpe study, CVSA is proposing that all motor carrier safety exemptions, whether provided in statute or by regulation, 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, Title 49. This process would be administered by the appropriate federal regulatory agency, the Federal Motor Carrier Safety (FMCSA). Section 3135 requires that in order for a safety exemption to be granted, the group seeking such an exemption must demonstrate to the Secretary of Transportation that “such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.” This effort would also require FMCSA to review their 1988 tolerance guidelines on intrastate exemptions and withdraw those no longer justified.

“If an exemption is not justified based on performance data, or pursued in a uniform and systematic manner, it not only compromises safety, it also violates the basic principle of uniformity which CVSA advocates,” said Campbell. “This lack of uniformity creates confusion among roadside officers which leads to less than optimal oversight and enforcement.”

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. In addition, CVSA has several hundred associate members who are committed to helping the Alliance achieve its goals; uniformity, compatibility and reciprocity of commercial vehicle inspections, and enforcement activities throughout North America by individuals dedicated to highway safety and security. For more on CVSA visit www.cvsa.org.

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