

Regulatory Update

October 22nd, 2014





Regulatory Update

Dr. Gary Petty
President & CEO
National Private Truck Council




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Introduction

- Regulatory Background – Tom Bray
- Beyond Compliance – Tom Moore, CTP
- FMCSA Perspective – Jack Van Steenburg
- Housekeeping issues:
 - You will be muted during the event.
 - Please use the Q&A feature to send questions us. We'll try to answer them during the Q&A period if they are not covered in the presentation.




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Regulatory Background

Thomas Bray
Sr. Editor, Transportation Management
J. J. Keller & Associates, Inc.



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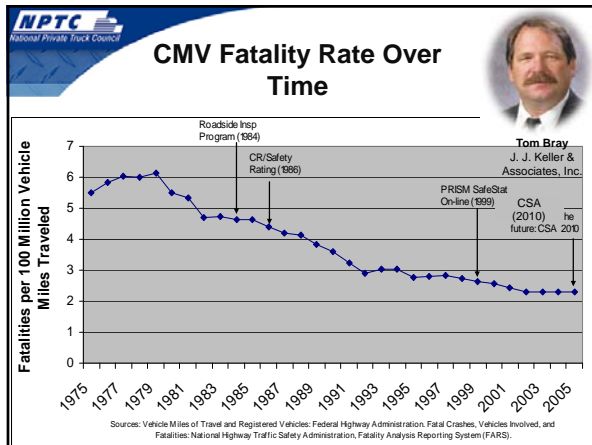
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Regulatory Agencies

- **Department of Transportation**
 - NHTSA – Vehicle safety standards
 - FMCSA – Motor carrier safety
 - FHWA – Highways
- **Department of Labor**
 - OSHA – General worker safety and whistleblower protections (including drivers)

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Final Rules Being Implemented

- CDL Federal Medical Card Merger
- National Registry of Certified Medical Examiners (NRCME)
- CDL/CLP changes
- Unified Registration System (URS)

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Active Proposals


- Prohibition against coercion
- Electronic signatures and documents
- Electronic Logging Devices (formerly "EOBRs")
- Drug and Alcohol Clearinghouse
- NRCME Part 2
- Driver vehicle inspection reports
- Electronic Stability Control
- New entrant safety assurance
- Entry-level driver training



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In The Pipeline, But Not Started


- Safety Fitness Determination Regulations
- Heavy vehicle speed limiters
- Insulin-dependent drivers
- Update to insurance minimums and requirements
- New entrant safety assurance
- Additional MAP-21 requirements



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Beyond Compliance

Tom Moore, CTP
Sr. Vice President
National Private Truck Council



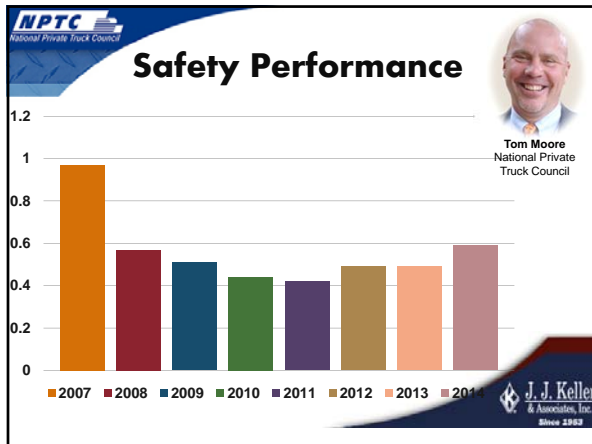
Tom Moore
National Private
Truck Council



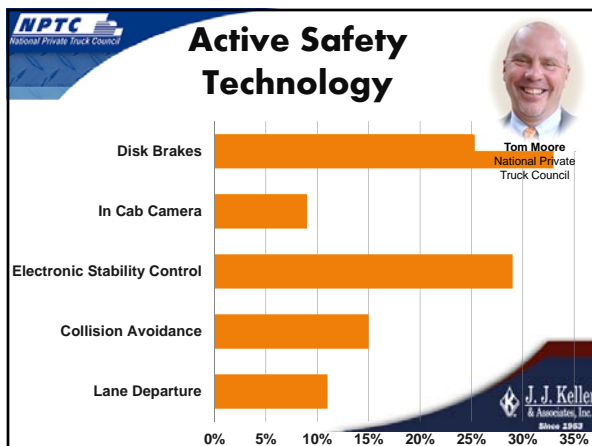
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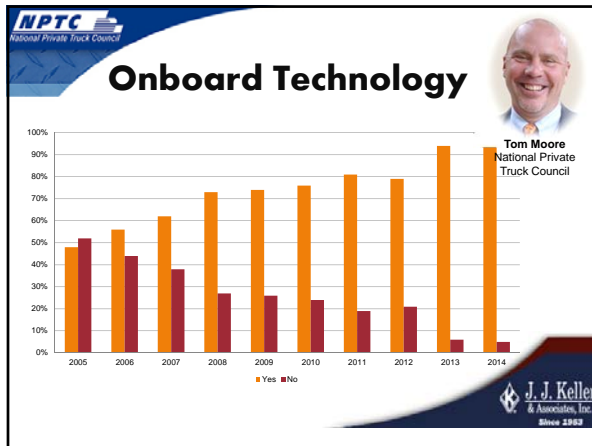


	Unsafe Driving	Fatigued Driving	Driver Fitness	Controlled Substance	Vehicle Maint	Haz Mat	Crash
2014	12.1	10.9	10.7	0.91	20.8	1.94	27.2

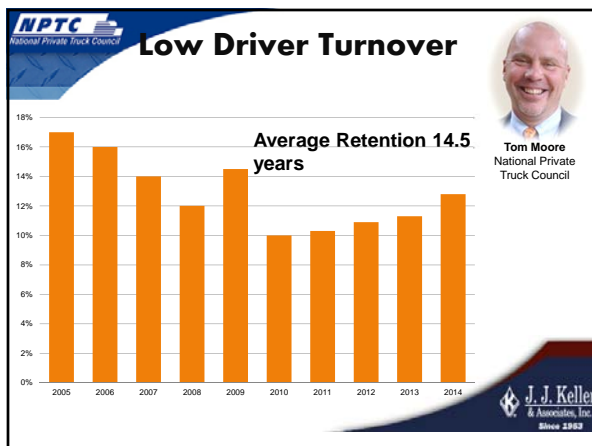


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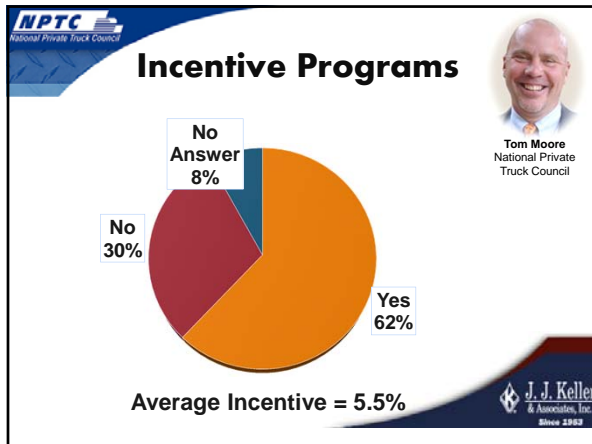


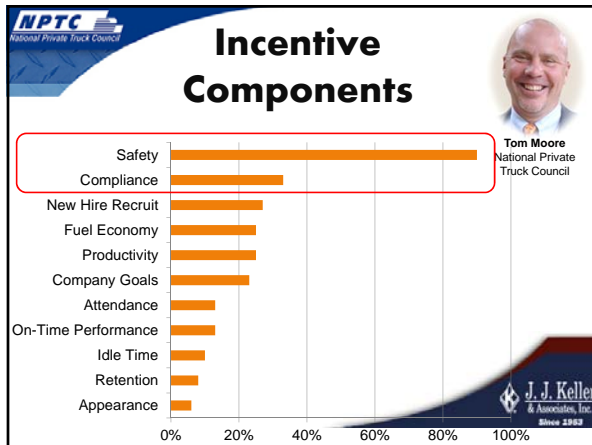




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FMCSA Issues Update

Jack Van Steenburg
Assistant Administrator and Chief Safety Officer
Federal Motor Carrier Safety Administration

Jack Van Steenburg
FMCSA

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Our Mission



Placing safety as our highest priority:
Reduce crashes, injuries, and fatalities involving CMV transportation through *education, innovation, regulation, enforcement, financial assistance, partnerships, and full accountability.*



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The Problem



- NHTSA 2012 FARS data showed:
 - 33,561** people lost their lives on America's roadways in motor vehicle crashes
 - 3,921** from crashes involving a large truck
 - 280** from crashes involving a bus
 - 697** or 18% of fatalities in large truck crashes were large truck occupants
 - 8.9% increase in fatalities over 2011


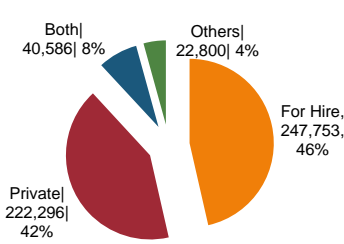
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Total Freight Motor Carriers, 2012

533,435 Total Carriers



Carrier Type	Count	Percentage
For Hire	247,753	46%
Private	222,296	42%
Both	40,586	8%
Others	22,800	4%

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Crash Statistics by Carrier Class, CY 2012

Carrier Class	Total Crashes	Crash Rate per 100 PUs	Vehicles OOS Rate	Drivers OOS Rate
For Hire	61,634	3.08	18.6%	4.6%
Private	15,871	1.07	18.5%	4.7%
Both	8,124	1.90	16.6%	3.3%
All Others	1,028	1.10	20.9%	5.1%
Total	86,657	2.16	18.5%	4.5%

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FMCSA

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FMCSA's Five Priorities for 2015

FMCSA's leadership team has identified five high priority items for the upcoming year:

1. Compliance, Safety Accountability (CSA) Phase III
2. Electronic Logging Devices final rule
3. Inspection Modernization
4. A Safety Fitness Determination (SFD) rule
5. Unified Registration System

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CSA Phase III

- Represents next generation of Compliance, Safety, Accountability
- The full use of interventions in all states
- National implementation of off-site reviews
- Use of cooperative safety plans

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Electronic Logging Devices

- Publish a final rule in 2015
- Requires motor carriers to replace handwritten logbooks with ELDs to improve HOS data quality
- Makes it more difficult to violate HOS rules and falsify logs



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Inspection Modernization

3) Inspection Modernization

- Upgrades to inspection software to provide smart logic; add direct access to QueryCentral for OOS notices. Scheduled for Jan 2015.
- Plan future software support for roadside inspections
- Work on improving uniformity in roadside inspections.



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Safety Fitness Determination

4) Safety Fitness Determination

- Publish a proposed SFD rule to change the way we make an unfit determination of a carrier
- enables use of crash and roadside inspection data in addition to the findings from investigations
- will allow us to assess the safety fitness of a broader group of motor carriers




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Unified Registration System




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- 4) **Implement the Unified Registration System**
- New system goes into effect October 2015
- Combines 16 different forms currently use into the MCSA-1, a single, online "smart form"
- Biennial update; deactivated 102,000 USDOT numbers since March.
- Risk-based screening algorithm



URS
UNIFIED REGISTRATION SYSTEM
Simplifying USDOT Registration



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In the Works



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- Alternative Compliance**
- Could include use of safety technologies or safety management practices
- Determine incentives or benefits of voluntary adoption of safety measures
- Publish a Federal Register notice seeking input



- Driver Recognition**
- Looking for ways to recognize safe CMV drivers.
- Praise drivers for doing the right things and not just penalize those who do wrong



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FMCSA Regulatory Update



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- HOS
- National Registry
- Drug and Alcohol Clearinghouse
- Entry level driver training
- Financial responsibility



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Hours-of-Service

Began July 1, 2013:

- Maximum allowable work hours cut from 82 to 70 hours per week, on average
- Drivers required to take at least one 30-minute break, at a time of their choosing if they intend to drive later than the 8th hour after coming on duty



Source: Evergreen Safety News

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National Registry

- Beginning May 21, 2014, all medical certificates issued on or after that date must come from eligible health care professionals, known as Medical Examiners, listed on our National Registry of Certified Medical Examiners
- We have 35,385 certified medical examiners as of September 29
- Our Medical Examiners must look at a range of conditions to determine a driver's medical fitness



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Drug & Alcohol Clearinghouse

The clearinghouse will:

- Record drivers' positive test results for controlled substances and alcohol
- Record refusals and other violations of the drug and alcohol testing regulations
- Ensure CDL drivers complete the return-to-duty process
- Require employers to check before hiring.
- Published NPRM in February, comment period ended in May with 161 comments submitted to the docket on the NPRM



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Entry Level Driver Training

- Looking at the feasibility of a negotiated rulemaking to require more behind the wheel training for new CMV drivers.
- Several groups have asked the D.C. Circuit to issue a *mandamus* order requiring the Agency to complete the driver-training rulemaking.



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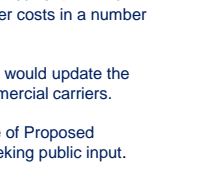
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Financial Responsibility

- Submitted report to Congress – current minimum insurance levels DO NOT cover costs in a number of crashes.
- Considering a rulemaking that would update the financial responsibility of commercial carriers.
 - Issued an Advance Notice of Proposed Rulemaking (ANPRM) seeking public input.



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FMCSA Research Update

Three-Pronged Approach to Studying Hours of Service

- HOS research focused on safety, productivity, and driver health.
- Safety Benefits of HOS rule change:**
 - analyzing six months of reported crash data that suggest a modest reduction in nighttime crashes.
 - With a full year's worth of data, we will be in a better position to draw more definitive conclusions.
- Productivity:**
 - plan to analyze driver logs to better understand how compliance with the new rules has altered driving schedules.
 - we want to know if the new HOS rules have shifted trucks from nighttime to daytime driving as some have claimed.
- Driver health:**
 - plan to test the feasibility of allowing drivers more flexibility to get the rest they need. Will launch a pilot program next year to study split sleep.



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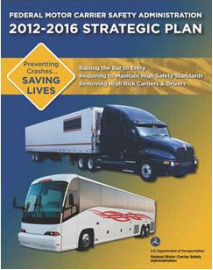
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Our Vision



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FMCSA



SAVING LIVES


Save lives by striving toward a *crash-free* and *fully accountable* CMV transportation life-cycle.

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Question & Answer Session




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Tom Moore
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Tom Bray
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Please continue to submit your questions.

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Closing Remarks



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