

February 12, 2019

The Honorable Roger Wicker, Chairman
The Honorable Maria Cantwell, Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
Washington, D.C. 20510

Dear Chairman Wicker and Ranking Member Cantwell:

As you prepare for tomorrow's hearing, "America's Infrastructure Needs: Keeping Pace with a Growing Economy," we urge you to prioritize safety while considering the needs of America's roads and highways. Each day on average, over 100 people are killed and 8,500 more are injured in motor vehicle crashes. This preventable toll also comes with a serious financial burden. Annually, crashes impose comprehensive costs of over \$800 billion on society, \$242 billion of which are economic costs – amounting to a "crash tax" of \$784 per person each year. Yet, available solutions to the factors that cause crashes continue to languish. Moreover, year after year proposals are considered to weaken or repeal the minimal safety protections that do exist. We respectfully request your consideration of our positions during the hearing and that this letter be included in the hearing record.

This hearing is well-timed considering that just last week the National Transportation Safety Board (NTSB) released the 2019 – 2020 Most Wanted List of transportation safety improvements. The Most Wanted List calls attention to several areas that are directly relevant to issues that will likely come before the Commerce Committee this Congress including: distraction; fatigue; alcohol and drug impairment; collision avoidance technologies in highway vehicles; speed; medical fitness, specifically obstructive sleep apnea; and, occupant protection. We look forward to working with you to improve safety on the nation's roads and to advance the improvements outlined by the NTSB.

Truck crashes deaths continue to rise. In 2017, 4,761 people were killed in crashes involving a large truck. This was a nine percent increase from the previous year and a staggering 41 percent increase since a low in 2009. Additionally, in 2016, the latest year for which full data are available, 145,000 people were injured in crashes involving a large truck. Commercial motor vehicle (CMV) crashes amounted to \$134 billion in costs that same year. These grim statistics are unacceptable and more must be done to prevent this needless carnage.

Proven countermeasures that would bring about safer conditions for both truck drivers and those with whom they share the road must be implemented. Technologies including speed limiting devices, automatic emergency braking (AEB), and comprehensive underride guards could be saving lives now if they were fully deployed. Similarly, a required minimum number of behind the wheel hours should be established as part of entry level driver training. We urge Congress to take swift action on legislation requiring these crucial upgrades.

We ask the Committee to also oppose efforts that would weaken or repeal existing truck safety rules. In the last few years, special interests have been relentless in their attempts to increase

truck driver hours of service and evade compliance with the electronic logging device (ELD) rule, despite the known dangers associated with “tired truckers.” It is also alarming that efforts have been underway to allow for “teen truckers” by lowering the age to obtain an interstate commercial driver’s license (CDL) from 21 to 18. This ill-conceived concept is especially egregious because truck drivers under the age of 21 are anywhere from 4 to 6 times more likely to be in a fatal crash, according to studies of intrastate truck drivers. These dangerous proposals pose a direct threat to the safety of all road users and should be resoundingly rejected.

Bigger, heavier trucks would endanger all motorists and our infrastructure. Congress should oppose all attempts to increase truck size and weight limits which would further degrade safety. While we understand that the Commerce Committee has jurisdiction over truck lengths, and not weights, the two issues are entwined which is why we have included both in this letter.

According to the 2017 Infrastructure Report Card from the American Society of Civil Engineers, America’s roads receive a grade of “D” and our bridges were given a “C+”. Nearly 40 percent of our 615,000 bridges in the National Bridge Inventory are 50 years or older and one out of 11 is structurally deficient. The U.S. Department of Transportation (DOT) Comprehensive Truck Size and Weight Study found that introducing double 33-foot trailer trucks, known as “Double 33s,” would be projected to result in 2,478 bridges requiring strengthening or replacement at an estimated one-time cost of \$1.1 billion. This figure does not even account for the additional, subsequent maintenance costs which will result from longer, heavier trucks. In fact, increasing the weight of a heavy truck by only 10 percent increases bridge damage by 33 percent. The Federal Highway Administration (FHWA) estimates that the investment backlog for bridges, to address all cost-beneficial bridge needs, is \$123.1 billion. The U.S. would need to increase annual funding for bridges by 20 percent over current spending levels to eliminate the bridge backlog by 2032.

Longer trucks also come with operational difficulties such as requiring more time for other vehicles to pass, having larger blind spots, crossing into adjacent lanes, swinging into opposing lanes on curves and turns, and taking a longer distance to adequately brake. And, not surprisingly, trucks heavier than 80,000 pounds have a greater number of brake violations, which are a major reason for out-of-service violations. According to a North Carolina study by the Insurance Institute for Highway Safety (IIHS), trucks with out-of-service violations are 362 percent more likely to be involved in a crash. This is also troubling considering that tractor-trailers moving at 60 mph are required to stop in 310 feet – the length of a football field – once the brakes are applied. Actual stopping distances are often much longer due to driver response time before braking and the common problem that truck brakes are often not in adequate working condition.

There is overwhelming opposition to any increases to truck size and weight limits. The public, local government officials, safety, consumer and public health groups, law enforcement and first responders, truck drivers and labor representatives, families of truck crash victims and survivors, and even Congress have all rejected attempts to increase truck size and weight. It is clear that increasing truck size and weight will exacerbate safety and infrastructure problems, negate potential benefits from investments in roads and bridges, and divert rail traffic from privately owned freight railroads to our already overburdened public highways. Also, despite claims to

the contrary, bigger trucks will not result in fewer trucks. Following every past increase to federal truck size and weight, the number of trucks on our roads has gone up. Since 1982, when Congress last increased the gross vehicle weight limit, truck registrations have more than doubled. The U.S. DOT study also addressed this meritless assertion and found that any potential mileage efficiencies from the use of heavier trucks would be offset in just one year.

Motor vehicle crash deaths have stagnated despite available, proven technology.

Tremendous focus has been placed on the future potential of autonomous vehicles (AVs), also known as driverless cars, to eliminate crashes. While it is claimed that AVs may someday make meaningful reductions in deaths and injuries, this promise is still likely decades away. Further, at least three people have already been killed in crashes involving vehicles equipped with self-driving technologies. The real risks posed by experimental driverless cars must be addressed through a strong federal government role – including safety standards and oversight – before AVs are deployed on a large scale. However, a number of proven technologies such as automatic emergency braking, lane departure warning and blind spot detection should be made standard equipment on all new vehicles now. We urge Congress to require the U.S. DOT to establish minimum performance requirements for these lifesaving technologies and require that all new vehicles be equipped with them.

Infrastructure upgrades will be critical as driverless cars are deployed. As AVs are tested and eventually commercialized on our nation's roads, it will be vital that infrastructure improvements be made to ensure their safe operation. For example, research shows that driverless vehicles can easily be confused by poor infrastructure conditions leading to dangerous errors. In one experiment a standard stop sign with only a few alterations was interpreted by a driverless car as a 45 mph speed limit sign. The potential consequences of these types of mistakes could be catastrophic. Substantial investments in our infrastructure that benefit human drivers now and help to prepare our roads for self-driving cars should occur before driverless vehicles are ubiquitous on our streets.

Additionally, despite claims that driverless technology will improve our congested roads, transportation experts have already found that the proliferation of mobility services like Lyft and Uber (precursors for mass deployment of driverless vehicles) have instead increased congestion and reduced mass transit use. In addition, a recent study predicted that AVs could exacerbate clogged arteries by constantly traveling at low speeds instead of parking while waiting for their next trip. These and numerous other issues must be comprehensively addressed before driverless vehicles are deployed on a large scale. In order to realize the full potential of AVs to be a catalyst for positive change, protections must be put in place to ensure the safety of all road users.

Thank you for holding today's hearing. While we agree that it is essential that our country's infrastructure keeps pace with a growing economy, it is also essential that action is taken to reduce the unacceptably high crash fatalities, injuries and costs. Effective solutions are readily available to save lives now. We look forward to working with the Committee in this Congress on passing important legislation that will advance safety for everyone using our surface transportation systems.

Sincerely,

Catherine Chase, President
Advocates for Highway and Auto Safety

Georges C. Benjamin, MD, Executive Director
American Public Health Association

Harry Adler, Executive Director
Truck Safety Coalition

Jason Levine, Executive Director
Center for Auto Safety

Daphne Izer
Co-Founder, Parents Against Tired Truckers
(PATT)

Janette Fennell, Founder and President
KidsAndCars.org

Dawn King
Davisburg, MI
President, Truck Safety Coalition
Board Member, CRASH
Daughter of Bill Badger
Killed in truck crash 12/23/04

Jane Mathis
St. Augustine, FL
Vice President, TSC
Board Member, PATT
Mother of David Mathis
Mother-in-Law of Mary Kathryn Mathis
Killed in a truck crash 3/25/04

Peter Malarczyk
Hastings-on-Hudson, NY
Volunteer, Truck Safety Coalition
Injured in a truck crash 12/29/15
Son of Ryszard and Anita Malarczyk
Killed in a truck crash 12/29/15

Joan Claybrook, Chair
Citizens for Reliable and Safe Highways
(CRASH) and Former Administrator,
National Highway Traffic Safety
Administration

Jack Gillis, Executive Director
Consumer Federation of America

Steve Owings, Co-Founder and President
Road Safe America

Stephen W. Hargarten, M.D., MPH
Society for the Advancement of Violence and
Injury Research

Sally Greenberg, Executive Director
National Consumers League

Rosemary Shahan, President
Consumers for Auto Reliability and Safety

Andrew McGuire, Executive Director
Trauma Foundation

Jennifer Tierney, Board Member
Citizens for Reliable and Safe Highways
(CRASH) Foundation

Ron Wood
Washington, D.C.
Volunteer, Truck Safety Coalition
Son of Betsy Wood, Brother of Lisa Wood
Martin, Uncle of Chance, Brock, and Reid
Martin
Killed in a truck crash 9/20/04

Kate Brown
Gurnee, IL
Volunteer, Truck Safety Coalition
Mother of Graham Brown
Injured in a truck crash 5/2/05

Santiago Calderon
Arcata, CA
Volunteer, Truck Safety Coalition
Injured in a truck crash 4/10/14

Michelle Lemus
Los Angeles, CA
Volunteer, Truck Safety Coalition
Injured in a truck crash 4/10/14

Tami Friedrich Trakh
Corona, CA
Board Member, CRASH
Sister of Kris Mercurio, Sister-in-Law of Alan
Mercurio, Aunt of Brandie Rooker & Anthony
Mercurio
Killed in a truck crash 12/27/89

Monica Malarczyk
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Volunteer, Truck Safety Coalition
Injured in a truck crash 12/29/15
Son of Ryszard and Anita Malarczyk
Killed in a truck crash 12/29/15

Beth Badger
Columbus, GA
Volunteer, Truck Safety Coalition
Daughter of Bill Badger
Killed in truck crash 12/23/04

Paul Badger
Davidson, NC
Volunteer, Truck Safety Coalition
Son of Bill Badger
Killed in truck crash 12/23/04

Gary Wilburn
Weatherford, OK
Volunteer, Truck Safety Coalition
Father of Orbie Wilburn
Killed in a truck crash 9/2/02

Laurie Higginbotham
Memphis, TN
Volunteer, Truck Safety Coalition
Mother of Michael Higginbotham
Killed in a truck crash, 11/18/14

Vickie Johnson
Hartwell, GA
Volunteer, Truck Safety Coalition
Wife of Curt Johnson, Step-mother of Crystal
Johnson
Killed in a truck crash 10/1/2009

Debra Cruz
Harlingen, TX
Volunteer, Truck Safety Coalition
Injured in a truck crash 8/8/2008

Linda Wilburn
Weatherford, OK
Board Member, PATT
Mother of Orbie Wilburn
Killed in a truck crash 9/2/02

Vincent Laubach
Reno, NV
Volunteer, Truck Safety Coalition
Truck Crash Survivor

Larry Liberatore
Severn, MD
Board Member, PATT
Father of Nick Liberatore
Killed in a truck crash 6/9/97

Christina Mahaney
Jackman, ME
Volunteer, Truck Safety Coalition
Injured in a truck crash 7/19/2011
Mother of Liam Mahaney
Killed in a truck crash 7/19/2011

Jackie Novak
Hendersonville, NC
Volunteer, Truck Safety Coalition
Mother of Charles "Chuck" Novak
Killed in a truck crash 10/24/10

Tina Silva
Ontario, CA
Volunteer, Truck Safety Coalition
Sister of Kris Mercurio, Sister-in-Law of Alan Mercurio, Aunt of Brandie Rooker & Anthony Mercurio
Killed in a truck crash 12/27/89

Kathleen Laubach
Reno, NV
Volunteer, Truck Safety Coalition
Truck Crash Survivor

Bruce King
Davisburg, MI
Volunteer, Truck Safety Coalition
Son-in-law of Bill Badger
Killed in truck crash 12/23/04

Kim Telep
Harrisburg, PA
Volunteer, Truck Safety Coalition
Wife of Bradley Telep
Killed in a truck crash 8/29/12

Cindy Southern
Cleveland, TN
Volunteer, Truck Safety Coalition
Wife of James Whitaker, sister-in-law Anthony Hixon and aunt of Amber Hixon
Killed in a truck crash 9/18/09

Marc Johnson
Hartwell, GA
Volunteer, Truck Safety Coalition
Brother of Curt Johnson
Killed in truck crash 10/1/2009

Steve Izer
Lisbon, ME
Board Member, PATT
Father of Jeff Izer
Killed in a truck crash 10/10/93

Sandra Lance
Chesterfield, VA
Volunteer, Truck Safety Coalition
Mother of Kristen Belair
Killed in a truck crash 8/26/2009

Bernadette Fox
Davis, CA
Volunteer, Truck Safety Coalition
Best friend of Daniel McGuire
Killed in a truck crash 7/10/2014

Julie Branon Magnan
South Burlington, VT
Volunteer, Truck Safety Coalition
Injured in a truck crash 01/31/02
Wife of David Magnan
Killed in a truck crash 01/31/02

Amy Fletcher
Perrysburg, OH
Volunteer, Truck Safety Coalition
Wife of John Fletcher
Killed in a truck crash 1/24/12

Alan Dana
Plattsburgh, NY
Volunteer, Truck Safety Coalition
Son of Janet Dana, Uncle of Caitlyn & Lauryn Dana, Brother-in-law of Laurie Dana
Killed in a truck crash 7/19/12

Nancy Meuleners
Bloomington, MN
Volunteer, Truck Safety Coalition
Injured in a truck crash 12/19/89

Morgan Lake
Sunderland, MD
Volunteer, Truck Safety Coalition
Injured in a truck crash 7/19/13

Ashley McMillan
Memphis, TN
Volunteer, Truck Safety Coalition
Girlfriend of Michael Higginbotham
Killed in a truck crash, 11/18/14

Marchelle Wood
Falls Church, VA
Volunteer, Truck Safety Coalition
Mother of Dana Wood
Killed in a truck crash 10/15/02

Melissa Gouge
Washington, D.C.
Volunteer, Truck Safety Coalition
Cousin of Amy Corbin
Killed in a truck crash 8/18/97

Randall Higginbotham
Memphis, TN
Volunteer, Truck Safety Coalition
Father of Michael Higginbotham
Killed in a truck crash, 11/18/14

Frank Wood
Falls Church, VA
Volunteer, Truck Safety Coalition
Father of Dana Wood
Killed in a truck crash 10/15/02

Michelle Novak
Delevan, NY
Volunteer, Truck Safety Coalition
Aunt of Charles "Chuck" Novak
Killed in a truck crash 10/24/10

Ed Slattery
Lutherville, MD
Board Member, PATT
Volunteer, Truck Safety Coalition
Husband of Susan Slattery
Killed in a truck crash 8/16/10
Sons Matthew & Peter Slattery critically injured

cc: Members of the U.S. Senate Committee on Commerce, Science, and Transportation