



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

January 21, 2025

The Honorable David Rouzer, Chair
The Honorable Eleanor Holmes Norton, Ranking Member
Committee on Transportation and Infrastructure
Subcommittee on Highways and Transit
United States House of Representatives
Washington, D.C. 20515

Dear Chair Rouzer and Ranking Member Norton:

Thank you for convening the January 22, 2025, hearing, “*America Builds: Highways to Move People and Freight.*” Protecting the safety of the public is foundational to the successful movement of people and freight on our nation’s roadways and highways. Everyone in the U.S. moves on our roadways, whether as a car or truck driver, passenger, pedestrian, bicyclist, motorcycle rider, first responder, law enforcement officer or other road user, and everyone deserves a safe trip. Advancing data-driven solutions and retaining critical safety laws and rules are a proven path to prevent fatalities and injuries and ensure efficient roads. Advocates for Highway and Auto Safety (Advocates) respectfully requests this letter be included in the hearing record.

Americans are Being Killed and Injured on our Roadways at Historic High Levels

On average, 116 people were killed every day on roads in the U.S., totaling just over 42,500 fatalities in 2022.¹ This is a 26 percent increase in deaths in just a decade.² An additional 2.38 million people were injured.³ Early projections for 2023 traffic fatalities remain at a similar historic high level; nearly 41,000 people are estimated to have died that year.⁴

Upturns in deaths have been prevalent for vulnerable road users (VRUs). In 2022, 7,522 pedestrians and 1,105 bicyclists were killed, representing a 56 percent and 50 percent increase respectively in the past decade.⁵ Additionally, motorcycle riders experienced the highest fatality total in a single year in 2022 since data collection began in 1975; 6,218 motorcycle riders were killed.⁶

Traffic Crashes are Costly and Cause Congestion

In addition to the physical and emotional toll of motor vehicle crashes, the annual economic cost is approximately \$340 billion (2019 dollars).⁷ This figure equates to every person living in the U.S. essentially paying an annual “crash tax” of over \$1,000. Moreover, the total value of societal harm from motor vehicle crashes in 2019, which includes loss of life, pain and decreased quality of life, was nearly \$1.4 trillion.⁸ Research from the Network of Employers for Traffic Safety (NETS), finds motor vehicle crashes cost employers \$72.2 billion in direct crash-related expenses in 2019.⁹

According to the Federal Highway Administration (FHWA) traffic incidents, which include crashes, are one of the seven main causes of traffic congestion which erodes the reliability of travel time.¹⁰ The report notes that for truck operators, “[t]he cost of unexpected delay can add another 20 percent to 250 percent” to their hourly costs.¹¹

The Safe Transportation of Goods by Commercial Motor Vehicles (CMVs) is Essential

Since 2009, the number of fatalities in large truck crashes has increased by 76 percent.¹² In that same timespan, the number of people injured in crashes involving large trucks rose by 117 percent.¹³ In fatal two-vehicle crashes between a large truck and a passenger motor vehicle, 96 percent of the fatalities were occupants of the passenger vehicle.¹⁴ In 2022, 5,936 people were killed and over 160,000 people were injured in crashes involving large trucks.¹⁵ The cost to society from crashes involving large trucks and buses was estimated to be \$128 billion in 2021, the latest year for which data is available.¹⁶ When adjusted solely for inflation, this figure amounts to over \$151 billion.¹⁷

Weakening Essential Safety Regulations is Irreconcilable with Improving Roadway Safety

Issues involving the trucking industry and our nation's supply chain have not been properly addressed for decades and should not be worsened by rolling back safety policies. We urge the Subcommittee to reject proposals that fail to address the root of these issues and jeopardize all road users. These include anti-safety trucking measures proposed in the 118th Congress: MOVE Act (H.R. 7496); Safer Highways and Increased Performance for Interstate Trucking (SHIP IT) Act (H.R. 471); Ceasing Age-Based (CAB) Trucking Restrictions Act (H.R. 267); Deregulating Restrictions on Interstate Vehicles and Eighteen Wheelers (DRIVE) Act (H.R. 3039); Licensing Individual Commercial Exam-takers Now Safely and Efficiently (LICENSE) Act (S. 1649/ H.R. 3013); Safe Routes Act of 2023 (S. 1818 /H.R. 2493); 91,000 LB pilot program for commercial trucks (H.R. 3372); and, anti-safety trucking sections in the Senate and House Transportation, Housing and Urban Development and Related Agencies (THUD) bills: Senate THUD (S. 4796) sections 130 and 131 and House THUD (H.R. 9028) sections 131 – 134 and 432.

Moreover, the Federal Motor Carrier Safety Regulations (FMCSRs),¹⁸ are by definition “minimum safety standards for commercial motor vehicles”¹⁹ and, as a result, any exemption should be considered in light of the fact that the granting of an exemption will deny both the driver(s) and the public the minimum required safety protections intended under the FMCSRs. The law that permits the Secretary of Transportation to grant an exemption from the FMCSRs requires a showing that the applicant has taken proven measures to ensure that an equal or greater level of safety will result from the granting of the exemption.²⁰ Under the law, exemptions cannot be granted to any applicant that fails to provide the analysis of safety impacts and description of countermeasures to ensure equivalent or greater levels of safety.²¹

Section 4007 of the Transportation Equity Act for the 21st Century (TEA-21) amended 49 U.S.C. § 31315 and § 31136(e) to provide authority to the Secretary of Transportation to grant exemptions from the FMCSRs.²² TEA-21 amended § 31315(b)(3) specifying the procedures by which a person may request an exemption “shall, at a minimum, require the person to provide the following information” which includes “(C) [a]n analysis of the safety impacts the requested exemption may cause” and “(D) [t]he specific countermeasures the person would undertake to ensure an equivalent or greater level of safety than would be achieved absent the requested exemption.”²³

On August 20, 2004, the Federal Motor Carrier Safety Administration (FMCSA) published a Final Rule (65 FR 51589) implementing Section 4007 of TEA-21 through 49 C.F.R. § 381. The implementing regulation states that an applicant “must provide a written statement that... (1) describes the reason the exemption is needed, including the time period during which it is needed...; (4) assesses the safety impacts the exemption may have; (5) explains how you would ensure that you achieve a level of safety that is equivalent to, or greater than, the level of safety that would be obtained by complying with the

regulation.”²⁴ This process already provides the flexibility to balance safety with extraordinary circumstances and must continue to be adhered to.

Driver fatigue is a known and persistent issue in the trucking industry. The National Transportation Safety Board (NTSB) has repeatedly cited fatigue as a major contributor to truck crashes as determined by its investigations.²⁵ Self-reports of fatigue, which almost always underestimate the problem, find that fatigue in truck operations is a significant issue. In a 2006 driver survey prepared for FMCSA, “65 percent [of drivers] reported that they often or sometimes felt drowsy while driving” and almost half (47.6 percent) of drivers said they had fallen asleep while driving in the previous year.²⁶ According to the Centers for Disease Control and Prevention (CDC) the effects of fatigue on driving include “nod off, react more slowly to changing road conditions, other drivers, or pedestrians, make poor decisions, drift from your lane, experience tunnel vision (when you lose sense of what’s going on in the periphery), experience microsleeps (brief sleep episodes lasting from a fraction of a second up to 30 seconds) and forget the last few miles you drove.”²⁷ The human body has limitations that cannot be overcome by the desire to move more goods faster. Expanding the hours truck drivers can drive or undermining the use of electronic logging devices (ELDs) to track driving hours as a rationale for moving more goods puts truck drivers, their loads and everyone on the roads with them at risk.

Overweight trucks disproportionately damage America’s infrastructure and threaten public safety. Efforts to increase truck size and weight limits have been repeatedly proposed by certain special interests in response to purported supply chain issues. Such requests should not be granted as these laws are essential to protecting truck drivers, the traveling public and our nation’s roads and bridges. Furthermore, raising truck weight or size limits could result in an increased prevalence and severity of crashes and cause increased wear and damage to our roadway infrastructure and bridges. Despite claims to the contrary, bigger trucks will not result in fewer trucks. Following every past increase to federal truck size and weight limits, 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 (a 156 percent increase).²⁸ 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.²⁹

Given the negative impacts, it is not surprising 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, first responders, truck drivers and labor representatives, families of truck crash victims and survivors, and even Congress on a bipartisan level have all rejected attempts to increase truck size and weight. The investments as a result of the Infrastructure Investment and Jobs Act (IIJA) are making improvements across every state in our nation to elevate the safety of our roads and bridges and support efficiency.³⁰ These improvements should not be undercut by allowing bigger or heavier trucks.

Public safety should not be threatened by “teen truckers.” Commercial motor vehicle (CMV) drivers under the age of 19 are four times more likely to be involved in fatal crashes, as compared to CMV drivers who are 21 years of age and older, and CMV drivers ages 19-20 are six times more likely to be involved in fatal crashes (compared to CMV drivers 21 years and older).³¹ Yet, some segments of the trucking industry have been pushing to allow teenagers to operate CMVs in interstate commerce for more than 20 years, often relying on their own forecasts for the number of drivers needed as a rationale. These projections have consistently failed to materialize.³² Operating in intrastate commerce is inherently different and presents distinct challenges compared to long-haul interstate operations. For example, drivers may encounter unfamiliar roadways, terrain and weather patterns and lack the necessary experience to drive safely. The

trucking industry continues to face a driver retention crisis, not a driver shortage. Past witnesses from the trucking industry have testified during hearings before the Committee that there is not a driver shortage and perpetuating this falsehood could negatively affect the supply chain.³³

Automated driving system (ADS) technology is not a solution to the current supply chain issues. While ADS may reduce crashes involving CMVs in the future, widespread deployment on our nation's roads now is not a safe or viable option. Autonomous driving technology has made advances yet remains unable to consistently operate safely with all road users, conditions and scenarios, as evidenced by fatal and serious crashes involving passenger motor vehicles equipped with ADS of varying levels.³⁴ Transparency and robustness in crash and incident data reporting involving vehicles equipped with ADS are critical to the safety of public roads, the management of cities in which they are operating, for researchers and related industries as well as for Congress and the U.S. Department of Transportation (DOT) as it considers legislative and regulatory proposals. Further, if those incidents had involved autonomous commercial motor vehicles (ACMVs), which are larger and heavier with more stopping distance needed, the results could have been even more catastrophic, and the death and injury toll could have been much worse. Some of the most pressing safety shortcomings associated with autonomous vehicle (AV) technology, which include the ADS properly detecting and reacting to all other road users, driver engagement and cybersecurity, are exponentially amplified by the greater crash force of an ACMV. As such, it is imperative that ACMVs be subject to comprehensive safety regulations, including having a licensed driver behind the wheel for the foreseeable future.

The interest in expanding the use of this technology must not be used as a pretext to eviscerate essential safety regulations administered by the FMCSA, and particularly in the absence of new standards to ensure the technology performs safely and as needed. The public safety protections provided by the FMCSRs have become no less important or applicable simply because a CMV has been equipped with an ADS. In fact, there are additional substantial public safety concerns presented by ACMVs.

Advocates and numerous stakeholders developed the “[AV Tenets](#),” policy positions which should be foundational to any AV legislation.³⁵ The AV Tenets have four main, commonsense categories including: 1) prioritizing safety of all road users; 2) guaranteeing accessibility and equity; 3) preserving consumer and worker rights; and, 4) ensuring local control and sustainable transportation. While the AV Tenets were developed for application to vehicles under 10,000 pounds, many of the principles also could apply to larger commercial vehicles. At a minimum, ACMVs must meet safety standards for the ADS and related systems, including for cybersecurity, and operations must be subject to adequate oversight as a starting point for their potential deployment.

In December 2024, Advocates released a public opinion [poll](#) that found 9 of 10 adults surveyed are concerned about themselves or their loved ones getting into motor vehicle crashes.³⁶ The survey noted that 88 percent of respondents were concerned about sharing the roads with driverless trucks, with 69 percent acknowledging a high level of concern.³⁷ The significant percentage expressing concern was regardless of political affiliation or region.³⁸

In Conclusion, Highways to Move People and Freight Need to be Safe for All Road Users, and Proven Solutions Need to be Advanced in the Next Transportation Reauthorization Legislation Commonsense solutions were advanced by the Committee on Transportation and Infrastructure and Congress during consideration of the IJA. The law incorporates the Safe System Approach which undertakes a holistic method to improve safety in the roadway environment. In addition, the IJA authorizes safety upgrades to the Highway Safety Improvement Program (HSIP) which will help to

protect all road users and prevent crashes. Additional vital provisions to improve safety on our nation's roads were advanced including those to address impaired driving, improve the safety of vulnerable road users, expand the Safe Routes to School program and mitigate underride crashes. The DOT must implement the directives to address the motor vehicle crash fatality and injury toll, and we urge Congress to prioritize proven safety measures, many of which are included in our 2025 [Roadmap to Safety](#), and funding for such in the next transportation reauthorization legislation. Goods and people can be moved efficiently while simultaneously protecting American families. Safety is good for everyone.

Thank you for your consideration of these issues. We look forward to working with you to improve safety on our nation's roadways.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine Chase", with a long horizontal flourish extending to the right.

Catherine Chase
President

cc: Members of the U.S. House of Representatives Committee on Transportation and Infrastructure

¹ Traffic Safety Facts 2022: A Compilation of Motor Vehicle Traffic Crash Data, NHTSA, Dec. 2024, DOT HS 813 656 (Annual Report 2022).

² Annual Report 2022; [comparing 2012 to 2022].

³ Annual Report 2022.

⁴ Traffic Safety Facts: Crash Stats, Early Estimate of Motor Vehicle Traffic Fatalities in 2023, NHTSA, Apr. 2024, DOT HS 813 561 (Early Estimates 2023).

⁵ Annual Report 2022; [comparing 2012 to 2022].

⁶ Annual Report 2022.

⁷ The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, Dec. 2022, DOT HS 813 403. (Economic and Societal Impact 2019).

⁸ Economic and Societal Impact 2019.

⁹ Cost of Motor Vehicle Crashes to Employers – 2019, Network of Employers for Traffic Safety, March 2021.

¹⁰ Traffic Congestion and Reliability: Trends and Advanced Strategies for Congestion Mitigation, March 2020, FHWA. Available here: https://ops.fhwa.dot.gov/congestion_report/chapter2.htm

¹¹ *Ibid.*

¹² *Id.* Note, the 76 percent figure represents the overall change in the number of fatalities in large truck involved crashes from 2009 to 2022. However, between 2015 and 2016 there was a change in data collection at U.S. DOT that could affect this calculation. From 2009 to 2015 the number of fatalities in truck-involved crashes increased by 21 percent, and between 2016 to 2022, it increased by 27 percent, and between 2015 and 2016, it increased by 14 percent.

¹³ *Id.* Note, the 117 percent figure represents the overall change in the number of people injured in large truck involved crashes from 2009 to 2022. However, between 2015 and 2016 there was a change in data collection at U.S. DOT that could affect this calculation. From 2009 to 2015 the number of people injured in truck-involved crashes increased by 59 percent, and between 2016 to 2022, it increased by 19 percent, and between 2015 and 2015, it increased by 14 percent.

¹⁴ Insurance Institute for Highway Safety (IIHS), Large Trucks. <https://www.iihs.org/topics/fatalitystatistics/detail/large-trucks>.

¹⁵ Annual Report 2022.

¹⁶ 2023 Pocket Guide to Large Truck and Bus Statistics, FMCSA, Dec. 2023, RRA-23-003.

¹⁷ CPI Inflation Calculator, BLS, available at https://www.bls.gov/data/inflation_calculator.htm, calculated from Jan. 2021 – Jan. 2024.

¹⁸ 49 C.F.R. Subtitle B, Chapter III, Subchapter B (Parts 350-399).

¹⁹ 49 U.S.C. § 31136(a).

²⁰ *Id.*, § 31315(b)(1).

²¹ *Id.*, § 31315(b)(3)(c-d) and see 49 C.F.R. § 381.310(c)(4-5).

²² Pub. L. 105-178 (June 9, 1998).

²³ *Id.*, § 31315(b)(3)(c-d).

²⁴ 49 CFR § 381.310(c).

²⁵ NTSB, Highway, Multivehicle Work Zone Crash on Interstate 95 Cranbury, New Jersey June 7, 2014, Accident Report NTSB/HAR-15/02 (Aug. 11, 2015) and Fatigue, Disregard for Safety Regulations and Oversight Failures Lead to Fatal Bus and Truck Collision in Upstate New York, Report [HIR-24-08](https://www.ntsb.gov/investigationreports/HIR-24-08), December 19, 2024.

²⁶ Hours of Service of Drivers, NPRM (2010 NPRM), FMCSA, 75 FR 82170 (Dec. 29, 2010), citing Dinges, D.F. & Maislin, G., “Truck Driver Fatigue Management Survey,” FMCSA (May 2006), FMCSA-2004-19608-3968.

²⁷ CDC National Institute for Occupational Safety and Health (NIOSH) Driver Fatigue on the Job, April 3, 2024. Available here: <https://www.cdc.gov/niosh/motor-vehicle/driver-fatigue/index.html>

²⁸ 2022 Annual Report, available here: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813656> The 156% increase from 1982 to 2022 includes a change in registration reporting for large trucks that occurred in 2007. From 1982 to 2006, large truck registrations increased by 58%. From 2007 to 2022 they increased by 33%.

²⁹ Comprehensive Truck Size and Weight Limits Study, Federal Highway Administration (June 2015).

³⁰ Testimony of Christopher Coes, Acting Under Secretary of Transportation for Policy, U.S. DOT, Senate Committee on Banking, Housing, and Urban Affairs, July 31, 2024. Available here: <https://www.transportation.gov/long-term-economic-benefits-and-impacts-federal-infrastructure-and-public-transportation-investment>

³¹ Campbell, K. L., Fatal Accident Involvement Rates By Driver Age For Large Trucks, *Accid. Anal. & Prev.* Vol. 23, No. 4, pp. 287-295 (1991).

³² FMCSA Document ID: 2000-84100-0782. American Trucking Associations, Truck Driver Shortage Analysis 2015 (Oct. 2015) and 2019 available here: <https://www.trucking.org/news-insights/ata-releases-updated-driver-shortage-report-and-forecast>.

³³ “The State of Transportation” Hearing, U.S. House of Representatives Transportation and Infrastructure Committee, January 17, 2024. Available at: <https://transportation.house.gov/calendar/eventsingle.aspx?EventID=407090>

³⁴ NHTSA, Standing General Order 2021-01 (Aug. 2021). ADS Incident Report Data available here: https://static.nhtsa.gov/odi/ffdd/sgo-2021-01/SGO-2021-01_Incident_Reports_ADS.csv

³⁵ <https://saferoads.org/autonomous-vehicle-tenets/>.

³⁶ Online CARAVAN SURVEY, The Public is Very Concerned About Traffic Safety Even Though They Are Not Aware of the Enormity of the Deadly Toll on our Roadways (Dec. 2024). Available at: <https://saferoads.org/wp-content/uploads/2024/12/Advocates-December-2024-Poll-Report-12-4-24.pdf>

³⁷ *Ibid.*

³⁸ *Ibid.*