

June 29, 2026

The Honorable Mike Johnson  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Hakeem Jeffries  
Democratic Leader  
U.S. House of Representatives  
Washington, DC 20515

Dear Speaker Johnson and Democratic Leader Jeffries:

As organizations working to improve safety on America's roadways, we are writing to express our opposition to anti-safety language in the Building Unrivaled Infrastructure and Long-term Development for America's 250<sup>th</sup> (BUILD America 250) Act, H.R. 8870. The annual death and injury toll on our Nation's roads merits urgent attention. While the bill advances multiple safety improvements, it also undermines key truck safety protections and accelerates the deployment of autonomous commercial motor vehicles (ACMVs) prior to establishing essential safeguards and ensuring the readiness of the technology on public roads, among other issues.

In 2023, 5,472 people were killed and over 153,000 people were injured in crashes involving large trucks.<sup>1</sup> Since 2009, the number of fatalities in large truck crashes has increased by 62 percent.<sup>2</sup> In that same timespan, the number of people injured in crashes involving large trucks rose by 107 percent.<sup>3</sup> The cost to society from crashes involving large trucks and buses was estimated to be \$152 billion in 2022, the latest year for which data is available.<sup>4</sup> When adjusted solely for inflation, this figure amounts to nearly \$176 billion.<sup>5</sup> Despite the existing clear truck safety deficits and the related high costs, the bill would permit truck weight increases, extend the allowances for interstate teen truck drivers, exacerbate truck driver fatigue, dangerously rush ACMV operations and needlessly put all road users in grave risk.

### Truck Safety Issues

The design, maintenance and state of repair of our roadway and bridge network have a direct impact on user safety. The American Society of Civil Engineers (ASCE) reports "these vital lifelines are frequently underfunded, and over 40% of the system is now in poor or mediocre condition."<sup>6</sup> In their 2025 Report Card, roads received a grade of "D+," with 39 percent in poor or mediocre condition.<sup>7</sup> Bridges received a "C," with about a third of the nation's bridge inventory (221,791 spans) in need of repair or replacement. In addition, approximately 45 percent of bridges have exceeded their planned design lives of 50 years.<sup>8</sup> Moreover, driving on deteriorated and congested roads costs the average driver over \$1,400 per year in vehicle operating costs and lost time.<sup>9</sup>

Current maximum weights and lengths for commercial motor vehicles (CMVs) aim to protect truck drivers, the traveling public, and our Nation's roads, bridges and other infrastructure components. Raising truck weight or size limits could result in an increased prevalence and severity of crashes. Overweight trucks also pose serious safety risks. Increasing the weight of a heavy truck by only 10 percent increases bridge damage by 33 percent.<sup>10</sup> Allowing exemptions to truck weight limits and a pilot program for overweight trucks is dangerous to other road users and damaging to our infrastructure.

Additionally, this legislation further perpetuates the misguided notion that teen truck drivers will help the industry meet its growing challenges without needlessly threatening public safety. Research has

demonstrated that younger CMV drivers have high crash rates. Studies of young CMV drivers show that as the age of the driver decreases, large truck fatal crash involvement rates increase.<sup>11</sup> CMV drivers under the age of 19 are four times more likely to be involved in fatal crashes, and CMV drivers between the ages of 19-20 are six times more likely to be involved in fatal crashes than all truck drivers.<sup>12</sup> Moreover, CMV drivers aged 19-20 are about five times more likely to be involved in police reported and fatality crashes compared to all other truck drivers age 21 and older.<sup>13</sup>

Driver fatigue is another known, perpetual issue within the trucking industry. In a 2006 driver survey prepared for the Federal Motor Carrier Safety Administration (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.<sup>14</sup> In fact, the National Transportation Safety Board (NTSB) has repeatedly cited fatigue as a major contributor to truck crashes as determined by its investigations.<sup>15</sup> By weakening the hours-of-service rules for certain drivers and undermining use of electronic logging devices (ELDs), this legislation puts truck drivers, their loads and everyone on the roads with them at risk.

#### Automated Driving System (ADS) Safety

The BUILD America 250 Act language addressing ACMVs appears to provide the infrastructure to regulate ACMVs, yet it does little to ensure the safe performance of ACMVs on our roadways. While autonomous driving technology may one day alleviate some safety issues on our roadways, it is not mature and capable of reliably and repeatedly addressing these problems now. Advances have been made, yet ADS-equipped vehicles remain 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.<sup>16</sup> This is why clear performance metrics are needed.

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, and for researchers and related industries as well as the U.S. Department of Transportation (DOT) as it considers regulatory proposals. Further, ACMVs are significantly larger and heavier than passenger vehicles with more stopping distance needed. This amplifies the force in a crash and the potential for catastrophe. 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 driver with a commercial driver license (CDL) and any relevant current or new accreditations behind the wheel for the foreseeable future.

Unfortunately, this legislation:

- does not mandate the issuance of minimum performance standards to ensure that the ADS is operating safely nor is this vital step required prior to updating existing safety standards to streamline ACMV operations;
- preempts states from certain actions to protect users on their roadways and may even impact requirements for human drivers behind the wheel and ready to take over when the ADS system fails;
- permits transport of our most vulnerable passengers and our most dangerous cargo, school bus and hazmat ADS operations, if a human is merely present in the vehicle not necessarily behind the wheel;

- establishes safety data reporting requirements that align with National Highway Traffic Safety Administration (NHTSA) Standing General Order (SGO) 2021-01 but then also relegates additional data collection standards to the rulemaking developed by the Transportation Rulemaking Committee (TRC); and,
- and over relies on a “safety case” to drive outcomes.

A robust safety case may be a needed component to ensure ADS safety, but it does not obviate the need for minimum performance standards. Detailing the development of an ADS to demonstrate it is a safe product must be coupled with standards to ensure that it will perform as needed and expected to protect the traveling public.

The concept of a safety case is not new. While certain ADS operations may already provide Voluntary Safety Self-Assessments and others may already be using a safety case, some of these systems continue to malfunction when faced with foreseeable issues including failing to stop for school buses,<sup>17</sup> ceasing operating in the middle of city streets during a power outage,<sup>18</sup> traveling on light rail tracks causing the robotaxi’s passenger to flee,<sup>19</sup> swarming a residential cul-de-sac,<sup>20</sup> entering roadway construction zones<sup>21</sup> and navigating flooded streets,<sup>22</sup> among other issues. Requiring ACMV manufacturers submit a “safety case” and assigning significant operational and safety issues to a future rulemaking committee falls far short and does not ensure sensible guardrails are in place for the safe deployment of ACMVs.

Surface transportation reauthorization identifies policy to shape our Nation’s infrastructure and safety outcomes for the next half decade. Unfortunately, our shared goal of significantly reducing the death and injury toll on our roadways will not be achieved with the BUILD America 250 Act.

Sincerely,

Advocates for Highway and Auto Safety  
America Walks  
Center for Auto Safety  
Citizens for Reliable and Safe Highways  
Consumer Federation of America  
Consumers for Auto Reliability and Safety  
Families for Safe Streets  
Kids and Car Safety  
Parents Against Tired Truckers  
Society for Advancement of Violence and Injury Research  
Trauma Foundation  
Truck Safety Coalition

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- <sup>1</sup> Traffic Safety Facts 2023: A Compilation of Motor Vehicle Traffic Crash Data, NHTSA, DOT HS 813 738, Aug. 2025, (Annual Report 2023).
- <sup>2</sup> Annual Report 2023 Note, the 62 percent figure represents the overall change in the number of fatalities in large truck involved crashes from 2009 to 2023. 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 2023, it increased by 17 percent, and between 2015 and 2016, it increased by 14 percent.
- <sup>3</sup> Annual Report 2023 Note, the 107 percent figure represents the overall change in the number of people injured in large truck involved crashes from 2009 to 2023. 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 2023, it increased by 14 percent, and between 2015 and 2016, it increased by 14 percent.
- <sup>4</sup> 2024 Pocket Guide to Large Truck and Bus Statistics, FMCSA, Jul. 2025, RRA-24-002.
- <sup>5</sup> CPI Inflation Calculator, BLS, available at [https://www.bls.gov/data/inflation\\_calculator.htm](https://www.bls.gov/data/inflation_calculator.htm), calculated from Jan. 2022 – Jan. 2026.
- <sup>6</sup> <https://infrastructurereportcard.org/wp-content/uploads/2025/03/Full-Report-2025-Natl-IRC-WEB.pdf>
- <sup>7</sup> *Id.*
- <sup>8</sup> *Id.*
- <sup>9</sup> *Id.*
- <sup>10</sup> Effect of Truck Weight on Bridge network Costs, NCHRP Report 495, National Cooperative Highway Research Program, 2003.
- <sup>11</sup> *Id.*
- <sup>12</sup> *Id.*; Data on CMV drivers under the age of 21 is likely restricted to intra-state operations.
- <sup>13</sup> Blower, D.; Lyles, R.W.; Campbell, K.L.; and Stamatiadis, P. 1990. The Michigan heavy truck study. Lansing, MI: Michigan Office of Highway Safety Planning (1990).
- <sup>14</sup> 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.
- <sup>15</sup> 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](#), December 19, 2024.
- <sup>16</sup> 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](https://static.nhtsa.gov/odi/ffdd/sgo-2021-01/SGO-2021-01_Incident_Reports_ADS.csv)
- <sup>17</sup> Mary Cunningham, *Waymo recalls more than 3,000 vehicles over faulty software following school bus violations*, CBS News (Dec. 11, 2025).
- <sup>18</sup> Grace Eliza Goodwin, *Waymo robotaxis stop in the streets during San Francisco power outage*, BBC News (Dec. 22, 2025).
- <sup>19</sup> Mickaela Castillo, *Waymo passenger flees after car drives on Phoenix light rail tracks*, AZ Family News (Jan. 8, 2026).
- <sup>20</sup> Angeline Jane Bernabe, *Empty Waymo vehicles swarm Atlanta cul-de-sac*, ABC News, May 15, 2026.
- <sup>21</sup> NHTSA Part 573 Safety Recall Report 26E035, Waymo LLC, June 17, 2026. Available here: <https://static.nhtsa.gov/odi/rcl/2026/RCLRPT-26E035-7637.pdf>
- <sup>22</sup> Isaiah Richard, *Waymo Has Not Fixed the Problem of Its Robotaxis Driving Through Flood*, Tech Times (May 22, 2026).