

November 28, 2017

The Honorable Steve Chabot, Chair
The Honorable Nydia Velazquez, Ranking Member
U.S. House of Representatives
Committee on Small Business
Washington, D.C. 20515

Dear Chairman Chabot and Ranking Member Velazquez:

As you prepare for tomorrow's hearing, "Highway to Headache: Federal Regulations on the Small Trucking Industry," our public health, safety and law enforcement organizations, trucking companies, truck drivers, families of loved ones killed in truck crashes and truck crash survivors write to express our staunch opposition to any attempts to delay, create special interest exemptions from, or impede full implementation of the long overdue electronic logging device (ELD) rule.

The rule requires most commercial motor vehicles (CMVs), namely large trucks and buses in interstate commerce, to install an ELD to track driver on-duty time by December 18, 2017. The regulation was required in bipartisan legislation, the Moving Ahead for Progress in the 21st Century Act (MAP-21, P.L. 112-141), enacted in 2012. Subsequently, the regulation was issued by the Federal Motor Carrier Safety Administration (FMCSA) in 2015.

Truck driver fatigue has been a well-documented safety problem in the industry for decades. The National Transportation Safety Board (NTSB) has repeatedly cited fatigue as a major contributor to truck crashes and included reducing fatigue-related crashes in its 2017/2018 "Most Wanted List" of safety changes. ELDs are a proven and cost-effective technology that will save lives and reduce injuries, and according to the U.S. Department of Transportation will result in over \$1 billion in annualized net benefits. Additionally, ELDs provide an objective record of a CMV driver's on-duty time, will increase compliance with hours of service (HOS) rules, and will simplify and streamline the efforts of law enforcement.

There already is widespread use of ELD technology in the United States and other countries. Nearly a third of trucks currently in service are equipped with electronic logging technology. Similar technology has been used in Europe for decades and is required in the European Union, Japan, and many other countries. Members of the trucking industry have known about this rule for years and have had ample time to prepare for it.

Moreover, the legal challenge to the final rule was unanimously rejected by the U.S. Court of Appeals for the Seventh Circuit in 2016. The three judge panel denied each and every claim brought by the parties that sought to vacate the rule. In addition, the request to the U.S. Supreme Court to review the Seventh Circuit's ruling was denied.

Truck crash deaths and injuries are on the rise. In 2016, 4,317 people were killed in crashes involving large trucks, representing an increase of more than five percent from the previous year and the highest number of fatalities since 2007. Additionally, in 2015, the most recent year for

which complete data is available, an estimated 116,000 people were injured in crashes involving large trucks.

We urge the Committee to oppose any weakening of this overdue, commonsense truck safety regulation. Delaying, deferring or carving out exemptions to the ELD requirement will only contribute to more fatigued commercial drivers sharing the road with families and jeopardizing everyone's safety.

Sincerely,

Joan Claybrook, Chair
Citizens for Reliable and Safe Highways and,
Former Administrator, NHTSA

Jacqueline Gillan, President
Advocates for Highway and Auto Safety

John Risch, National Legislative Director
SMART-TD (UTU)

Deborah A.P. Hersman, President and CEO
National Safety Council

Steve Owings, Co-Founder
Road Safe America

Andrew McGuire, Executive Director
Trauma Foundation

Jack Gillis, Director of Public Affairs
Consumer Federation of America

James P. Hoffa, General President
International Brotherhood of Teamsters

Lane Kidd, Managing Director
Alliance for Driver Safety & Security
(The Trucking Alliance)

Dominick L. Stokes,
Vice President for Legislative Affairs
Federal Law Enforcement Officers Association

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

Jason Levine, Executive Director
Center for Auto Safety

Janette Fennell, Founder and President
KidsAndCars.org

Daphne Izer, Founder
Parents Against Tired Truckers (PATT)

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

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

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

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

Lisa Shrum
Fayette, MO
Volunteer, Truck Safety Coalition
Daughter of Virginia Baker, Step-daughter of
Randy Baker
Killed in a truck crash 10/10/06

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

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

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

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

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

Monica 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

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

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

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

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

Sandra Lance
Chesterfield, VA
Volunteer, Truck Safety Coalition
Mother of Kristen Belair
Killed in a truck crash 8/26/09

Jennifer Tierney
Kernersville, NC
Board Member, CRASH
Daughter of James Mooney
Killed in a truck crash 9/20/83

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

Dawn King
Davisburg, MI
President, Truck Safety Coalition (TSC)
Board Member, Citizens for Reliable and Safe
Highways (CRASH)
Daughter of Bill Badger
Killed in truck crash 12/23/04

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

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

Wanda Lindsay
New Braunfels, TX
Volunteer, Truck Safety Coalition
Wife of John Lindsay
Killed in a truck crash 5/7/10

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

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

Debra Cruz
Harlingen, TX
Volunteer, Truck Safety Coalition
Injured in a truck crash 8/8/08

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

Bernadette Fox
Davis, CA
Volunteer, Truck Safety Coalition
Best friend of Daniel McGuire
Killed in a truck crash 7/10/14

John Ramsey
Edneyville, NC
Volunteer, Truck Safety Coalition

Henry Steck
Homer, NY
Volunteer, Truck Safety Coalition

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 in a truck crash 8/16/10

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

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 10/1/09

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

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

Marc Johnson
Hartwell, GA
Volunteer, Truck Safety Coalition
Brother of Curt Johnson
Killed in truck crash 10/1/09

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

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

Christina Mahaney
Jackman, ME
Volunteer, Truck Safety Coalition
Injured in a truck crash 7/19/11
Mother of Liam Mahaney
Killed in a truck crash 7/19/11

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

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

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

Warren Huffman
Odessa, MI
Volunteer, Truck Safety Coalition
Brother of Tim Huffman
Killed in a truck crash 5/6/13

Tammy Huffman
Odessa, MI
Volunteer, Truck Safety Coalition
Sister-in-law of Tim Huffman
Killed in a truck crash 5/6/13

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

cc: Members of the Committee on Small Business