

# news release



**ADVOCATES**  
for Highway & Auto Safety

**FOR IMMEDIATE RELEASE**

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## **CVSA, ADVOCATES FOR HIGHWAY & AUTO SAFETY JOIN FORCES URGING REPEAL OF AGRICULTURE, UTILITY DRIVER HOURS-OF-SERVICE EXEMPTIONS Groups Send Letter to Leaders of House Transportation & Infrastructure Committee**

**WASHINGTON, D.C.** (May 7, 2009) – The Commercial Vehicle Safety Alliance (CVSA) and Advocates for Highway and Auto Safety (Advocates) yesterday released a strongly-worded letter to leaders of the House Transportation and Infrastructure Committee formally urging them to repeal the driver hours-of-service exemptions for agriculture and utility drivers and adopt a proposal that any segment of the trucking industry that has previously received a safety exemption, whether by regulation or statute, be required to re-apply for such exemption through the regulatory process.

SAFETEA-LU, the multi-year, omnibus transportation authorization adopted in 2005, exempted agricultural carriers from the hours-of-service regulations if they operated only within a 100-mile radius from their central base of operation. It also exempted utility service vehicle drivers from all hours-of-service regulations. A recent study by the U.S. Department of Transportation's Volpe National Transportation Systems Center found that crash rates, violations and out of service rates for these two industry segments have increased substantially since the exemptions became effective after the passage of SAFETEA-LU.

“It is clear from the Volpe Center safety performance data that the safety record of these industry segments is increasingly poor and, therefore, they should not be exempted from the hours-of-service regulations,” said Stephen F. Campbell, Executive Director of CVSA. Jacqueline S. Gillan, Vice President of Advocates, emphasized, “These industries are operating vehicles on the roads and streets that all of us and our families travel every day. Many operations of these industry segments occur disproportionately on lower-class rural roads, and data from the Federal Motor Carrier Safety Administration (FMCSA) and the National Highway Traffic Safety Administration (NHTSA) indicate more crashes occur on these roads than on urban roads or interstate highways.”

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The letter also emphasizes an allied concern that the increased number and variety of exemptions granted through federal legislation in recent authorization bills has increased the difficulty of law enforcement officials to properly enforce commercial motor vehicle safety regulations so that they can ensure the highest level of truck, bus, and motorcoach safety on our roads and streets.

In addition to repealing these exemptions based on the data in the Volpe study, CVSA and Advocates are proposing that all motor carrier safety exemptions, whether provided in statute or by regulation, should be sunsetted on a date certain in the future with the requirement that groups must apply to renew the exemptions, following the process specifically outlined in Title 49 U.S.C. § 31315. This process would be administered by the appropriate federal regulatory agency, FMCSA. Section 31315 requires that in order for a safety exemption to be granted, the group seeking such an exemption must demonstrate to the Secretary of Transportation that “such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.” There are several specific requirements that an exemption applicant must meet to be considered for the exemption that are specified in FMCSA’s implementing regulations. This effort would also require FMCSA to review their 1988 tolerance guidelines on intrastate exemptions and withdraw those no longer justified.

A copy of the full letter is available on both the CVSA and Advocates web sites.

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CVSA is an international not-for-profit organization comprised of local, state, provincial, territorial and federal motor carrier safety officials and industry representatives from the United States, Canada and Mexico. Our mission is to promote commercial motor vehicle safety and security by providing leadership to enforcement, industry and policy makers. In addition, CVSA has several hundred associate members who are committed to helping the Alliance achieve its goals; uniformity, compatibility and reciprocity of commercial vehicle inspections, and enforcement activities throughout North America by individuals dedicated to highway safety and security. For more on CVSA visit [www.cvsa.org](http://www.cvsa.org).

Advocates for Highway and Auto Safety is a coalition of consumer, medical, public health and safety groups, and insurance companies and organizations, working together to advance improved highway and auto safety public policies on the nation’s roadways. For more information, visit [www.saferoads.org](http://www.saferoads.org).