Thank you Major Savage for the kind introduction and for the opportunity to speak today. I’m delighted to be here.

As Major Savage mentioned, I’m Phil Byrd, President of Bulldog Hiway Express, an intermodal carrier based in South Carolina operating over 150 trucks and employing over 200 drivers. Though a relative small company by some measures, we are the biggest carrier in the Charleston South Carolina area and a robust company - especially from a safety standpoint. The company’s safety culture reflects my personal background; I grew through the ranks of the company as a safety professional and brought by commitment to safety to my current role as the company’s chief executive.

I am also First Vice-Chairman of the American Trucking Associations. As a member driven organization, ATA’s leaders are chosen from member companies, like mine, to serve in variety of capacities. If the traditional succession plan plays out, this fall I’ll have the honor of becoming ATA’s Chairman of the Board for a one-year term.

In my capacity as an ATA leader I want to begin by telling you that ATA appreciates and values its longstanding relationship with CVSA. ATA’s membership is comprised of fleets of all types and sizes from all segments of the industry….a very diverse group. But what these carriers have in common is an interest in advocating progressive safety initiatives and supporting law enforcement’s efforts to remove unsafe motor carriers and drivers from the highways. To that end, you will find that ATA and CVSA are aligned on a host of regulatory and legislative safety issues.

ATA was an early advocate for the motor carrier safety assistance program when it was developed in the early 1980s and has consistently supported increases in funding for the MCSAP program. As a result, the number of roadside inspections has grown from approximately 200,000 to over 3 million annually. This is an accomplishment.

ATA has a proud history advocating safety initiatives like MCSAP. Some of you may recall that ATA was an early advocate of mandatory drug and alcohol testing before it was required and called for a nationwide ban on radar detectors in trucks long before there was such a prohibition. More recently, ATA has been a strong advocate for mandating the installation and use of electronic logging devices and mandatory speed limiters on all commercial motor vehicles.

We also have a broad safety agenda focused on improving not only truck safety but the safety of our workplace, including initiatives designed to improve the behavior of other motorists with whom we share the road. ATA is advocating for primary seat belt laws in all states, strengthening drunk driving and open container laws, graduated licensing for teen drivers, and a return to a national maximum speed limit for all vehicles.
Though, collectively, we have made great progress in improving motor carrier and highway safety, the need for further improvements will challenge us to think differently and be more creative. We can’t continue to do things the same way and expect better results. Moreover, we must be guided by what the data tell us.

Those who have been engaged in commercial motor vehicle safety for any length of time know well what the research and data tell us...that about 90% of crashes are the result of driver error or unsafe driver behaviors. Only about 10% are attributed to vehicle factors. With this in mind, we must commit ourselves to focusing on appropriate and effective countermeasures that will impact driver behavior.

Recognizing this need, many enforcement agencies have, to their credit, been putting greater focus on drivers. However, sometimes that takes the form of checking credentials and other paperwork such as licenses, medical cards and log books. Don’t get me wrong, unqualified drivers and those who violate the hours of service rules should be held accountable. But we have to ask ourselves if looking at a driver’s credentials and paperwork is really the most effective way to impact unsafe driver behavior? Or is it simply a means to pride ourselves on being driver-focused?

I think most would agree that examining credentials is not the most effective way to discourage unsafe driving behavior. Visible, on-road enforcement of traffic laws yields far better results. In fact, a study published by the Federal Motor Carrier Safety Administration in 2011 said just that. Specifically, in terms of crashes avoided, and lives and injuries saved, the benefits of traffic enforcement, coupled with some inspection activity, was about 3 times more effective than roadside vehicle inspections. This finding is consistent with my earlier observation about driver behavior being responsible for the vast majority of crashes. It fits.

Accordingly, it also makes sense for us to place far more emphasis on traffic enforcement. However, as you may have heard, ATA is discouraged by what appears to be a trend in the opposite direction. According to data on FMCSA’s website, traffic enforcement activity as a percentage of all commercial vehicle enforcement under MCSAP has been dropping over the past several years. In addition, it demonstrates that - although driver behavior is responsible for close to 90% of truck crashes – enforcement activities aimed at impacting such behavior comprises only 12% or so of all interventions.

Now, of course, there will be those who say that shifting our focus would be a bad idea because it will simply cause the condition of vehicles to slip. In other words, fewer truck inspections will result in fewer unsafe vehicles being removed from the road and will lessen the deterrence value of roadside inspections – that is, fleets will start to take shortcuts on vehicle maintenance knowing the threat of a roadside inspection violation has been lessened. I understand that concern. But I also think those who say that have to acknowledge that focusing on a known problem - driver behavior – rather than a hypothetical one is the most efficient use of our resources – especially knowing that vehicle defects are only responsible for 10% of crashes.
Migrating from a culture of examining vehicle components and driver credentials to directly addressing unsafe driver behavior will require some jurisdictions to make tough decisions. It may mean a shift of resources and personnel. These decisions are never easy. I face them regularly in the course of my duties at Bulldog Hiway Express. But hope you agree – we need to acknowledge that doing so is right and necessary. As the FMCSA analysis I mentioned earlier pointed out, traffic enforcement interventions, coupled with brief inspection activity, are far more likely to reduce crashes and save lives.

In addition to focusing on truck driver behavior, we must continue to address the behavior of motorists operating around trucks but with much greater effort. It may not surprise you to know that 80% of fatal truck crashes involve another vehicle, usually a passenger vehicle. Also, you may have recently read about a report released by ATA citing numerous studies showing that passenger vehicle (car) drivers are principally responsible for about 70% of fatal car-truck crashes. This coming week in Transport Topics you’ll be able to find additional evidence underscoring this conclusion. For instance:

- In 85% of fatal head-on collisions between a large truck and a car, the car crossed the center median into the truck’s lane of travel.
- In 80% of rear-end collisions involving a large truck and a car resulting in a fatality, the passenger vehicle rear-ended the truck.

Why is this? I won’t ask you to believe that somehow, magically, truck drivers are safer people simply because they choose to drive trucks for a living. But I would ask you to consider the following:

- We know that 31% of all traffic fatalities result from crashes involving a driver who was impaired by alcohol (>0.08 BAC). However, in only 2% of fatal truck crashes was the truck driver alcohol-impaired.

- Also, we know that younger drivers, like teenagers, and older drivers, those over 70 years of age, have higher fatal crash rates than middle age drivers. But teenagers and the elderly rarely drive trucks. The minimum age to operate a truck in interstate commerce is 21 and most truck drivers retire by age 70 if not sooner. In fact, the average age for truck drivers right now is about 48.

- Finally, experience and research has taught us that a person’s driving record – their patterns of moving violations – is a strong predictor of future crash risk. For this reason, most trucking companies refuse to hire applicants who have been convicted of multiple moving violations. Also, CDL regulations prohibit individuals who have been convicted of certain egregious moving violations from driving a truck. But the standard for driving a car is much lower. In fact, hundreds of thousands (perhaps millions) of people who drive cars would never be allowed to drive trucks.

Recognizing these statistics – that 80% of fatal truck crashes are two-vehicle crashes and at least 70% of those are initiated by other motorists – we must admit that focusing almost exclusively on the condition
of trucks and the behavior of truck drivers will – at best – be minimally effective in reducing fatal truck crashes. We must increase our emphasis on the unsafe behavior of those operating around trucks, both through enforcement and education. Said another way, changing the unsafe behaviors that cause the majority of truck-involved crashes must play a greater role in MCSAP and FMCSA’s programs if we are to achieve the safety outcomes we all want.

I know there are those who contend that this message is an attempt to somehow limit the focus of rules on trucks, truck drivers and trucking companies. That’s not the message. In addition to changing the behavior of others through education and traffic enforcement, we have to look at actions the industry can take too. The industry must place an emphasis on defensive driving and consider the benefits of emerging safety technologies – such as blind spot detection, forward collision mitigation systems, adaptive cruise control and the like.

ATA is already actively working to educate other motorists about how to safely operate around commercial motor vehicles through the Share the Road program. In partnership with Mack Trucks and Michelin North America, ATA works with motor carriers, highway safety organizations, elected officials and others to broadcast messages about safe driving techniques. CVSA too has been focused on educating the motoring public about how to safely operate around commercial motor vehicles though its Operation Safe Driver Program.

I also want to take this opportunity to touch briefly on the most talked about issue in the trucking industry today – FMCSA’s safety monitoring and measurement system, Compliance, Safety, Accountability (CSA). I think it is important that I share with you ATA’s perspectives on CSA as I fear that your perception of ATA’s views may be shaped by what others in the industry are saying about CSA, especially those who are more negative about the program.

Like CVSA, ATA strongly supports the objectives of CSA….to find more effective and efficient ways to prevent commercial motor vehicle crashes, injuries and fatalities. CSA is a good program. It is performance-based, provides real-time measurements and is a useful tool to help enforcement prioritize limited resources. CSA - probably more than any other single factor – has caused motor carriers and drivers to place greater attention to safety.

That being said, CSA is in need of substantial improvement. The scoring system must better identify the least safe fleets so that we can efficiently prioritize limited enforcement resources. Also, if we hope to drive change by encouraging third parties to make safety-based business decisions on CSA data, we have to ensure that scores are accurate and reliable indicators of future crash risk.

To this end, we urge CVSA to join us in our call for substantial and necessary improvements to the program. The underlying data and methodology must be improved to ensure that scores accurately and reliably measure of fleet safety performance. The highest priority should be placed on motor carriers that present a crash risk. Finally, communicating carrier performance to third parties, such as shippers insurers and the news media, must be done in a responsible way.
In closing, I want to thank you for inviting me here today and for the opportunity to share ATA’s views. I sincerely look forward to ATA and CVSA continuing to work together and hope that my remarks serve as a spring-board for future actions to more effectively reduce highway crashes involving commercial motor vehicles.