Stability Control Systems

In August of 2013, because there seems to be a delay in developing the final rule, ATA wrote to the NHTSA Administrator and again recommended adopting a rule that established a minimum standard on roll stability.

NHTSA now reports that they expect to issue a final rule in July 2014.

Two types of Stability Control Systems exist in today’s market, stability control for tractor roll (RSC) and electronic stability control (ESC) for roll and yaw (loss of directional control) of tractors. Additionally, ESC is available on some semi-trailers. These systems actively reduce the tractors throttle and apply its brakes to decelerate the vehicle if a high rollover risk or instability threshold is detected. For several years both NHTSA and FMCSA have been examining the performance of these systems. Studies done by both agencies have concluded that ESC and RSC would reduce rollover and loss-of-control crashes. The National Transportation Safety Board in a report that investigated a cargo tank crash recommended that FMCSA mandate RSC on all cargo tank trailers, and that NHTSA begin a rulemaking to develop standards for ESC on all trucks over 10,000 pounds.

In May 2012, NHTSA issued a Notice of Proposed Rulemaking establishing a new Federal Motor Vehicle Safety Standard No. 136 to require electronic stability control (ESC) systems on NEW truck tractors and certain buses with a gross vehicle weight rating of greater than 26,000 pounds. Comments were due to NHTSA by August 21, 2012.

Speed Governors (Limiters) – It is ATA’s understanding that a joint NRPM between NHTSA and FMCSA on a mandate for speed governors in class 7 & 8 trucks will be issued June 2014. ATA looks forward to supporting a proposed rule.

ATA petitioned NHTSA to require the manufacturers install a speed limiting device in vehicles with a GVWR over 26,000 pounds and that the device be set at not more than 65 mph.

From conversation with NHTSA representatives there are a couple of concerns that NHSTA believes must be addressed. First is the issue of “states rights,” the establishment of a federal maximum speed limit setting for tractors may be considered the usurping of authority generally considered the purview of the State and an infringement of that purview by the federal government may not acceptable too many State governments.
Additionally, if the federal truck speed limit is lower than the State limit, it is likely that the enforcement community under the direction of the State Attorney General will be told to only enforce the “posted” speed limit.

Recently the National Transportation Safety Board made recommendations to NHTSA H-12-20 to “Develop performance standards for advanced speed-limiting technology, such as variable speed limiters and intelligent speed adaptation devices, for heavy vehicles, including trucks, buses, and motor coaches.” And H-12-2, “After establishing performance standards for advanced speed-limiting technology for heavy commercial vehicles, require that all newly manufactured heavy vehicles be equipped with such devices”.

Advanced speed-limiting technology and intelligent speed adaption devices would know the posted speed limit and limit vehicle speed to those limits.

This recommendation if implemented would remove the need for a 65 mph cap. It may also eliminate the need for traffic cops.

An alternative option brought up in conversation by NHTSA is what they call a “soft top with time limits”. This means that the cap could be exceeded but only for a limited amount of time in a specified period.

The “Soft Top” option removes some of the “State Rights” concern mentioned earlier. It would also remove some of the safety concerns brought about by rural “turtle races” and long convoys of trucks on the highway.

In February 2006, ATA adopted a new safety policy calling for all new Class 7 and 8 trucks to have their top speed electronically limited to no more than 68 mph at the time of manufacture. The goal of this initiative is to assure that that the safety and environmental benefits of setting a maximum governed truck speed are realized across the trucking industry, and by the motoring public. ATA filed in October 2006 a petition with the U.S. Department of Transportation (DOT) to initiate a rulemaking to implement the adopted policy. DOT issued in January 2007 a Notice in the Federal Register seeking additional information on this issue in order to make an informed decision on these petitions. In response, ATA filed comprehensive comments. In October 2008, ATA’s safety task force recommended and the Board passed a policy change supporting mandatory speed governing at no more than 65 mph for all large trucks manufactured since 1992. On January 3, 2011 NHTSA granted petitions of ATA and the Road Safe America (RSA) Coalition to establish a safety standard to require devices that would limit the speed of certain heavy trucks.

In 2013 the US DOT decided that the NRPM for Speed Limiters should be done jointly by NHTSA and FMCSA in an effort to ensure tampering and security were appropriately accounted for.

ATA is encouraging NHTSA and FMCSA to keep the rule simple, mandate a tamper resistant speed governor with a maximum setting of 65 mph.
Truck Cab Crashworthiness Standards – In July Congressed passed and the President signed MAP 21 the Highway Bill. In it is a provision requiring NHTSA to conduct research on truck cab crashworthiness. The legislative language is shown below;

SEC. 32201. CRASHWORTHINESS STANDARDS; (a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall conduct a comprehensive analysis on the need for crashworthiness standards on property carrying commercial motor vehicles with a gross vehicle weight rating or gross vehicle weight of at least 26,001 pounds involved in interstate commerce, including an evaluation of the need for roof strength, pillar strength, air bags, and other occupant protections standards, and frontal and back wall standards.

(b) REPORT.—Not later than 90 days after completing the comprehensive analysis under subsection (a), the Secretary shall report the results of the analysis and any recommendations to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House Representatives.

NHTSA has contracted with the University of Michigan Transportation Research Institute to conduct this research. UMTRI is establishing an Advisory Group to advise it on its research effort, ATA will be part of that Advisory Group and the ATA TAG will assist. ATA expects to see the result of the research in the Spring of 2014.

Driver/Vehicle Inspection Report (DVIR) – FMCSA Issued a NRPM in August 2013 proposing the elimination of the requirement for motor carriers to retain DVIR inspection reports when the driver has not found any vehicle defects or deficiencies. The rulemaking would remove a significant information collection burden without adversely impacting safety. The value of the time saved by eliminating the paperwork burden associated with the filing of no-defect DVIRs is more than $1 billion per year. ATA commented to the docket supporting the proposal.

TMC has recently completed a survey of its members on the issue. The results of the survey are.

- 450 surveys sent, 59 responses
- 69.6% support elimination of the “No Defect” report
- 10.7% support keeping it
- 19.6% uncertain
- 35.7% would continue to keep the report as company policy
- 33.9% would not
- 30.4% are uncertain

FMCSA is expected to issue a final rule in November, 2014.

Connected Vehicles – In February NHTSA made a decision to move forward on developing standard for vehicle to vehicle (V2V) communications on light vehicles. This means we can expect to see a similar decision for medium and heavy trucks by summer of 2015.
Connected Vehicles also called Vehicle to Vehicle (V2V) and Vehicle to Infrastructure (V2I) is the wireless exchange of data among vehicles and infrastructure traveling in the same vicinity. The exchange of data offers opportunities for crash and congestion reductions.

The vision for V2V is that each vehicle on the roadway (automobiles, buses, trucks, and motorcycles) will be able to communicate with other vehicles, and that the data and communications will support a new generation of active safety applications and systems.

Since 2002, the USDOT has been conducting research with automotive manufacturers in order to assess the feasibility of developing effective crash avoidance systems that utilize vehicle-to-vehicle communications. Engineering prototypes have been developed and demonstrated with applications that address the critical crash scenarios which are: Emergency Brake Light Warning, Forward Collision Warning, Intersection Movement Assist, Blind Spot and Lane Change Warning, Do not pass Warning, and Control Loss Warning.

The TAG, TMC and ITLC have been asked by the ATA Technology and Engineering Policy Committee to develop Technical Guidance on Connected Vehicles for ATA’s possible policy development.

**Under-inflated Truck Tires** - At the September TMC meeting the S2 Tire and Wheels Study Group having been unable to determine a simple process for enforcement to uniformly determine when a truck tire is under-inflated recommended that ATA petition for removal of the FMCSR language that is used to require enforcement officers to check for under-inflated tires. On January 24, 2014 ATA submitted a petition to do that.

The Commercial Vehicle Safety Alliance (CVSA) originally asked for TMC to do this work and ATA has asked them to support the petition. CVSA members will consider the ATA request at its meeting in April.