

ATA Update

CSA, HOS, EOBRs



*National Confectioners' Logistics Council
Washington, DC*

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ATA Update

CSA – Is its bark worse than its bite?

Hours of Service – When will this battle end?

Electronic On-Board Recorders – When will they be mandated?



CSA – The Latest

CSA Went “Live” on Dec. 12, 2010

- Scores Made Publicly Available
- Carriers Prioritized for Reviews Based on CSA Scores

Cargo Basic Scores Held From Public View

- Scores Not Reliable Indicators of Safety Performance
- Problems with Comparative Performance Measures

February 25, 2011 GAO Report

- 99 New Field Enforcement Personnel Needed

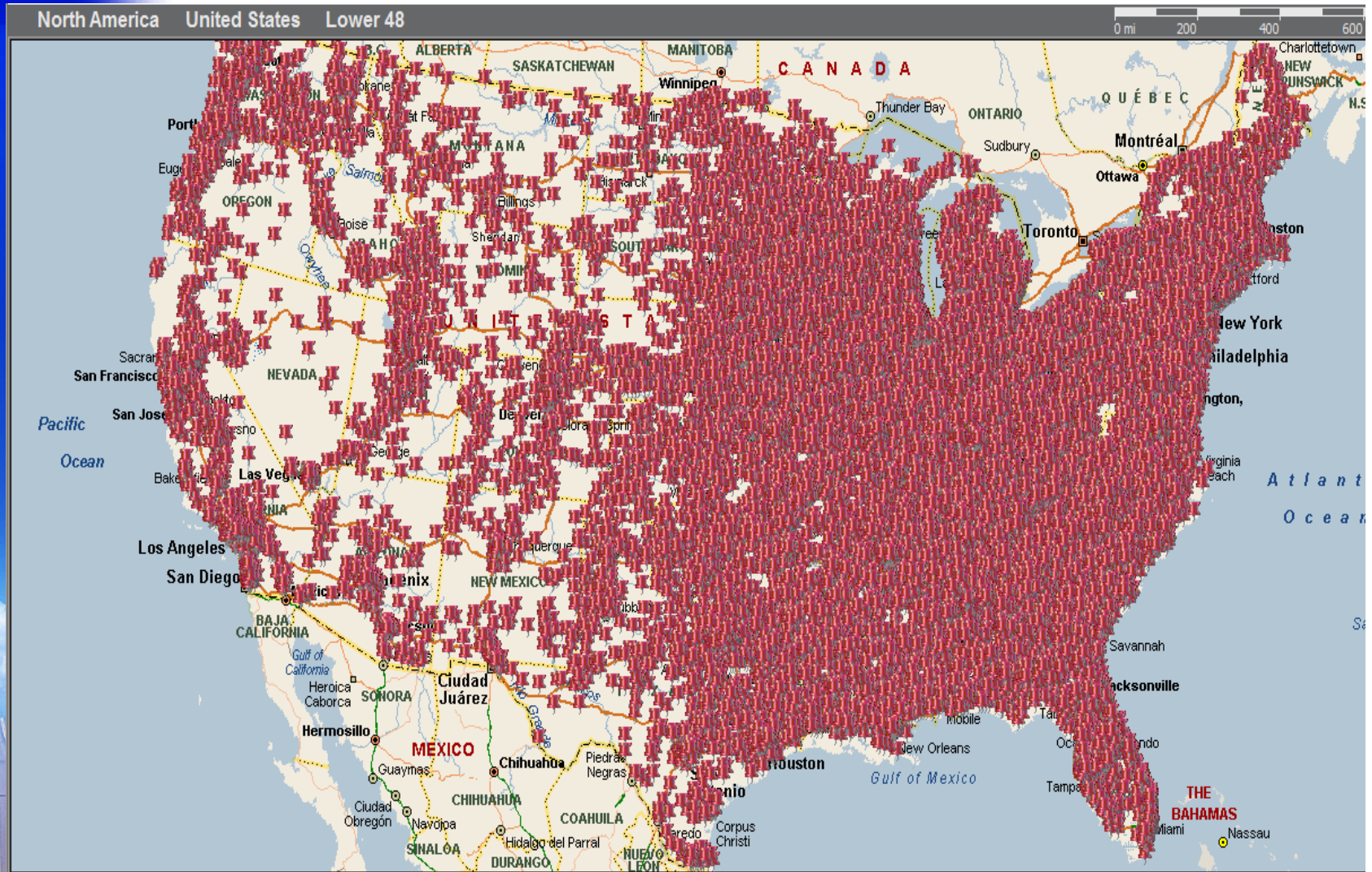
CSA Statistics Since CSA launch

(data effective 2/28/2011 and provided by **Vigillo**)

- 761,199 active motor carriers in the SMS database
- 92,545 have sufficient inspection data to generate a CSA Score in any BASIC (12.15% of active carriers)
- 52,472 have an Alert in at least one public BASIC (6.8% of regulated, 56.6% of those with sufficient data)
- 4,939,468 drivers employed by the industry (at the 761,199 carriers, as reported on aggregate MCS-150)
- 2,725,132 drivers employed by the 92,545 who are in the crucible of CSA (55.17% of the driving capacity of the industry)
- Fatigued Driving is #1 Alert BASIC
- Crash & Cargo account for over 30% of Alerts (not reported in public BASICs)

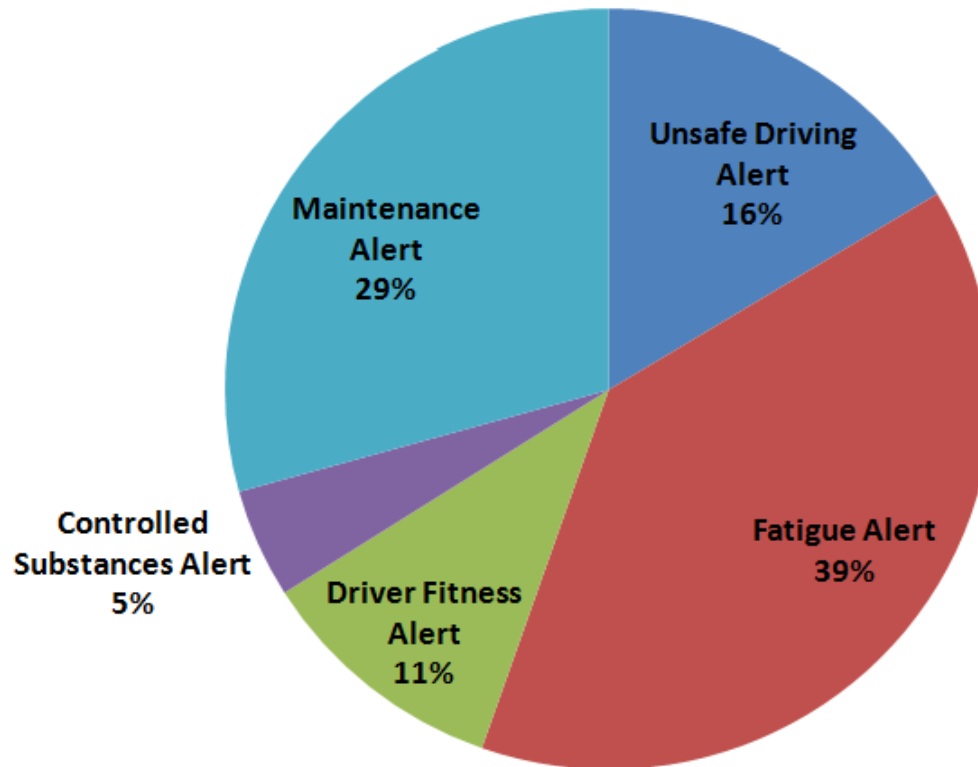


52,472 carriers with at least one Alert BASIC – Vigillo analysis



Alert Fleets (% Alert Basic of 52,472 carriers) – Vigillo Analysis

Public Alerts



Intervention Selection

Are Warning Letters Being Sent In A Single Wave?

- How Many Letters Are Being Sent?

Criteria for "High Risk" Assignment

- Either....
 - 1) Carrier has two or more total BASICs above threshold - and one of those BASICs is *Unsafe Driving*, or *Fatigued Driving*....or the *Crash Indicator* with BASIC percentile ≥ 85OR
 - 2) Carrier has four or more BASICs above threshold

Continuing ATA Issues/Concerns

Crash Accountability

Severity Weights

Misuse of Public Scores

DataQs Guidelines

Warnings for Moving Violations

Disclaimer Language

The SMS System...

...is used to identify potential safety problems with individual carriers and determine when an enforcement intervention might be appropriate.

...is not a Safety Fitness Determination (SFD), is not a Safety Rating pursuant to 49 C.F.R. Part 385, and does not represent FMCSA's final determination regarding the accuracy of the data contained in the SMS.

Use of the SMS data system for purposes other than those identified above may produce unintended results and inaccurate conclusions.

Hours of Service Update

When will this battle end?



HOS Background



HOS Timeline



Proposed Changes

Driving Time

Work Day – “Driving Window”

On-Duty Time

Rest Breaks

Restart Restrictions

Other Changes Discussed

Elimination of Short-Haul Exemption

- For Non-CDL Holders Within a 150 Air-Mile Radius

Expansion of Existing 100 Air-Mile Radius Exemption

- Limited to 12 Hours On-Duty Daily

On-Duty Restriction for Nighttime Drivers

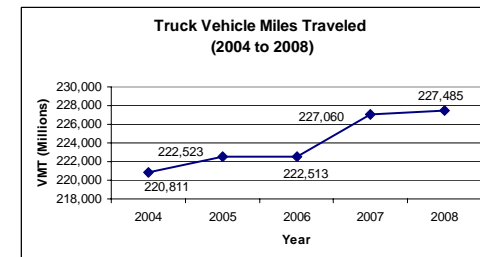
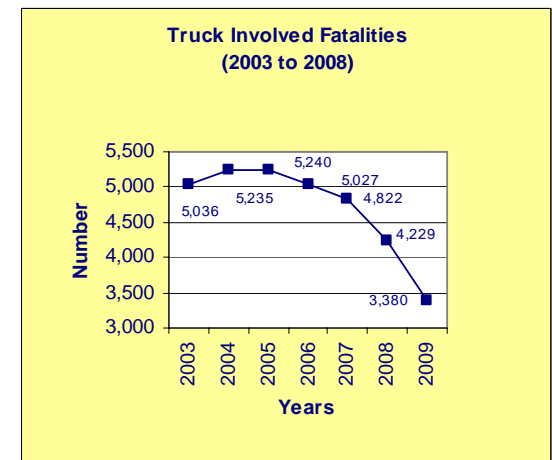
- Limited to 12 Hours On-Duty Daily

Since 2004

- Truck Related Fatalities Down 33%
- Truck Related Injuries Down 39%
- All Traffic Fatalities Down Only 21%

• Truck Mileage is UP!

Why Change These Rules?



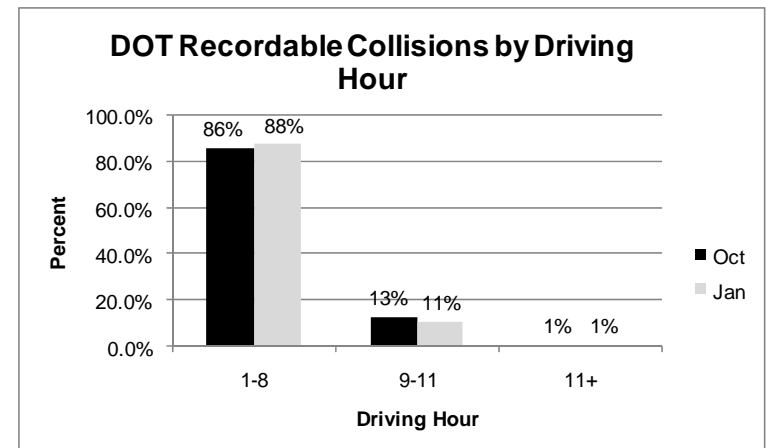
Q: How many fatigue-related fatal crashes occur each year?

A: Generally, FMCSA believes truck driver fatigue is a factor in 5.5 percent of the fatal crashes involving large trucks.

Why Change These Rules?

**FAQ On EOBRs
FMCSA 4/2/2010**

TIFA Data	1.8%
Drive Cam Data	2.1%
MSP Data	2.6%
FMCSA (past RIA)	7.0%
FMCSA NOW	13%



How Does FMCSA Justify These Changes?

Category	2008 Rule	2010 Rule
Percent of Fatigue-Related Fatal Crashes	8.15% (Based on FARS)	13% (Based on LTCCS “Associated Factors”)
Operational and Administrative Costs	\$2.5 billion (based on 10 hour driving and no restart)	\$1.03 billion (based on 10 hour driving, 2 night restart, 13 hour duty limit)
Crash Reduction Benefits	\$300 million	\$720 million
Health-Related Benefits	0	\$690 million (from change in mortality risk due to additional sleep)
Net	\$2.2 billion in COSTS	\$400 million in BENEFITS*

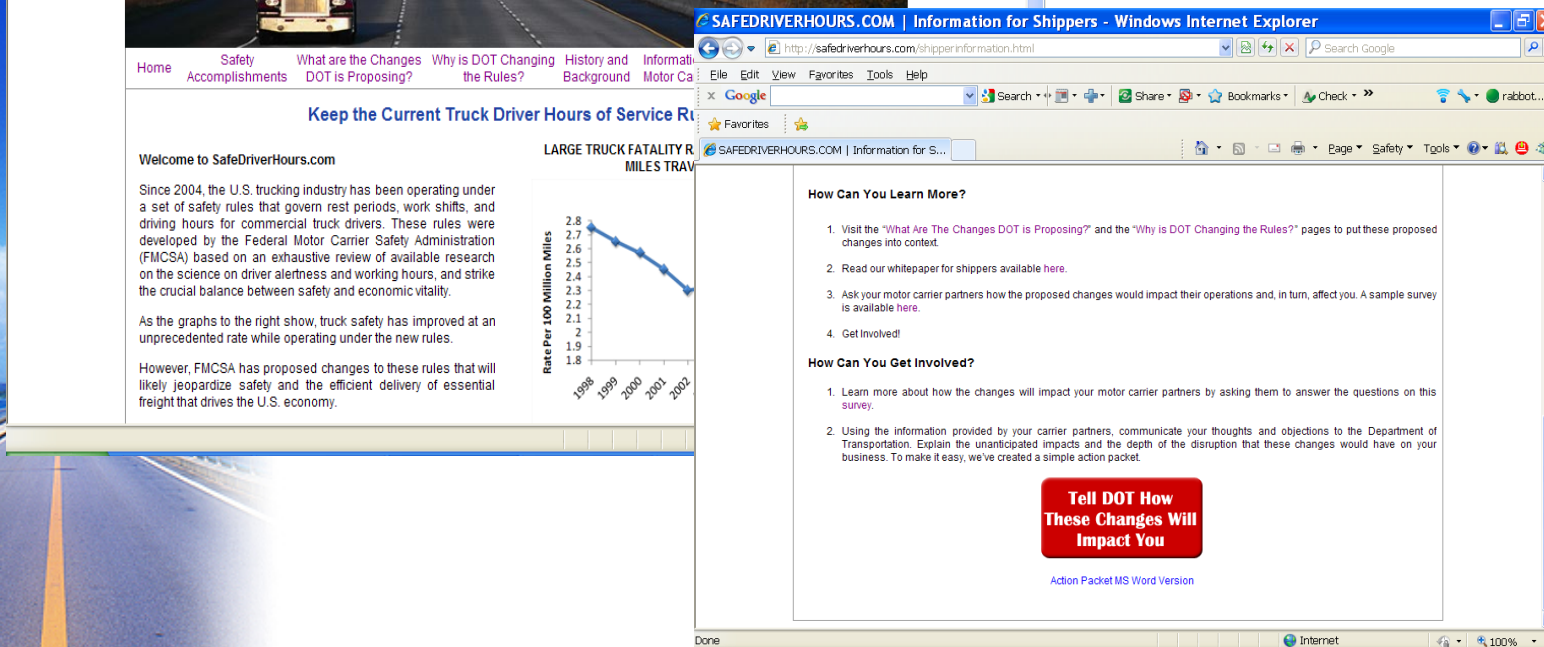
** The range in annual net benefits is -\$410 million (i.e., annual cost of \$410 million) to \$1.1 billion



ATA Campaign Strategy



www.safedriverhours.com



Electronic Logging Devices and Supporting Documents

When will they be mandated?



Electronic Logging Devices and Supporting Documents

Would Require EOBRs For All Drivers Currently Using Paper Logs

100 Air Mile Radius and Short Haul Drivers Would Be Exempt

- Paper logs to be used when conditions of exemption not met

Compliance Required 3 Years After Final Rule

EOBR Mandate “Will Improve Physical Condition” of Drivers

Electronic Logging Devices and Supporting Documents

Supporting Documents Relief for Driving Time Verification

One Document Required at Beginning/End of Each On-Duty Period

- Must include specific elements (name, date, time, location)

Must Be Submitted Within 3 Days of Receipt

Would Require Management “HOS Oversight” System

Electronic Logging Devices and Supporting Documents

Possible Supporting Documents Self-Compliance Exemption

Possible Exemption for Complaint Carriers

Supporting Docs Must be Retained in a Manner to Permit Matching



ATA Update

CSA – Is its bark worse than its bite? – Yes, but that's fixin to change...

Hours of Service – When will this battle end? – Your guess is as good as mine...

Electronic On-Board Recorders – When will they be mandated? – Probably in 2012 by rule...which could be effective in 2014 or 15.



Questions and Answers

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