

**STATEMENT OF DEPUTY FEDERAL HIGHWAY ADMINISTRATOR
EUGENE R. MCCORMICK**

**BEFORE THE
SURFACE TRANSPORTATION SUBCOMMITTEE
OF THE SENATE COMMITTEE ON
COMMERCE, SCIENCE AND TRANSPORTATION**

**CONCERNING REAUTHORIZATION OF
THE MOTOR CARRIER PROGRAM
MARCH 13, 1991**

Mr. Chairman, Members of the Committee:

I am pleased to be here to discuss the reauthorization of our Motor Carrier Program. With me this afternoon to help me in answering your questions is Mr. Michael F. Trentacoste, Director of the Office of Motor Carrier Field Operations.

The National Transportation Policy announced by President Bush and Secretary Skinner emphasizes that a safe and efficient transportation system strengthens our Nation's competitiveness at home and abroad, promotes economic growth, and enhances the quality of life for all Americans. Federal programs and policies must remove the barriers that impede efficiency and restrict the free flow of interstate and international commerce. The Policy and the Administration's highway bill emphasize a continued commitment to transportation safety and efficiency.

On February 13, 1991, the Administration sent to the Congress a proposed Surface Transportation Assistance Act of 1991 (STAA) (H.R. 1351 and S. 610). This subcommittee expressed interest in title III of the STAA, the Motor Carrier Act of 1991. That bill would provide authorizations, out of the Highway Account

of the Highway Trust Fund with contract authority, for the Motor Carrier Safety Assistance Program (MCSAP) of \$60 million for fiscal year 1992, \$80 million for fiscal year 1993 and \$100 million for each of fiscal years 1994, 1995, and 1996. Authorizations out of the Highway Account of the Highway Trust Fund are also provided, subject to the appropriations process, for the expenses of the Federal Highway Administration in carrying out motor carrier safety functions for each of the fiscal years 1992 through 1996. In addition some motor carrier provisions are codified as chapter 5 of title 23, United States Code.

The Motor Carrier Act modifies MCSAP to include weight enforcement and drug initiatives. Also, in order to reduce the paperwork burden on interstate motor carriers and enhance productivity, States will be required to adopt uniform commercial motor vehicle registration and fuel tax reporting standards. The motor vehicle registration requirement would implement the consensus agenda developed several years ago by the National Governors' Association. A single base State collection and proportional sharing of revenues will be required. The Act will prohibit a State from requiring interstate carriers to register their Federal ICC economic operating authority with that State. States will also be prohibited from regulating the non-safety related aspects of interstate motor carrier operations. These prohibitions will be enforced through injunctive relief.

Further, an information system to serve as a clearinghouse and depository of information pertaining to the collection of commercial vehicle registration fees and fuel taxes will be established.

You have asked for our views on (1) ways to improve the effectiveness and efficiency of MCSAP, including ways inspections could be better targeted and focused on accident causation; (2) appropriate MCSAP funding levels for the next 5 years; (3) the compatibility of interstate and intrastate motor carrier safety regulations; (4) whether MCSAP reimbursement should be allowed for targeted weight enforcement efforts; and (5) draft MCSAP reauthorization legislation which may be introduced by Senators Exon and Danforth. I shall address each of these issues.

(1) Ways to improve the effectiveness and efficiency of MCSAP, including ways inspections could be better targeted and focused on accident causation.

We will continue to work with the States to improve the effectiveness and efficiency of safety enforcement activities. The Administration's bill provides the needed latitude and flexibility to States to target safety enforcement to the array of factors related to accident causation. Research has demonstrated that it is extremely difficult to attribute any particular accident to a single cause; rather it is the interaction of a driver behavior, the vehicle, highway and

travel conditions, and weather and time of day. States will use MCSAP funds to enforce commercial driver's license requirements, detect drivers impaired by alcohol and drugs, and remove unsafe drivers and vehicles from the road. States will continue to assume a greater role and responsibility in conducting on-site reviews of a motor carrier's operations and management from a safety standpoint.

(2) Appropriate MCSAP funding levels for the next 5 years.

We believe that the appropriate levels are as set out in the Motor Carrier Act of 1991. This bill provides funding to support an expanded MCSAP program to include increased State participation in conducting carrier safety reviews, roadside inspections, CDL enforcement, weight enforcement, and drug and alcohol enforcement. A new initiative will be to provide grants to the States for a clearinghouse for State vehicle registration and user fees.

(3) The compatibility of interstate and intrastate motor carrier safety regulations.

Compatible State and Federal safety requirements enhance the industry's productivity and safety by allowing trucks and buses to operate under uniform regulations. Thirty-five States have motor carrier safety laws and requirements affecting interstate carriers that are compatible with Federal safety requirements. Last month, we proposed regulations to establish July 1992 as the deadline for States to correct their incompatible safety requirements

affecting interstate motor carriers or risk Federal preemption. We also have established guidelines allowing for some variation in intrastate safety requirements and believe unacceptable differences can be corrected by working with the States through MCSAP.

(4) Should MCSAP reimbursement be allowed for targeted weight enforcement efforts?

The Administration's bill would allow weight enforcement to be eligible for reimbursement under MCSAP. Weight enforcement under MCSAP would be an enhancement of a State's ongoing weight enforcement activities, by only supporting activities beyond the State's current or "base level" of expenditures. When approving the enforcement plans prepared by States each year to document proposed MCSAP activities and through our day-to-day stewardship of MCSAP, we will ensure that States demonstrate MCSAP weight enforcement activities are carried out strategically to complement other truck safety enforcement efforts.

(5) Draft reauthorization legislation.

We have examined the committee staff working draft legislation and given your staff technical comments which may be of value to you. We cannot make definitive judgments on the legislation until we have seen it in its final form. We do note that the Administration bill, when compared to the committee draft, includes higher levels of funding for MCSAP; contains economic deregulation and uniformity provisions important

to the productivity and competitiveness of the motor carrier industry not found in the draft legislation; and provides broader latitude and flexibility to the States to devise and implement safety enforcement activities to address problems unique to each the State. We prefer the Administration proposal.

That concludes my prepared statement. Mr. Trentacoste and I will be pleased to answer your questions.