

Final

STATEMENT
OF

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BEFORE THE
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
UNITED STATES SENATE
MAY 7, 1997

Mr. Chairman, thank you for the opportunity to testify on the highway safety provisions of the Administration's surface transportation reauthorization proposals. These safety provisions are found in both the main portion of our proposal, entitled the National Economic Crossroads Transportation Efficiency Act of 1997 (NEXTEA), and in the supplemental safety titles of the NEXTEA which are called the Surface Transportation Safety Act of 1997.

Ensuring the transportation safety of the American people is the highest priority for both the Federal Highway Administration (FHWA) and the National Highway Traffic Safety Administration (NHTSA), as well as the Department of Transportation overall. Secretary Slater has set transportation safety as his highest priority. The Secretary sees safety as a moral commitment as well as a policy imperative. He has said that the safety of the American people is our number one goal -- the true "North Star" that guides us. Accordingly, we have remained focused on improving highway safety, while we strive to enhance the efficiency and capacity of our large and varied highway system. This emphasis on safety is appropriate in light of the fact that 98 percent of all surface transportation-related deaths and approximately 99 percent of injuries result from highway crashes.

Because seat belts are an extremely effective means of reducing fatalities and serious injuries in traffic crashes, our NEXTEA proposal would take an aggressive approach to increasing seat belt use. To achieve the goal of increased seat belt use, however, we cannot rely solely on Federal programs or the Federal government. Our success depends on the efforts of all our key partners. Joining me at the White House on April 16 in support of the goals we have set were a

cross section of key players in the seat belt effort -- including representatives of State law enforcement, the auto companies, the medical profession, people whose lives have been saved by seat belts, and a bipartisan group including former Secretaries of Transportation Boyd, Coleman, Skinner, Card and Peña.

In our efforts to improve highway safety, Congress, and particularly this Committee, has been our partner. With the safety programs and funds Congress provided through the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the FHWA and NHTSA have made real progress in enhancing the safety of our Nation's highways. Since 1991, the motor vehicle fatality rate (per 100 million vehicle miles traveled (VMT)) has dropped from 2.1 in 1990 to 1.7 in 1996, and the nonfatal injury rate (per 100 million VMT) also decreased from 151 in 1990 to 141 in 1995. Between 1990 and 1996, highway/rail grade public crossing deaths have decreased by over 25 percent. In addition, the crash rate involving heavy trucks dropped from 2.9 per 100 million VMT in 1991 to 2.5 in 1995. The costs of highway crashes would have been \$30 billion higher in 1994 (versus 1990) had it not been for injury rate reductions due to NHTSA- and FHWA-supported highway and motor vehicle programs. An assessment of the NHTSA and FHWA safety programs indicated that the economic cost savings exceeded program costs by a ratio of 9 to 1.

Through the highly successful safety programs authorized in ISTEA, the FHWA and NHTSA have taken an integrated approach to driver, vehicle, and roadway safety. To build on the success of those programs, the safety provisions in our NEXTEA proposal and safety bill would fund initiatives which likewise address driver, vehicle, and road design issues in a focused and coordinated manner. The problem of aggressive driving is an example of a safety issue which would best be addressed using this approach. Behavior modification programs and enforcement and judicial initiatives can help solve the aggressive driving problem, but the safety solution must also involve designing roadways to mitigate the injury consequences of aggressive driving. Installation of median barriers, for example, can prevent cross-over, head-on crashes by out-of-control vehicles traveling at excessive speeds and/or engaging in erratic maneuvers. Median barriers of this kind are now being installed by the FHWA and the National Park Service at narrow median locations on Virginia's George Washington Memorial Parkway.

ISTEA recognized the importance of the Federal-State partnership in highway safety. We believe the successor to ISTEA must continue to look at new ways to advance this essential partnership. The safety provisions in the Administration's reauthorization proposal build on the strong components of the existing law, streamline programs, create new flexibility, and provide linkages among other highway safety programs to move our programs forward in a coordinated manner to address national priorities.

HIGHWAY SAFETY

NHTSA's programs have contributed to real progress in highway safety. Seat belt use has grown from 11 percent in 1982 to 68 percent in 1996. Alcohol involvement in fatal crashes has dropped from 57 percent to 41 percent over this same 15-year period. We have made great progress in reducing the fatality rate. In 1966, it stood at 5.5 deaths per hundred million vehicle miles traveled, and today it stands at 1.7, the lowest rate recorded.

Despite this significant progress, as previously noted, recent statistics show there is no room for complacency. After years of steady decline, the total number of highway deaths increased from 1993 to 1995. Motor vehicle crashes are still the leading cause of premature death of our Nation's youth. Seat belt use has grown by only two percentage points since 1993. In 1995, the number of alcohol-related fatalities increased for the first time in 9 years. In 1996, 41,500 people died and over 3 million more were injured in police-reported crashes. Although our fatality rate remains at an all-time low, highway crashes still cost the Nation \$150.5 billion per year. Taxpayers share in these costs. Twenty-four percent of all medical care costs associated with motor vehicle crashes are covered by public revenues (14 percent from Federal revenues and 10 percent from State resources). In 1994, the \$13.8 billion in medical, rehabilitation, and income support costs paid by Federal and State programs was equivalent to \$144 in added taxes for each household in the U.S.

Speeding --exceeding the posted speed limits, or driving too fast for conditions-- is a problem on all roads. The human and economic costs of speeding are staggering. In 1995, speeding was a factor in 31 percent of all fatal highway crashes. Currently, 34 States have increased their speed limits beyond what would have been allowed under the former national maximum speed limit law, and 23 of these 34 States have increased their speed limits to 70 miles per hour or greater. NHTSA and FHWA have jointly developed and continue to implement a Speed Management Work Plan combining research, enforcement, roadway engineering and public education.

Recent surveys indicate that aggressive driving, a behavior often marked by excessive speed, running red lights and stop signs, has become the driver behavior that most concerns the motoring public. NHTSA's activities to combat aggressive driving include public information and education, demonstration programs in major urban areas to identify effective enforcement techniques, and research to determine the relationship between specific unsafe driving acts and crash involvement.

The number and costs of fatalities and injuries would be significantly higher if not for the effectiveness of NHTSA's programs. Since 1992, seat belts, child safety seats, motorcycle helmets, and the age-21 minimum drinking age laws have saved over 40,000 lives.

NEXTEA -- ISTEA REAUTHORIZATION

NEXTEA proposes to fund all of NHTSA's programs out of the Highway Trust Fund, and increases authorized funding for these programs by about 25 percent, to \$392 million in FY 1998.

The keystone of NHTSA's efforts in highway safety, jointly administered with FHWA, is the State and community highway safety grant program, known by its U.S. Code provision as the "Section 402" program. Section 402 provides for a highway safety program in every State and territory. Under this program, NHTSA and FHWA give formula grants to States, set by statute, for their conduct of programs in priority areas that are most effective in reducing traffic crashes and resulting deaths, injuries, and property damage. The agencies also give technical assistance to States and local communities to develop and implement their highway safety programs. The States use their 402 grants to address their key safety problems.

Our increased authorizations emphasize incentive programs. NHTSA has found that incentives have proved very successful in helping States to make greater efforts in highway safety. By incorporating incentive programs within the framework of the agency's Section 402 program, our proposal will create new momentum in four priority areas:

- * **occupant protection**, a Presidential initiative to encourage States to increase seat belt use--the single best way to protect the occupants of a vehicle;
- * **drunk driving prevention**, to help States enact and enforce tough drunk driving laws;
- * **drugged driving prevention**, another Presidential initiative to help States enact and enforce tough laws to prevent drug-impaired driving; and
- * **highway safety data improvement**, to encourage States to collect the data needed to identify their highway safety problems and evaluate the measures they take to solve those problems.

Our research has found that lap/shoulder belts, when used, reduce the risk of fatal injury to front seat passenger car occupants by 45 percent, and the risk of moderate-to-critical injury by 50 percent. When seat belts are used in a vehicle equipped with air bags, the effectiveness of the combined restraint system exceeds that of the belts alone. The combination of seat belts with air bags is the most effective means of reducing fatalities and serious injuries in traffic crashes.

Child safety seats are the most effective occupant protection devices used in motor vehicles today. If used correctly, they are 71 percent effective in reducing

fatalities to children under the age of five and 69 percent effective in reducing the need for hospitalization.

Currently, an estimated 68 percent of America's vehicle occupants use their seat belts, saving about 9,500 lives a year. Despite this progress, however, today nearly one-third of Americans still do not buckle up and 80 percent of child safety seats are not used properly. Every day, an unrestrained child under the age of 5 is killed in a traffic crash.

Also disturbing is that increases in seat belt use have leveled off in recent years. Other industrialized countries have belt use rates of 90 percent and higher. We can and must do better if we are to decrease highway fatalities and injuries.

President Clinton believes strongly that more must be done to encourage the use of these life-saving devices. On April 16, Secretary Slater responded to the President's directive for an Administration plan to increase seat belt use, and announced a national strategy to raise average U.S. belt use rates to 85 percent by the year 2000. By 2005, our goal is to reach or exceed 90 percent. We also have set a goal of reducing child occupant fatalities (0-4 years) 15 percent by 2000, and 25 percent by 2005.

Achieving 85 percent seat belt use would boost the annual number of lives saved in U.S. highway crashes by about 4,200, and reduce crash-related injury costs by \$6.7 billion a year. If 90 percent of vehicle occupants used their belts, more than 5,500 lives would be saved annually and injury costs would be cut by \$8.8 billion. Reducing child fatalities (0-4 years) 15 percent would save the lives of 102 children annually, while reducing fatalities 25 percent would save 171 children each year.

To help our State partners reach these goals, NEXTEA includes a new \$124 million incentive grant program over six years to encourage States to increase their level of effort and implement effective laws and programs aimed at increasing seat belt and child restraint use. These funds would be available to a State for adopting, among other criteria, a primary enforcement seat belt use law.

Seat belt use is much higher, on average, in States that provide for primary enforcement of their belt use laws. In States with "secondary" seat belt use laws, a motorist may be ticketed for failure to wear a seat belt only if there is a separate basis for stopping the motorist, such as the violation of a separate traffic law. This hampers enforcement of the seat belt law. In States with primary laws, a citation can be issued solely because of failure to wear a seat belt.

A 1995 analysis of NHTSA's Fatal Analysis Reporting System (FARS) data on restraint use among occupants of motor vehicles involved in fatal crashes shows that primary enforcement is the most important aspect of a seat belt use law affecting the rate of seat belt use. Our analysis suggests that the enactment of a primary law increases seat belt use by at least 15 percent. This increase translates

into a 5.9 percent decline in fatalities after a State authorizes primary enforcement of the law.

The safety titles of the NEXTEA underscore our strong support for primary seat belt laws. Those titles include a provision that would require a State to have either a primary belt law or a statewide belt use rate of at least 85 percent in all passenger motor vehicles. If, by the end of fiscal year 2002, a State had failed to enact such a law or have such a belt use rate, the Secretary would be directed to transfer 1-1/2 percent of its highway construction funds to the State's Section 402 occupant protection program. If a State remained in noncompliance in subsequent years, the transfer would rise to three percent.

Many States will be able to achieve the 85 percent goal within the framework of existing law. The State of Washington is a good example. Despite not having a primary belt law, Washington's current belt use rate is 84 percent and continues to rise, due to a consistent policy of enforcing its belt use law.

No review of highway safety would be complete without mentioning the leading cause of fatal and serious injury crashes—drunk driving. Alcohol is the drug abused most frequently by our children, and is responsible for 35 percent of the highway deaths among our youth, ages 15-20. Forty-one percent of all fatal motor vehicle crashes continue to be alcohol-related, and 32 percent of these fatal crashes involve a drunk driver or pedestrian with a high blood alcohol concentration (BAC greater than 0.10 percent). That means alcohol impairment plays a role in over 17,000 traffic deaths every year.

NEXTEA proposes a new \$260 million incentive program to encourage States to increase their level of effort and implement effective programs aimed at deterring the drunk driver. The new program, which continues NHTSA's strong emphasis on deterring drinking and driving, is similar in structure to that of the existing drunk driving prevention incentive program established under Section 410 of Title 23, United States Code, and would replace that program at the end of fiscal year 1997. Under the new program, a State may establish its eligibility for one or more of three basic alcohol-impaired driving countermeasure grants by adopting or demonstrating certain criteria to the satisfaction of the Secretary.

Drunk driving prevention is greatly assisted by the enactment of zero tolerance legislation. A "zero tolerance" law makes it illegal for a person under 21 to drive a motor vehicle with any measurable blood-alcohol content. In June 1995, President Clinton urged that zero tolerance become the law of the land. On that date, 24 States and the District of Columbia had zero tolerance laws in effect. The provision was subsequently included in the National Highway System (NHS) Act. Since June 1995, 13 States have enacted zero tolerance laws, but 13 States and Puerto Rico have not yet enacted zero tolerance laws. These laws are very effective, reducing alcohol-related crashes involving teenage drivers by as much as 10-20 percent.

We would like to highlight one significant criterion included in this incentive program--a criterion to make 0.08 blood-alcohol concentration (BAC) the *per se* standard for driving while intoxicated. Research indicates that at 0.08 BAC, virtually all drivers are substantially impaired with regard to such critical driving tasks as steering, braking, and judgment. Fourteen States have lowered their *per se* standard for driving while intoxicated to 0.08, and a recent study of 5 of these States shows that significant decreases in alcohol-related fatalities can be achieved by States adopting the 0.08 standard.

Our third incentive proposal would create a new \$25.1 million grant program to encourage States to take effective actions to improve State drugged driving laws and related programs. State drugged driving laws are often inconsistent and difficult to enforce. We believe that this new incentive program, modeled after the agency's successful Section 410 alcohol-impaired driving incentive grant program, is essential to improve State drugged driving laws and related activities.

Our final incentive proposal would create a new \$48 million grant program to encourage States to take effective actions to improve the data they need to identify the priorities for State and local highway and traffic safety programs, to evaluate the effectiveness of such efforts, and to link these data together and with other data systems within the State. Currently, much of the State data in these areas are inadequate or unavailable. We believe that this new incentive program is vital to the ability of the States to determine and achieve their highway safety performance goals. Better data also will enhance the States' ability to measure performance under our new performance-based Section 402 highway safety program.

If enacted, we believe that these carefully targeted incentives--to increase seat belt and child safety seat use, prevent drunk and drugged driving, and improve State highway safety data--can substantially reduce highway fatalities below current levels.

HIGHWAY SAFETY INFRASTRUCTURE

Convincing people to buckle up and stop drinking or taking drugs before getting behind the wheel are well documented means of advancing highway safety, and increased NEXTEA funding is absolutely necessary for these programs. However, driver education and changing driver behavior is one of several equally important ways to improve safety. Roadway design can prevent crashes, and if crashes still occur, roadside safety features can reduce the injury consequences. Lives can be saved and injuries prevented by roadway safety features such as rumble strips, more skid resistant pavement, less pavement rutting, improved guardrail and intersection design, pavement markings and signs with increased night time visibility, clear zones and adequate side slopes,

and automatic barriers at rail/highway grade crossings. Roadway safety features can be considered a form of “passive” crash protection which automatically benefits all drivers. Design features can also be considered proactive-- reduction in pavement rutting and better signing and pavement markings--help prevent crashes from occurring.

There are hundreds of ISTEA success stories illustrating how well the concept of “safety by design” works. One of the best examples comes from New York where drowsy or inattentive drivers on Interstate 81, I-87, I-88 and State Route 17 (up for Interstate designation) are less of a risk to themselves and other drivers thanks to special rumble strips installed with the use of ISTEA funds. The vibration and noise caused when the vehicle passes over the rumble strips get the driver’s attention. By some accounts, crashes caused by inattentive drivers along certain stretches of these New York State roadways have virtually been eliminated. A similar project, along the entire New York State Thruway, documented a 70 percent reduction in “falling asleep accidents.” New York’s I-81, I-87, I-88 and SR 17 projects were funded through ISTEA Interstate Maintenance and Surface Transportation Program funds. ISTEA funds were also used by the State of New York to institute a management system to identify systematically and review all priority accident locations in the State. This system won a 1996 Federal Highway Administrator's Safety Award in 1996. Also with Federal ISTEA funds, New York is developing a computer data base of all rail-highway grade crossings which will track all the improvements that have been made at each crossing and provide a snapshot picture of the attributes at each crossing.

The Administration’s NEXTEA proposal would provide a total of \$3.55 billion in funding for infrastructure safety investment by the States. These funds would be made available to the States through two programs: an Infrastructure Safety Program (which would be funded with \$3.25 billion of the total for fiscal years 1998-2003) and a new incentive Integrated Safety Fund (with a funding level of \$300 million). In addition, regular Federal-aid programs also would provide funding for safety related projects and resurfacing, reconstruction, and new construction that would enhance the safety features of the roadways; the National Highway System, Interstate Maintenance, and Surface Transportation programs would be funded at 30 percent over the ISTEA levels.

A. Infrastructure Safety Program

The Administration’s NEXTEA proposal includes an Infrastructure Safety Program which evolved from ISTEA’s Surface Transportation Program (STP) safety set-aside. Funding for the program would be authorized to come directly from the Highway Trust Fund with funding levels starting at \$500 million for FY 1998 and increasing through the NEXTEA authorization period to \$575 million for FY 2003. Like the STP safety set-aside, the Infrastructure Program would provide funds to eliminate hazards on public roadways other than Interstates

and to improve the safety of rail/highway grade crossings. However, the new program would be a streamlined and more flexible version of the safety set-aside. Separate allocations for railroad/highway grade crossings and hazard elimination activities would be retained, but the 'optional safety funds' allocation which had been administratively created within the STP safety set-aside would be dropped. In addition, the new program would allow hazard elimination funds to be flexed into certain non-infrastructure highway safety investments and activities (specifically 402/410 driver behavior modification programs and motor carrier safety activities) provided the State had a good integrated safety planning process in place which met specific criteria.

Hazard Elimination

The total NEXTEA funding level for hazard elimination activities is proposed to be \$2.26 billion, starting at \$335 million in FY 1998. The Hazard Elimination Program (formerly funded under Section 152) supports activities aimed at resolving safety problems at hazardous locations which may constitute a danger to motorists and non-motorists (i.e., pedestrians and bicyclists) on any public roadway other than the Interstate System. The majority of our Nation's roadways are non-Interstates and it is on the non-Interstate roads that the majority of crashes, injuries, and fatalities occur. (In 1995, close to 9 out of every 10 fatal crashes occurred on a non-Interstate roadway.) Not surprisingly the fatal crash and injury rates (per vehicle mile traveled) for non-Interstate roadways are more than twice that of the Interstates. The Hazard Elimination Program is an important source of funds for upgrading the safety of these non-Interstate roads.

"Safety by design" activities that can be funded under this program include certain countermeasures to reduce the number and severity of run-off-the-road crashes. Such crashes frequently result in fatalities, especially in rural areas. Other authorized uses of hazard elimination funds would include upgrades of guardrails, intersection improvements, geometric improvements, installation of signs with break-away posts, improved pavement markings, and increased visibility features. Selection of safety improvement projects would be based on assigned priorities for the correction of such hazardous locations, sections, and elements and an established implementation schedule of projects to carry out those improvements. States would have the ability to flex hazard elimination funds into 402/410 traffic safety programs and motor carrier safety activities, if they had a good integrated safety planning process in place which met specific criteria.

A project in Missouri provides an excellent example of "safety by design" using ISTEA hazard elimination funds. The intersection of Price and Dielman Streets on Route 340 in St. Louis County, MO, was a high crash location which received safety improvements using ISTEA hazard elimination funds. Federal funds augmented by a State 10% match, were used to improve the visibility of traffic signals at this intersection and to adjust signal timing. A three year before/after

crash study showed a 62.3% reduction in injury accidents and a 20.1% reduction in property damage accidents. This accident reduction saves \$497,314 per year and resulted in a 62.4 benefit/cost ratio.

Railroad/Highway Grade Crossing

The Grade Crossing Program (formerly funded under Section 130) is designed to fund safety improvements to reduce the number and severity of highway crashes involving moving rail equipment with motorists and non-motorists at highway crossings. Over the last 20 years, due in large part to this program, the number of crashes at public crossings has decreased by approximately 50 percent. The Section 130 program has saved more than 9,000 lives and prevented nearly 40,000 injuries.

One example of the ways States have used funding available through these programs to improve grade crossing safety is a project conducted by the Montana department of transportation which used both Section 130 Grade Crossing Program funds and Hazard Elimination Program funds to relocate a grade crossing to a safer location. In an area near Trident, MT, a public road which served as the main access to a bulk cement plant, ran parallel to a railroad and then turned towards the track. Due to buildings near the crossing, sight distance was severely limited. In addition, the circuitry of the crossing's automatic warning device was outdated and needed replacement. MT DOT used approximately \$100,000 in Section 130 and Hazard Elimination funds to install a new crossing surface and to install state of the art automatic warning devices.

NEXTEA retains 100 percent funding eligibility for projects which close or eliminate one or more crossings and also retains the \$7,500 per crossing bonus program eligibility for communities that close crossings when the bonus is matched by the railroad. Since the goal of reducing 25 percent of the nation's highway-rail crossings was made a national priority, more than 24,000 crossings have been eliminated.

Under NEXTEA, the Grade Crossing Program would be funded at \$165 million annually, for a NEXTEA total of \$990 million. The following changes in the program are proposed :

- The allocation formula would be modified to reflect a State's grade crossing safety performance.
- Eligibility would be expanded to include education and enforcement addressing deliberate violations of crossing devices, as well as to deal with trespassing issues.
- Eligibility would be expanded to include safety improvements at private highway-rail crossings where sufficient public benefit has been identified. (Formerly, only public crossings were eligible. In 1995, 524 of the fatalities occurred at public rail/highway crossings, and 55 were at private grade crossings.)

- Transfer provisions would be changed to allow railroad/highway grade crossing funds to be flexed to hazard elimination if the State improved its grade crossing safety record. The amount to be transferred could not exceed the percentage by which the number of grade crossing crashes in the State had been reduced in the most current calendar year below the average number of crashes in the State in calendar years 1994, 1995, and 1996.

B. Integrated Safety Fund

The new Integrated Safety Fund is designed to encourage integrated planning and to provide new flexibility for States to address highway and traffic safety problems. In this era of fiscal restraints, it is crucial that safety dollars be used to the greatest advantage. Integrated planning is necessary to ensure that States get the optimal benefit/cost ratios for their highway safety investments.

Under this new incentive program (funded at \$50 million for each year of NEXTEA), additional funds would be available for use by States for any highway or traffic safety purpose within the Section 402 behavioral program, the Section 164 Infrastructure Safety Program, or for implementing Chapter 311 of title 49-- the motor carrier safety assistance program. The State would have to meet certain planning criteria to be eligible for the funds, and an integrated safety planning process would be evidenced in the State's safety goals, objectives, and reports (i.e., measurements of results) to be developed collectively in the State by appropriate safety entities receiving Federal funds. The qualifying criteria a State's integrated safety plan would have to meet to qualify for this incentive grant would be established in regulations and these criteria would be the same as those used to determine which States qualify for Hazard Elimination Program funds.

If a State was eligible to receive these funds, the State would designate who would receive the new Integrated Safety Fund allocation which would be used in accordance with the rules of each eligible program proposed to be funded (i.e., Infrastructure, Section 402, or MCSAP). We anticipate that the decision as to whether or not, and if so what amount of funding, to transfer from the Surface Transportation Program or Hazard Elimination Program to another non-infrastructure program would be made by the State agency controlling those dollars -- namely the department of transportation or State highway agency.

This new Integrated Safety Fund, in addition to providing a new source of traffic, highway, and motor carrier safety funds to qualifying States, would also provide an incentive to the States to address emerging problems presented by aggressive drivers and older drivers.

However, we must be mindful of the fact that there are different requirements for different types of roads. Scenic byways, for example, are existing roads used by

local residents, commercial traffic, and by those who travel purely for pleasure, recreation, and education. The distinctive, appealing, characteristics of these types of roads would be completely lost if they were straightened, widened, and turned into thoroughfares. All users need to travel at speeds appropriate for the type of road on which they are traveling and respect the diversity of our highway system.

MOTOR CARRIER SAFETY

Ensuring safe motor carrier transportation is an important part of our overall efforts to improve highway safety. Healthy economic growth and logistical innovations like just-in-time delivery have spurred significant increases in truck travel and been a boon for the trucking industry. However, for the sake of all Americans – for the general motoring public as well as truck drivers -- it is essential that we continually focus on enhancing truck safety.

Fortunately, there is a strong foundation for these efforts in the Motor Carrier Safety Assistance Program (MCSAP). All States now participate in MCSAP and as a result have adopted and currently enforce uniform minimum safety standards for interstate commercial vehicles. Working together under this program, the FHWA and the States have developed uniform inspection procedures, data exchange, and training. Each year, over 8,000 State enforcement officers conduct almost 2 million uniform roadside commercial driver and vehicle inspections and traffic enforcement stops, as well as almost 9,000 on-site safety reviews of trucking companies. The FHWA collects, analyzes, and shares safety and enforcement data with all States to target unsafe carriers for enforcement.

Just recently, an FHWA enforcement action resulted in a one million dollar fine for the motor carrier responsible for a tragic propane crash in White Plains, New York. In that case, FHWA investigators found that the truck driver had been on duty for more than 35 hours without being off duty for eight consecutive hours as required.

The States and the FHWA Office of Motor Carriers are working cooperatively to enhance efficiency in enforcement as well. Idaho and Montana have established a joint port of entry on Interstate 90, saving on both personnel and operating costs. From this facility, Idaho and Montana conduct safety inspections, permitting, and truck size and weight enforcement for traffic flowing both ways and investigators are sworn safety officers in both states.

As a result of this Federal/State partnership and the efforts of the motor carrier industry to make safety a priority, great strides have been made in the overall safety of motor carriers. From 1985 to 1995, truck safety improved substantially, outpacing even the substantial increases made in overall highway safety. For that period, fatalities in large truck crashes declined by 12 percent, and fatality

rates declined by 35 percent. Nonetheless, the current level of truck-related fatalities is still unacceptable, and there is concern that our safety gains may be leveling off.

To reduce the crash rate dramatically, Federal motor carrier safety programs must be more focused to channel resources strategically to measures that give us the highest payoff in reducing crashes. In line with Vice President Gore's reinvention initiatives, improvements in motor carrier safety demand that we restructure and re-engineer our programs to focus on results. Thus, we propose in NEXTEA to emphasize results, rather than the number of activities performed, to strengthen our fundamental enforcement safety programs, which include roadside inspections, carrier reviews, enforcement, education, and outreach. Under this performance-based approach, we will ask the States to identify their most significant safety problems and create incentives for them to address these problems. We will help States develop their own unique benchmarks for evaluating their programs and measuring their success.

In encouraging the development of performance-based programs, FHWA is focusing on the ten States (CA, NY, FL, GA, IL, MI, NC, OH, PA, and TX) where nearly half of the fatal large truck crashes in the Nation occur. The FHWA will work with these States to analyze crash data and jointly develop countermeasures with the goal of reducing the proportion of crashes in those States within two years. To further this effort, in New York, the State police are emphasizing strong traffic enforcement at high crash corridors. Likewise, California is stepping up enforcement by focusing on the three top causes of crashes in that State: speeding, unsafe lane changes, and following too closely. To ensure that this 10-State effort addresses safety in a comprehensive fashion, NHTSA and FHWA have joined together to look at all safety measures that may be important to use.

Oregon provides a good example of how performance-based strategies can work. From 1993 to 1995, fatigue-related crashes doubled for Oregon-based carriers and nearly tripled for out-of-state carriers. In response, Oregon established a goal of reducing fatigue-related commercial crashes by 10 percent in 1997 through several strategies.

Initially, they are identifying carriers whose drivers show a high rate of involvement in fatigue-related crashes and conducting safety compliance reviews of these carriers. They are also targeting increased inspections and enforcement of hours-of-service requirements on those highways where fatigue has proven to be a primary cause of crashes. Other States will be informed about carriers based in their States that are involved in fatigue-related crashes in Oregon. In addition, Oregon has established regular monitoring procedures and benchmarks to measure the State's progress toward meeting its goal.

To maintain the improvements to motor carrier safety and continue these successful initiatives, NEXTEA proposes that \$100 million be authorized annually for the National Motor Carrier Safety Program. This \$100 million would be used to fund two main components of the program. Motor Carrier Safety Assistance Program (MCSAP) grants to States would be funded at \$83 million, and a program would be created to fund information systems, safety program and data analysis, and driver program activities at \$17 million.

MCSAP would include funding for basic enforcement and performance incentive grants, as well as high priority activities, such as border enforcement and other projects that benefit all States. Our goal is for all States to implement the performance-based approach in 6 years.

We cannot identify our most significant safety problems and measure our progress without improving our information systems and analysis. In the past, fiscal support for these activities has been pieced together from a variety of sources, but the Department is now seeking a separate, dedicated source of funding at \$17 million. The funds would be flexible and available for grants or cooperative agreements with the States or others or for in-house improvements to information systems and analysis. This category of funds would also support Commercial Vehicle Information System (CVIS) implementation on a national basis as well as driver improvement programs.

An important aspect of truck safety relates to the size and weight of trucks. Under the direction of Secretary Slater when he was Federal Highway Administrator, we initiated a comprehensive truck size and weight study in 1994. Several decades had passed since truck size and weight had been last studied and in the meantime many factors ranging from deregulation to global competition to technological advances have changed the way that transportation markets work. Since the last study, we have learned more about vehicle dynamics and truck safety, and it was clearly time for a comprehensive re-examination of issues related to truck size and weight.

The study, now underway, is focusing on a wide range of complex and interrelated issues. Safety is a principal concern, and in this regard we are mindful of recent legislative proposals to restore uniformity to truck size and weight policy and to address truck safety on the NHS. We hope that the results will assist in consideration of these proposals. Accordingly, we hope to provide Congress with a draft document by the end of May that presents the current state of knowledge regarding heavy vehicle weight and configuration issues. In addition, by mid-June, we will have developed an array of analytical tools for assessing the impact of different truck size and weight legislative initiatives on many factors, including safety, infrastructure preservation, traffic operations, and truck/rail competition. By facilitating the analysis of alternative scenarios, our goal is to provide Congress and other decision makers with a means to examine the various truck size and weight issues.

INTELLIGENT TRANSPORTATION SYSTEMS

The development of intelligent transportation systems (ITS) can greatly improve transportation safety. If all vehicles were equipped with just three of the primary ITS crash avoidance systems – rear-end, roadway departure, and lane change/merge – it has been estimated that 1.2 million crashes (one out of every six) could be prevented annually. This would save thousands of lives and \$26 billion per year. That improvement would return motor vehicle fatalities to their lowest point since World War II. To encourage the further development of ITS-based improvements to transportation safety, our NEXTEA proposal includes a research and technology component that would continue the ITS research efforts begun under ISTEA and would support the deployment of basic ITS infrastructure through standards development, training, and technology transfer. This provision would support, in particular, the development and testing of the Intelligent Vehicle Initiative, which will incorporate the work on collision avoidance and vehicle control that the NHTSA has launched, as well as the long-term vehicle/highway research that has been carried out by the FHWA under the Automated Highway Systems program. NEXTEA would also establish deployment incentives for the further development of ITS infrastructure technologies by providing seed funding to State and local applicants to support integration (not components) of metropolitan area travel management system infrastructure, intelligent infrastructure elements in rural areas, and the deployment of commercial vehicle information systems and networks within States and at border crossings. Finally, in NEXTEA, we are proposing a series of legislative changes that would enable and enhance the mainstream deployment of ITS infrastructure using existing Federal-aid surface transportation funds.

In metropolitan areas, deployment of ITS technology can help improve the overall safety of the transportation system in many ways. Effectively operated freeway and surface street traffic management systems help reduce congestion and smooth traffic flow, resulting in decreased accidents under congested conditions. Traffic management systems can also be integrated with other existing safety systems, such as railroad-grade crossing warning systems, to provide enhanced levels of safety at these locations. In addition, effective incident management programs, particularly when linked directly to the dispatch systems operated by emergency service providers (such as police and fire agencies), can result in quicker detection and more effective responses to a wide range of incidents, including those involving disabled vehicles, accidents, and hazardous material spills. The duration of these incidents can be significantly reduced, as can the exposure of motorists and rescue workers to potentially dangerous conditions.

The application of ITS technology to rural roads can significantly enhance public safety as well. By definition, rural travel occurs in remote areas where the

challenges of warning travelers about weather conditions, road conditions, or incidents are exacerbated. Rural roads account for 79 percent of the public road mileage, and 39 percent of vehicle-miles traveled in the United States; 56 percent of fatal crashes occur on these rural roads. The application of ITS to rural roads could greatly decrease the number of lives lost by providing information and communication services to travelers, law enforcement agencies, and emergency services providers. If a crash occurs in a rural area, travelers can currently expect emergency response times to be double that of urban travelers. ITS applications -- such as automatic MAYDAY devices installed in vehicles -- can significantly cut response times and consequently increase crash victims' chances of survival. Another rural application of ITS to improve public safety is the Road Weather Information System which provides real-time data on weather and pavement conditions. The system also provides thermal maps of roadways and pavement temperature forecasts to allow transportation officials to provide motorists with accurate, real-time information on weather and roadway conditions during winter travel months. Equally important are the automated wind warnings generated to restrict travel in high-wind areas. Through these systems, roadway condition information is transmitted to motorists via variable message signs, highway advisory radio, and in partnership with local television stations.

The safety of commercial motor vehicle operations can also be greatly improved through ITS applications. For example, the Commercial Vehicle Information Systems and Network (CVISN) projects currently being deployed will link information systems to provide roadside inspectors with ready access to more information on which to base enforcement decisions. This will enable enforcement personnel to concentrate their efforts on motor carriers that may not be in compliance with critical safety regulations. Pilot projects to develop the CVISN are currently being conducted in California, Colorado, Connecticut, Kentucky, Maryland, Michigan, Missouri, Washington/Oregon (joint effort), and Virginia. Just recently, Virginia was approved for \$400,000 in Federal ITS/CVO funding for its project-- in addition to the \$600,000 provided in May of 1996. In addition, other ITS technologies are being developed to enhance commercial motor vehicle safety including the use of on-board safety diagnostics for both the vehicle and driver as well as automated roadside inspection systems, for example, advanced brake testing devices.

These are just a few examples of ITS technologies and the safety benefits they can provide to urban and rural communities. We look forward to building on the ITS accomplishments of ISTEA through the proposals for reauthorization included in NEXTEA. These reauthorization proposals would emphasize both researching and deploying ITS applications to enhance transportation safety while also providing the public with an increased level of service and convenience.

In addition to ITS research, development, and technology research, NEXTEA calls for enhanced research, development, and technology in pavements, structures, and safety, all of which have safety payoff benefits.

INTERNATIONAL BORDER CROSSINGS

The NEXTEA also would address concerns of safety and efficiency at our international border crossings, through the proposed Trade Corridor and Border Gateway Pilot Program, a new ITS deployment program, and increased funding for the Interstate Maintenance, National Highway System, and Surface Transportation Programs.

The Trade Corridor and Border Gateway program would provide planning funds for multistate corridor and binational trade transportation planning, and program funds for efficiency and safety improvements to border crossings and border approaches. These corridor and border elements are combined within a single program in recognition of the systemic nature of international trade transportation issues. The Program is authorized at \$45,000,000 per year. This program brings together several planning and program elements designed to facilitate multistate and binational transportation efforts, and provide supplemental funding to assist border States and communities in addressing the efficiency and safety related transport challenges imposed by increasing levels of cross border traffic and international trade development.

In addition to supplemental planning funds for multistate and binational planning, the program authorized a new discretionary program, available to the States or other implementing authorities to improve the safety and efficiency of international border gateways, through a combination of infrastructure, operational, institutional, and/or regulatory improvements. Grants would be based on several criteria: (1) reduction in travel time through the gateway; (2) leveraging of Federal funds; (3) improvements in vehicle and cargo safety; (4) degree of binational involvement and cooperation, including cooperation with the Federal Inspection Services (Customs, INS, USDA, etc); (5) innovation and transferability to other gateways; (6) local commitment to sustain the effort; and (7) full use of existing facilities prior to any new construction. The program facilitates corridor development and border planning, and addressing the transport impacts of NAFTA implementation and international trade growth. It provides supplementary planning and program support to coalitions of States and our transport and economic development partners to encourage innovation and cooperation in dealing with these efficiency and safety related issues.

With regard to the U.S.-Mexican border, there is an on-going dispute regarding freight truck traffic stemming from Mexico's prohibition against operations by foreign truckers on Mexican highways. On September 20, 1982, in response to these restrictions, the Congress imposed a moratorium on the issuance of new grants of U.S. operating authority by the Interstate Commerce Commission to Mexican motor carriers. Under the moratorium, which has been renewed regularly, Mexican trucking companies are restricted to operations in the U.S. commercial zones along the U.S.-Mexico border. NAFTA created a timetable for

the phased removal of barriers to the provision of motor carrier service between the NAFTA countries with December 18, 1995 as the date by which the United States and Mexico were to permit access to each other's border States for motor carriers of the other country. On that date, however, the Administration announced that it would not implement the truck access provision on schedule because of safety and security concerns. Since then, the U.S. and Mexico have engaged in extensive consultations to develop a safety compliance and enforcement program in Mexico that would ensure safe cross-border operations. We have made considerable progress in these discussions, and are confident that Mexico's actions, in addition to actions we have taken in the U.S. to enhance and improve Federal and State enforcement programs, will provide the foundation needed for implementation of NAFTA's trucking provisions in the months to come.

CONCLUSION

As the foregoing descriptions of our efforts under ISTEA show, the Department and particularly the FHWA and NHTSA, have made improving highway safety their utmost priority. Through the safety programs and funds provided under ISTEA, we have been able to significantly decrease the number of deaths and the degree of serious injuries resulting from crashes on our highway system. The Administration's reauthorization proposal is designed to further these safety gains by, for example, aggressively encouraging increased seat belt use and by funding integrated approaches to emerging problems, such as increasingly aggressive driving, that coordinate driver, vehicle, and roadway responses to the safety risks posed by these new problems. Members of this committee have demonstrated their strong commitment to transportation safety in the past. Now, we ask that you take the next step by acting on our NEXTEA proposals to significantly further our common goal of improved highway safety. We are aware that the members of this committee have pressing safety concerns and we look forward to working together with you to ensure that our Nation's highways are the safest possible.

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