



STILL RISKY BUSINESS

*How the DOT "Pilot Program"
for Mexico-Based Trucks
Continues to Put the Public at Risk*

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There are 5,000 deaths every year — and over 100,000 injuries — from collisions with big trucks. We just can't afford for those numbers to get any worse . . . but that's exactly what could happen from the Bush Department of Transportation "pilot project" for allowing Mexico-based trucks to operate throughout the U.S.

We can't be sure that the trucks are safe.

- DOT says it will just rely on statements from Mexico-based carriers that their vehicles comply with U.S. safety standards, even though federal law clearly states that such certification can be made only by the vehicle manufacturer.
- DOT just assumes all trucks used by Mexico-based companies and produced after 1996 are built to U.S. standards, even though data reveal that 1/5 of such vehicles do not meet minimum safety standards. There also is no current, reliable method available to verify date of manufacture.

We can't be sure that the drivers meet U.S. safety standards.

- Drivers based in the U.S. must complete drug tests at certified facilities to ensure their personal fitness as a safe driver. There are no guarantees that Mexico-based companies are meeting these standards.
 - Though DOT stated that it would require specimen sampling and testing at the border facilities upon entry, no procedure or protocol documenting these sensitive sampling procedures has been transmitted to border facilities.
 - DOT assured that Mexico agreed to adopt testing standards comparable to those used in the U.S. However, there is not one Mexican lab certified to test under U.S. standards, and the border is now open under the program without verification of any standards at all. Additionally, there are no lab-audit procedures in place, and they won't be implemented until sometime in 2008.
- DOT has no way to enforce hours of service requirements before a truck enters the U.S., and it lacks any method to corroborate the time service records with Mexican officials. In reality this means that a driver could operate for 10 hours in Mexico, cross into the U.S., then operate under current rules for an additional 11 hours without any fear of enforcement action by DOT.

DOT isn't in a position to guarantee that there will be real safety checks before trucks cross over.

- DOT's "Every truck, Every time" mantra does not mean that the agency conduct a full inspection, every time a Mexico-domiciled truck crosses the border. It instead looks only for a valid 90-day inspection sticker and a valid driver's license, without even a cursory safety or record inspection.
- There remain several border inspection sites too small to handle current high-volume traffic flows, making the agency's "every truck, every time" promise even more illusory. This rhetoric cannot replace facts: border facilities are not equipped with the space, manpower or technology necessary to monitor such an important highway safety issue.
- The agency still has not completed establishment of the type of inspection facility required by law for commercial vehicles. By definition the current inspection facilities are not adequate under legal standards, yet the agency chants "every vehicle, every time" as if that were a real answer.

Neither DOT nor the states have the information they will need to be able to enforce safety standards against Mexico-based companies that violate them.

- States aren't logging the violations that they catch. State-initiated corrective actions to repair the crucial database that stores driver violations are not yet complete. This means that even in the four states accustomed to monitoring Mexico-domiciled carriers, recordation of violations will be inconsistent or delayed, keeping unsafe drivers on the road as they pass to other states unfamiliar with the already insufficient system.
- The U.S. has not been granted full access to the Mexican license record database. While these records can be recalled at border facilities, more than 15% of the time they are wholly missing. There is no indication that non-border states responsible for program enforcement have any means to directly access the database at all.
- States also lack the complete procedural information to conduct thorough safety inspections. For instance, if a Mexico-domiciled carrier were to be pulled over for unsafe driving behavior, there is no system available to permit roadside access to any record system.