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Trucking Industry Uses Election Spending and Lobbying Expenditures to Weaken Truck Safety Rules Through Backdoor Riders on Transportation Spending Bills

Large truck crashes kill 4,000 thousand Americans every year, and injure nearly 100,000 more at an economic cost of \$99 billion. With such a devastating toll of needless death and suffering, the United States urgently needs enhanced truck safety measures.

But it's not stronger truck safety that's on the Congressional agenda. Shamefully, Congress is instead acting to weaken truck safety standards. If the trucking industry succeeds with its investment of \$78 million in congressional lobbying and campaign money since 2012 as this report reveals, the public will be paying even more with their lives and their wallets.

On June 9, the U.S. House of Representatives passed an appropriations rider that would roll back a series of truck safety rules; similar life-threatening provisions are now under consideration in the U.S. Senate Appropriations Committee, which will consider them at a committee markup Thursday, June 25.

These measures are not being passed through the normal process. They are not being considered in the committees of jurisdiction; they are not being passed after or in response to committee investigation and oversight; they are not evidence-driven in any way. Instead, they are moving as policy riders – incorporated as extraneous matters into must-pass Transportation Department spending bills.

There is only one way to understand this Congressional action: With their campaign contributions and lobbying expenditures, big freight companies have leveraged their financial power to win legislative objectives to increase their profits.

Led by Federal Express, the freight shipping industry has formed a coalition, operating under the banner of the Coalition for Efficient and Responsible Trucking (CERT), to lobby for the rollback of truck safety rules. CERT's member companies are: AAA Cooper Transportation, ABF Freight

System, Con-way Freight, Estes Express Lines, FedEx, Old Dominion Freight Line, Southeastern Freight Lines, United Parcel Service, YRC Worldwide.

CERT's push for longer 33-foot trailers benefits primarily its member companies. Evidence of this came last week, when 15 other trucking companies, including large companies such as Swift of Phoenix Arizona and JB Hunt of Lowell Arkansas, came out in opposition to longer trailers, stating that they "would have a negative impact on highway safety, accelerate wear and tear on the nation's highway system, and make it very difficult for small trucking companies, which are the heart of our industry, to compete."

Also in the past few weeks, state transportation leaders in Mississippi, Illinois, Louisiana and Pennsylvania have come out in opposition to being mandated to allow 33-foot trailers on their highways as CERT is urging.

Together, a Public Citizen analysis of data from the Center for Responsive Politics (CRP) has found, that FedEx, UPS and the other CERT corporations (including expenditures by executives employed by these companies) spent more than \$12 in campaign contributions in the last two federal elections.

These companies are prodigious lobbyists, spending more than \$64 million on lobbying in the last three and a half years. FedEx alone is the twentieth largest lobbying spender in the country, according to CRP. FedEx also keeps the revolving door well oiled; 37 of 51 FedEx lobbyists in 2013-2104 previously held federal government positions, according to CRP.

The absolute amount of money spent by firms on lobbying is important in considering their influence on any particular issue, because the lobbying expenditure is a proxy for their connectedness and influence on Capitol Hill. However, disclosure rules do not require companies to disclose their lobby expense by issue. The best evidence of lobbying intensity on an issue comes from lobby reporting requirements that require lobbyists to identify the issues on which they are lobbying. A Public Citizen analysis of lobby data made available by CRP shows that the CERT companies filed 28 lobby reports in 2013 on truck safety issues, 32 such reports in 2014, and 8 in 2015 (with only first quarter reports available). FedEx is responsible for two thirds of the total lobby reports on truck safety issues.

The CERT companies are poised to reap an enormous return from their political investment – at the expense of public safety.

The riders that passed the House of Representatives will:

- Overturn the law in 39 states restricting truck size and force every state to permit "Double 33s" on federal and local roads. These are extra-long trucks exceeding 84 feet in

length pulling two 33-foot long trailers. Larger, heavier trucks are more dangerous; already, 96 percent of fatalities in a crash involving a large truck and a car are the car, not truck, occupants.

- Permit already overworked truck drivers to drive and work, or be forced to drive and work for 82 hours in a single week, despite overwhelming evidence that tired drivers are far more likely to get into crashes..
- Stop an on-going Department of Transportation rulemaking concerning minimum insurance requirements for large trucks. The current minimum of \$750,000 for all injury and property damage in any crash is grossly out of date. It has not been increased for 30 years.

Similar measures are up for consideration in the Senate Appropriations Committee on June 25, as the Committee votes on the Department of Transportation funding bill.

Health and safety organizations, law enforcement representatives as well as the Teamsters truck drivers union, are vociferously opposed to these measures, which will assist the bottom line of some freight companies but at the cost of needless and utterly preventable death and injury.

Families of victims of trucking accidents have implored Members of Congress to elevate the public interest over the drive for profits by some freight companies such as FedEx and UPS. In the House of Representatives, too many Members refused to listen to the heart-rending pleas of these family members, law enforcement representatives including National Troopers Coalition, chiefs of police across the country, public health and safety organizations, the Teamsters, railroad companies, state lawmakers and transportation officials, and CEOs of 16 trucking companies. Now, the Senate has the opportunity to stop the runaway FedEx and UPS agenda that will result in more crashes, deaths and injuries and costs.

This is not an issue being decided on the merits. It is not a case of the application of the cost-benefit analysis that industry claims to so love. It is not a case where compassion is informing policy, as the family members put names and faces on the abstraction of megatruck deaths. What we are witnessing is, instead, the exercise of raw political power, flowing directly from the millions invested by the freight industry in the political process.

[See charts below.]

**2012-present Campaign Contributions by
Coalition for Efficient and Responsible Trucking Companies**

Company	Campaign Spending (2012 Cycle)	Campaign Spending (2014 Cycle)	Campaign Spending (2015)	Corporation Sum
AAA Cooper Transportation	\$178,000	\$26,200		\$204,200
ABF Freight	\$50,250	\$47,600	\$14,081	\$111,931
Con-way Freight	\$96,212	\$104,550		\$200,762
Estes Express Lines		\$43,495	\$3,950	47445
FedEx	\$2,545,217	\$2,321,765	\$124,169	\$4,991,151
Old Dominion	\$177,410	\$156,800	\$5,000	\$339,210
Southeastern Freight Lines	\$101,900	\$55,750	\$10,000	\$167,650
United Parcel Service	\$3,056,279	\$3,146,309	\$33,689	\$6,236,277
YRC Worldwide	\$74,200	\$48,900	\$1,000	\$124,100
Industry Sum	\$6,279,468	\$5,951,369	\$191,889	\$12,422,726

Source: Public Citizen compilation based on data from the Center for Responsive Politics, OpenSecrets.org

**2012-present Lobby Expenditures by
Coalition for Efficient and Responsible Trucking Companies**

Company	Lobbying Expenditure (2012)	Lobbying Expenditure (2013)	Lobbying Expenditure (2014)	Lobbying Expenditure (2015)	Corporation Sum
AAA Cooper Transportation	n/a	n/a	n/a	n/a	0
ABF Freight	\$645,000	\$630,000	\$540,000	\$130,000	\$1,945,000
Con-way Freight	n/a	n/a	n/a	n/a	0
Estes Express Lines	n/a	n/a	n/a	n/a	0
FedEx	\$11,874,380	\$12,200,912	\$13,414,536	\$2,810,000	\$40,299,828
Old Dominion	\$240,000	\$160,000	\$290,000	\$130,000	\$820,000
Southeastern Freight Lines	n/a	n/a	n/a	n/a	0
United Parcel Service	\$5,044,171	\$5,601,793	\$7,593,995	\$3,019,712	\$21,259,671
YRC Worldwide	\$500,000	\$620,000	\$320,000	\$10,000	\$1,450,000
Industry Sum	\$18,303,551	\$19,212,705	\$22,158,531	\$6,099,712	\$65,774,499

Source: Public Citizen compilation based on data from the Center for Responsive Politics, OpenSecrets.org

**2012-present Lobby Reports on Truck Safety Issues by
Coalition for Efficient and Responsible Trucking Companies**

Company	Number of Reports – 2013	Number of Reports - 2014	Number of Reports – 2015	Company Total
ABF Freight	4	4	0	8
FedEx	19	20	5	44
Old Dominion	4	4	2	10
UPS	1	4	1	10
CERT Company Total	28	32	8	68

Source: Public Citizen compilation based on data from the Center for Responsive Politics, OpenSecrets.org