



U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

Don Young
Chairman

James L. Oberstar
Ranking Democratic Member

February 16, 2006

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The Honorable Norman Y. Mineta
Secretary
U.S. Department of Transportation
400 Seventh Street SW
Washington, D.C. 20590

Dear Mr. Secretary:

We understand that Annette Sandberg, Administrator of the Federal Motor Carrier Safety Administration (FMCSA), recently announced her resignation effective March 1, 2006. Motor carrier safety is an issue of paramount importance to us, and therefore we write to urge the Administration to swiftly nominate a highly-qualified motor carrier safety professional to lead FMCSA.

The Motor Carrier Safety Improvement Act of 1999 (P.L. 106-159) created FMCSA and establishes safety as the highest priority for the agency's mission. Section 113 of Title 49, U.S.C., reads:

In carrying out its duties, the Administration shall consider the assignment and maintenance of safety as the highest priority, recognizing the clear intent, encouragement, and dedication of Congress to the furtherance of the highest degree of safety in motor carrier transportation.

The law is also clear that the FMCSA Administrator "shall be an individual with professional experience in motor carrier safety."

The importance of swiftly nominating a highly-qualified safety professional as Administrator is compounded by the challenges that FMCSA continues to face, including stalled progress to reduce truck-related fatalities and injuries. In November 2005, the Department of Transportation (DOT) Inspector General cites the need to further strengthen surface transportation safety programs, including motor carrier safety, as one of the top nine management challenges facing the Department. The Inspector General states that DOT's efforts to meet its goal of reducing the rate of highway fatalities from 1.46 fatalities per 100 million vehicle miles traveled to 1.0 fatalities by 2008 "would require significant acceleration in past improvements." FMCSA's targeted contribution to reaching DOT's goal is set at a rate of 1.65 per 100 million miles of truck travel by 2008, compared with the current fatality rate of 2.3. To meet this goal, the agency requires a focused, vigilant leader who can and must do more.

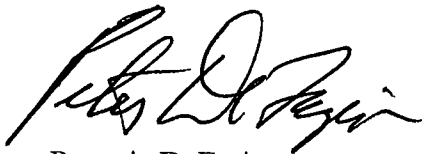
Moreover, we are troubled by the U.S. Court of Appeals recent assessments of FMCSA's adherence to its statutorily mandated mission to ensure motor carrier safety. In the past 18 months, the U.S. Court of Appeals has overturned two major FMCSA motor carrier safety regulations. The Court's decisions to vacate the hours-of-service and entry-level driver training regulations indicate an agency disconnect between safety-focused science and regulatory policy. In the Court's driver training decision, issued in December 2005, Senior Circuit Judge Edwards stated:

...the rule departed sharply from earlier agency recommendations...FMCSA ignored this evidence and opted for a program that focuses on areas unrelated to the practical demands of operating a commercial motor vehicle...The agency, without coherent explanation, has promulgated a rule that is so at odds with the record assembled by DOT that the action cannot stand.

With more than 5,000 people killed and 100,000 injured in truck-related crashes each year, we strongly urge that you refocus the agency on its core mission of "safety as the highest priority" and that the Administration nominate a superior candidate as quickly as possible to lead FMCSA and the nation toward a safer future on America's roads.

Thank you in advance for your attention to this request.

Sincerely,



Peter A. DeFazio
Ranking Democratic Member
Subcommittee on Highways Transit and Pipelines



James L. Oberstar
Ranking Democratic Member