

**Before the Subcommittee on Transportation
Committee on Appropriations**

U.S. House of Representatives

For Release on Delivery
expected at
10:00am EST
Tuesday
February 23, 1999
Report Number: TR-1999-055

**Surface
Transportation Safety**

**Motor Carrier Safety and
Related Matters**

**Statement of
The Honorable Kenneth M. Mead
Inspector General
U.S. Department of Transportation**



Mr. Chairman and Members of the Subcommittee:

We appreciate the opportunity to be here today to discuss Surface Transportation Safety.

We want to make particular note of the priority that Secretary Slater has placed on transportation safety. DOT's number one strategic goal is stated quite simply to: "Promote the public health and safety by working toward the elimination of transportation-related deaths, injuries and property damage." We can personally attest to the fact that the Secretary has made it clear to all that this goal is the "North Star" for DOT to follow.

Consistent with DOT's priorities, the Office of Inspector General has made the oversight of DOT's safety programs its highest priority. Over the years, safety has been a large part of our audit, evaluation, and investigative work. We are committed to doing all we can to help DOT achieve its number one goal.

Surface Transportation Safety is of critical importance to the Department. By far, the greatest number of transportation-related fatalities involve motor vehicles. Highway crashes claim at least 40,000 lives annually, of which more than 5,300 involve motor carriers, i.e., large trucks.¹ Rail and transit accidents account for an additional 1,300 lost lives.

Our statement today addresses safety oversight of transportation involving motor carriers, railroads, and transit systems. We will also discuss the transportation of hazardous materials. Our emphasis will be on motor carriers, since this has been a major issue of the subcommittee in the past year.

Before discussing this issue, we want to recognize the fact that the vast majority of transportation companies and equipment operators are upstanding citizens, compliant with transportation safety rules and regulations, and equally interested in safety and in significantly reducing the number of accidents and fatalities. The real problem is the relatively small portion of the industry that puts profit as their "North Star" and in doing so, puts the safety of the traveling public in the "back seat."

The issues we will address this morning regarding motor carrier safety are:

¹ A "large truck" is defined by the National Highway Traffic Safety Administration (NHTSA) as having a manufacturer's gross vehicle weight rating over 10,000 pounds. The Office of Motor Carriers (OMC) defines a "large truck" similar to NHTSA but adds it must have at least 6 tires. For purposes of our analysis, and for cases throughout our testimony, large trucks typically exceed a gross vehicle weight rating of 20,000 pounds.

- The number of fatalities associated with truck crashes is increasing. More than 5,300 people died in 1997 in truck crashes. This equates to a major airline crash with 200 fatalities every 2 weeks. DOT's outcome measure established under the Government Performance and Results Act (GPRA) for truck safety is based on reducing the fatality rate. However, this methodology can allow the absolute number of fatalities to increase as the number of miles driven increases. The outcome measure and the focus of the motor carrier program must be changed to one that also aims at substantially reducing the number of fatalities.
- The Office of Motor Carriers (OMC) has shifted emphasis from enforcement to a more collaborative approach to safety. Inspectors performed fewer than two compliance reviews each month; only 12 percent of the violations identified by inspectors resulted in assessments, and settlements amounted to only 45 percent of the dollar amounts assessed.
- Approximately 47 percent of OMC's workforce responding to our survey rated OMC's enforcement program as Poor to Fair. Over 86 percent favored putting unsafe carriers out-of-service, assessing larger fines for repeat offenders, and taking more enforcement actions.
- Since 1997, OMC has been referring carriers with the most egregious records and indications of criminal behavior to our office for investigation. Since January 1, 1997, there have been 39 indictments, 32 convictions, and \$1.6 million in fines, restitutions, and recoveries associated with OIG motor carrier cases. There are 35 criminal investigations currently ongoing. OMC is not, however, aggressively using the tools it has available (such as progressive fines, sanctions, and total carrier "shut downs") to deal with the truly bad companies.
- OMC is using its Safety Status Measurement System (SafeStat) to target motor carriers with poor records. This system is a major improvement over past practices. However, the system cannot target all carriers with the worst records because its database is incomplete and inaccurate, and data input is not timely.
- About 44 percent of trucks entering the U.S. from Mexico do not meet U.S. safety standards. This rate is unacceptably high in comparison to 17 percent for Canadian and 25 percent for U.S. trucks. There are too few safety inspectors at the Mexican border--for example at El Paso, where 1,300 trucks enter the U.S. daily, there is only one inspector. OMC and the border states disagree about who has responsibility for these inspections. Therefore, there has been little improvement. It is time to resolve this issue.

- There are no clear-cut answers to the organizational placement issues regarding OMC. We have concerns with its placement in the Federal Highway Administration (FHWA) because its focus is so heavy on infrastructure development and investment. Furthermore, actions by OMC's senior leadership have indicated that an "arms length" relationship did not always exist with the industry it was responsible for overseeing. Only 20 percent of the OMC staff responding to our survey expressed any opposition to moving the office from FHWA to NHTSA. The truck safety mission must be placed in an organization where it has strong leadership, a clearly defined mission aimed at safety, and management willing to make tough decisions--like issuing "shut down" orders when appropriate. This is true, regardless of whether the motor carrier safety function is left at FHWA, merged with NHTSA, or some other form of organization is established, such as a Motor Carrier Administration.
- Organizational realignment and strong industry oversight alone will not achieve significant reductions in fatalities. Actions such as improved driver accountability, required vehicle inspections, a 60-mile maximum speed limit, revising hours of service regulations, and others identified in the testimony warrant consideration.

Motor Carrier Safety

During last year's appropriation process, this subcommittee recommended that the OMC be transferred from the Federal Highway Administration (FHWA) to the National Highway Traffic Safety Administration (NHTSA). The proposal was not enacted and in late October, Chairman Wolf and Senator McCain, Chairman of the Senate Commerce, Science, and Transportation Committee, requested that we review the effectiveness of OMC's truck safety program and the merits of transferring OMC from FHWA.

The Debate Over Effectiveness of Federal Oversight of Trucking Is Not New

The debate over the effectiveness of OMC (and its predecessor organization), and where it should reside, is not new. It began over 3 decades ago when the mission was transferred to DOT from the Interstate Commerce Commission. It was rekindled in 1987 when the Chairman of the Senate Commerce Committee, and 19 co-sponsors, proposed removing it from FHWA. And, the debate continues today.

Mr. Chairman, this debate brings to mind that famous Yogi Berra quote: "It's déjà vu all over again." Thirty years ago, Congressional concerns centered around the fact that (1) too few trucks were being inspected, (2) too many inspected trucks were found unsafe for operations with about 33 percent being placed in the equivalent to what we currently refer to as "out of service," and (3) driver fatigue was a major factor in many accidents. These are the same concerns we have today.

We have done extensive analysis of the OMC program. We surveyed OMC safety investigators and their field-level supervisors; reviewed the actions taken by OMC in response to our 1997 audit recommendations; analyzed data contained in OMC's Motor Carrier Management Information System; and reviewed data in other DOT databases. We also interviewed and discussed truck safety issues with OMC officials at all levels, state enforcement personnel, American Trucking Association officials, and owners and operators of trucking companies.

As part of a separate audit, we reviewed the effectiveness of OMC and the border states' efforts to ensure commercial trucks entering the United States meet our safety standards. We also investigated allegations that senior OMC officials initiated industry lobbying to defeat proposed legislation to transfer OMC to NHTSA.

Fatalities Are Increasing – Action Is Needed

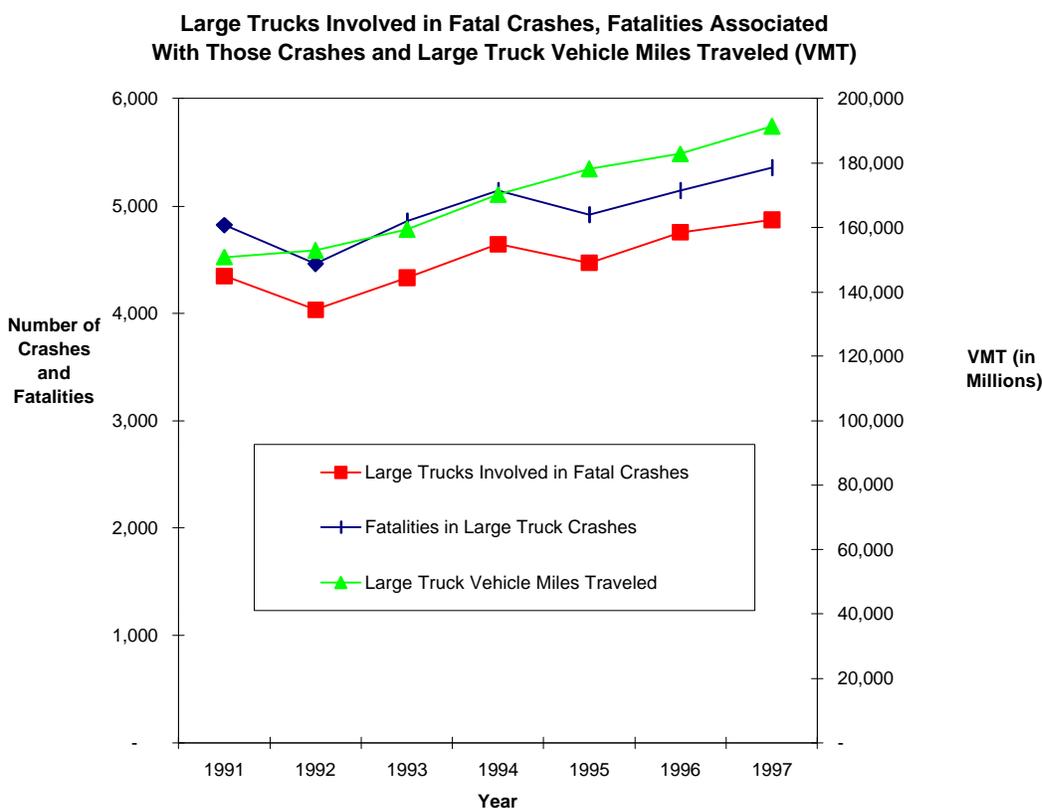
In just the last 3 years, the number of motor carriers increased by 36 percent (or 118,228) from 329,375 in 1995 to 447,603 in 1998.² The number of vehicle miles traveled increased 7 percent and totals about 200 billion per year. The fatality rate, i.e. the number of fatalities for crashes involving large trucks per 100 million vehicle miles traveled (VMT), which is the Department's measure for evaluating its progress in enhancing safety, has remained constant at about 2.8 percent for the last 3 years. Moreover, the number of fatalities involving large trucks has increased by 9 percent. In 1995, 4,918 people died in crashes involving large trucks. In 1997, the latest year for which the Department has fatality data, 5,355 people died in crashes involving large trucks. The fatality rate stayed the same while 437 more people were killed.

The Department's goal, as established in accordance with the Government Performance and Results Act, is to reduce the fatality "rate" to 2.5 percent. With the expected increase in the number of carriers and vehicle miles traveled, the goal could be achieved even though the number of fatalities could increase above the

² Source: Active interstate motor carriers in OMC's Motor Carrier Management Information System.

5,355. Mr. Chairman, the goal should be to substantially reduce the absolute number of fatalities, not just the rate.

In contrast, fatalities associated with air and rail transportation have decreased, even though passenger miles increased. For example, there were no fatalities in U.S. commercial aviation during 1998. The number of fatalities involved in large truck crashes equates to a major airline crash involving about 200 deaths every 2 weeks. This number of fatalities is unacceptable, and much more needs to be done to reduce the risks.



OMC Emphasis Has Shifted Away From Enforcement

Beginning with the Motor Carrier Safety Act of 1984, Congressional references to OMC's mission have emphasized the need for strong enforcement of motor vehicle safety laws and regulations. However, our work shows that OMC has decreased its emphasis on enforcement in favor of other initiatives such as education and partnering. Our survey³ of OMC personnel disclosed that safety investigators reported spending approximately 55 percent of their time performing

³ Attached to this statement is a table showing the results of our survey.

compliance reviews, enforcement activities, roadside inspections and accident investigations. Compliance reviews are onsite investigations of the motor carrier's operations to determine whether a motor carrier meets the safety fitness standards.

The safety investigators spent the remaining time on administrative duties, outreach programs, meetings and seminars, etc. Safety investigators averaged fewer than two compliance reviews per month in 1998.

Of the respondents to our survey, 66 percent rated safety of trucking as good to excellent, 29 percent rated it fair, and 5 percent rated it poor. The collaborative, "partnership," approach to building in safety can only work if both "partners" have safety as their goal.

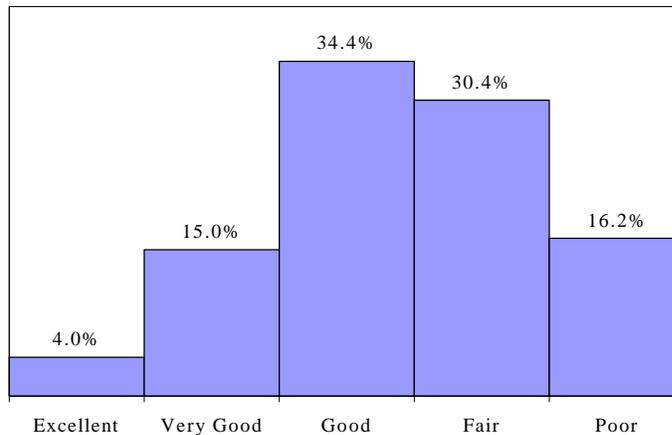


Investigators Feel Stronger Enforcement Is Needed

Seventy-three percent of OMC's safety investigators and field-level supervisors responded to our survey. This is a very high response rate. Almost half said that current program direction does not support strong enforcement. Approximately 47 percent of the respondents rated OMC's enforcement program as POOR to FAIR.

In order to make enforcement more effective, over 94 percent said that attention needs to be placed on putting unsafe carriers out of service, 90 percent favored assessing larger fines for repeat offenders, and 86 percent indicated more enforcement actions were needed. It becomes clear from the high response rate to our survey, and the very frank and straightforward individual narrative comments and responses to our questions, that OMC safety investigators want to do an effective job, but the current program direction requires major changes if they are to be effective.

OMC Personnel Rating of the OMC Enforcement Program



In FY 1997, we joined forces with OMC to conduct reviews of five high-risk motor carriers in one geographical area. The reviews found that, despite a history of OMC civil penalties⁴, three of the trucking companies continued to operate and violate Federal safety regulations. The 3 companies had from 11 to 27 crashes from 1994 to 1996, including 1 fatal crash. We found that, on average, 75 percent of drivers falsified 45 percent of the driver logs⁵ we reviewed. One case has been accepted by the U.S. Attorney's Office for prosecutive consideration.

During these joint reviews, we observed that OMC investigators did not aggressively look for driver log fraud, and the investigators did not obtain independent evidence to validate log entries. To illustrate, at one company, the investigator completed his normal compliance review, and did not identify any falsifications of driver logs. However, we obtained fuel purchase reports directly from the credit card company. Using the independent information, we were able to prove driver logs were falsified. In fact, we found drivers frequently far exceeded maximum hours of service rules and lied about their driving time.

⁴ For example, in November 1995, one of the motor carriers was put on 45-days probation for (i) transporting hazardous materials without a current Certificate of Registration on file and (ii) falsification of driver logs. The company was never put out of service. On followup compliance reviews conducted in February and August 1996, OMC found falsification of driver logs and assessed the motor carrier over \$8,000 in fines.

⁵ Driver Logs - Hours of service rules govern how long a driver can be behind the wheel, or otherwise on duty, without time off for rest. Currently, drivers are not permitted to drive in excess of 10 hours, without taking a mandatory break of at least 8 consecutive hours off duty or in their sleeper berth. Additionally, drivers may not drive after their total on-duty time (driving and non-driving combined) reaches 15 hours, without first taking an 8-hour break. Drivers must record their duty status for each 24-hour period. This recordkeeping is required under U.S. DOT regulations and is a record of the driver's compliance with the hours of service restrictions.

Since 1997, we have been working with OMC investigators to better identify falsification of records as part of their compliance reviews. OIG auditors and criminal investigators participated in 28 OMC inspection training sessions. These training sessions were attended by 600 Federal and State investigators. Almost 90 percent of the OMC staff responding to our questionnaire were familiar with our program to criminally prosecute carriers. As a result of these efforts, OMC has begun referring some of the worst trucking companies to us for criminal investigation. OMC is not, however, aggressively using the tools it has available, such as progressive fines and sanctions, and total carrier “shut downs.”

We are currently working about 35 investigations involving suspected criminal violations of motor carriers safety requirements. Since January 1, 1997, OIG’s investigations of trucking companies have resulted in 39 indictments, 32 convictions, and \$1.6 million in fines, restitutions and recoveries.

Let me give you an example of the seriousness of the problem.

In one case, OMC referred a trucking company to us for investigation that had (1) a history of serious violations of the regulations dating back several years, (2) continued to operate and violate the regulations despite assessment of civil penalties, and (3) evaded an Out-of-Service Order issued against it by OMC.

The regulatory enforcement history for this carrier is compelling. In 1994, OMC conducted a compliance review that disclosed substantial violations of Federal hours-of-service regulations and failure to drug-test drivers. Specifically, the review found that the carrier unlawfully “required or permitted” its drivers to exceed the hours-of-service limits. OMC cited one driver who drove more than 30 hours after having already been on duty for the 70-hour limit during a consecutive 8-day period. OMC’s review discovered 47 total violations of safety regulations, but cited the carrier for only 21, resulting in the carrier paying a civil penalty of \$10,500.

OMC conducted follow up reviews of the carriers in 1995 and 1996. OMC’s 1995 review found 116 of 277 driver logs examined showed drivers exceeding the hours-of-service regulations. OMC’s review also discovered the carrier was not testing drivers for controlled substances as required under motor carrier safety regulations. However, the carrier was cited for only 14 violations, which resulted in the carrier paying a civil penalty of \$10,750.

The 1996 review resulted in OMC issuing an Out-of-Service Order against the carrier to shut it down and ordering it to pay a \$10,000 civil penalty. OMC advised

OIG that it had no record of collecting the \$10,000 civil penalty assessed at the time the Out-of-Service Order was issued.

The Out-of-Service Order deemed the motor carrier “an imminent hazard to safety” and specified that the carrier must not attempt to evade the Order by continuing to operate under the name of another person or company without OMC's approval. A few weeks after issuing the Out-of-Service Order, OMC contacted the company to determine if they were complying with the Order. At that time, OMC was denied access to company records and told the business was no longer in operation. OMC subsequently learned that the carrier was operating under a new name, without OMC's approval, in violation of the Order.

After determining the company was violating the Order, a meeting was held between OMC and the carrier's owner. During that meeting, the owner presented OMC with limited records indicating the company was operating under a new name and in compliance with the motor carrier regulations. OMC allowed the carrier to continue operations.

In 1998, OMC attempted to conduct a compliance review of the carrier after receiving allegations that the carrier was again violating motor carrier regulations. OMC was again denied access to the carrier's records and the carrier subsequently refused to comply with an administrative subpoena issued for its records. That is when OMC referred the case to the OIG for criminal investigation and potential prosecution.

OMC Cannot Target All of the Worst Carriers Because of Data Problems

Since March 1997, FHWA, to its credit, has used the Motor Carrier Safety Status Measurement System (SafeStat) to continuously quantify and monitor the safety status of motor carriers using crash, driver performance and vehicle inspection, compliance review, and enforcement information. With the implementation of SafeStat, OMC has established a policy to perform compliance reviews on motor carriers having the worst safety records. Unfortunately, all carriers included in SafeStat have not had a compliance review. Neither OMC nor the states performed a compliance review of 18 percent (294 carriers) of the worst carriers identified on the March 28, 1998 SafeStat list.

While the use of SafeStat data is a significant improvement over the past practice, OMC still cannot target all carriers with the worst safety records because its database is incomplete and inaccurate, and data entry is not timely.

For example, data that affects safety ranking and identification of problem carriers include crash data and traffic enforcement citations. We found this data was incomplete, inaccurate, and not entered into SafeStat timely.

- OMC did not receive data on 38 percent of truck and bus crashes that occurred in 1997⁶. For example, Florida transmitted only 2,973 of an estimated 7,900 commercial vehicle crashes that occurred in 1997.
- Of the 514,209 traffic enforcement citations received from the states during FY 1998, 61 percent or 314,281 were incorrectly coded. For example, OMC cannot separate serious traffic violations, such as speeding and reckless driving from minor violations, such as missing mud flaps. None of the 55,258 traffic citations submitted by California were properly coded. Information regarding these types of violations is obtainable and must be analyzed to identify serious trends, problems and appropriate remedies.
- The SafeStat program determines a motor carrier's safety relative to carriers of comparable size. However, driver and vehicle information on 71,145 motor carriers (16 percent of the total population) was not in SafeStat. Carriers missing this data normally would not be scored or prioritized for a review, even if they had the worst record in the industry.
- In 1997, 31 percent of the crashes reported by the states were entered into SafeStat more than 180 days late. Timely entry of accident data to the SafeStat program is important because a recent crash (one that occurs in the past 6 months) is weighted three times greater than one that occurred more than 18 months ago.

Motor Carrier Safety Assistance Program Augments OMC's Workforce

The Surface Transportation Assistance Act of 1982 established the Motor Carrier Safety Assistance Program (MCSAP). This program provides resources to augment the OMC work force. It was initially appropriated at \$8 million for FY 1984. The amount of MCSAP appropriations has increased steadily to \$90 million in FY 1999.

Under this program DOT awards grants to states for the development and implementation of programs to improve commercial vehicle safety. About 80 percent of MCSAP funds support the salaries of state safety inspectors who conduct vehicle roadside inspections and compliance reviews. In 1998, state inspectors performed about 2 million roadside inspections and 2,040 compliance

⁶ 1998 data will not be available until March 31, 1999.

reviews. These numbers are included throughout our testimony when we discuss compliance reviews, inspections, violations, and enforcement actions.

OMC Must Strengthen Its Enforcement Program

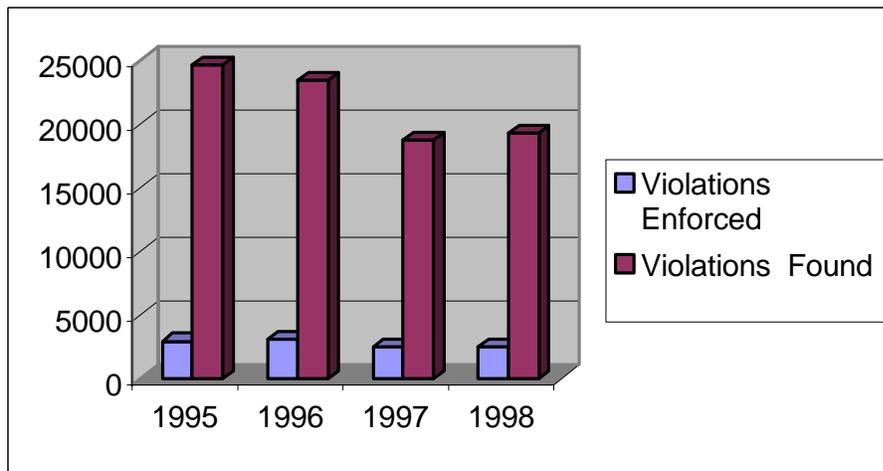
We evaluated the effectiveness of OMC's enforcement practices and found OMC was achieving only limited success. Specifically,

- Most violations found during compliance reviews did not result in enforcement actions.
- OMC is settling enforcement cases for amounts significantly less than originally assessed.
- OMC is not closing enforcement cases in a timely manner.
- Carriers and drivers with multiple enforcement actions are allowed to continue operating.

Most Violations of Safety Regulations Do Not Result in Enforcement Actions. During FY 1995, enforcement actions were processed on 12 percent (2,957 of 24,636) of all violations found during compliance reviews for the 29 most violated regulations. These included:

- Hours-of-service violations, falsified driver logs, non-current driver logs, and false reports of records of driver duty status;
- failure to implement an alcohol and/or controlled substance testing program, and use of drivers with suspended or cancelled commercial drivers license; and
- use of commercial motor vehicle not periodically inspected.

In FY 1998, the percentage of enforcement actions processed decreased to 11 percent of the violations found. The following graph shows the number of violations found and included in enforcement actions for FYs 1995 through 1998.



For driver log violations, which include falsified logs and driving more hours than allowed, 11 percent of FY 1995 violations were included in penalty actions. This dropped to 8 percent in FY 1998.

Civil Penalty Settlements Have Decreased Since 1995. In the small percentage of cases where violations resulted in civil penalties, OMC settled for significantly less than the amount originally assessed. In our opinion, the fines do not effectively deter carriers or drivers. The companies apparently just consider them "a cost of doing business."

From FY 1995 to FY 1998, settlements declined from 67 cents on the dollar assessed to 46 cents. The following table presents the history of assessments and settlements during FYs 1995 through 1998.

Civil Penalty Assessments and Settlements

Fiscal Year	Assessment	Settlement	Percent of Assessment
1995	\$10.3 million	\$6.9 million	67%
1996	\$9.8 million	\$6.4 million	65%
1997	\$6.4 million	\$3.8 million	60%
1998	\$5.9 million	\$2.7 million	46%

From 1995 to 1998, the average penalty originally assessed per enforcement case decreased from \$5,575 to \$3,517. The average settlement decreased from \$3,734 to \$1,592. The decrease in enforcement actions and the lower average assessment and settlement amounts indicates OMC has lowered emphasis on strong penalty actions to achieve compliance. This trend is reflected in OMC inspectors'

responses to our questionnaire where 87 percent of the inspectors believed more enforcement action should be used to bring carriers into full compliance.

OMC is not closing enforcement cases in a timely manner. According to OMC records, as of November 1998, there was a backlog of 1,174 enforcement cases that have remained open from 6 months to 8 years. Of the 1,174 open cases, 589, or 50 percent, have been open for over 2 years. The following table presents the age of open enforcement cases.

FY Opened	Open Cases	Over 2 years
1990-94	183	183
1995	139	139
1996	209	209
1997	251	58
1998	392	0
Total	1,174	589

Without timely closure of enforcement cases, the integrity of the enforcement process is undermined. In fact, the Uniform Fine Assessment program assesses smaller penalties to violators with open cases than with closed cases. Therefore, with a backlog of open enforcement cases, appropriate penalty amounts in subsequent enforcement cases may not be assessed. The critical need to close enforcement cases is demonstrated in the fact that 71 of the 127 motor carriers with three or more enforcement cases since FY 1995 have an open enforcement case.

Repeat violators warrant, but often do not get, stiffer enforcement actions that will ensure prompt and sustained compliance with motor carrier safety regulations. For example, in 1996 OMC fined a carrier \$3,000 for not having current medical certificates on all of its drivers. In 1998, that carrier was fined only \$1,900 for the same violation.

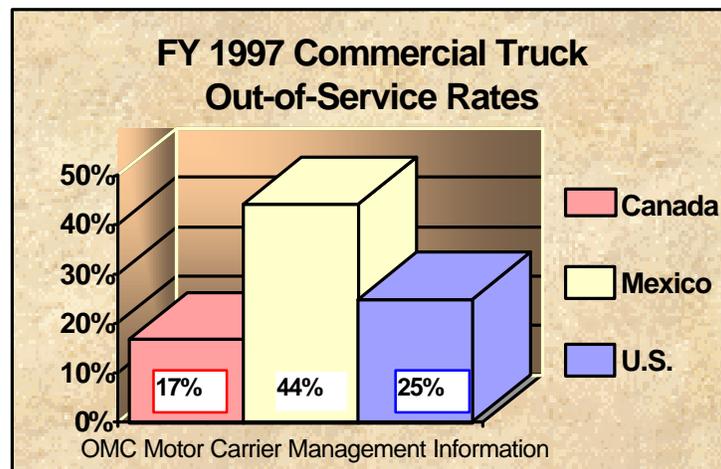
During FYs 1995 to 1998, 846 motor carriers were subject to multiple enforcement actions. Of these, 127 carriers had 3 or more enforcement actions and 117 carriers had multiple violations of the same significant motor carrier safety regulation. In only 17 instances were the companies shut down as an imminent hazard. The actual penalty amounts ultimately settled averaged about \$2,500.

Trucks and Drivers Entering the U.S. from Mexico Frequently Do Not Meet U.S. Standards – Additional Inspection Resources Are Needed

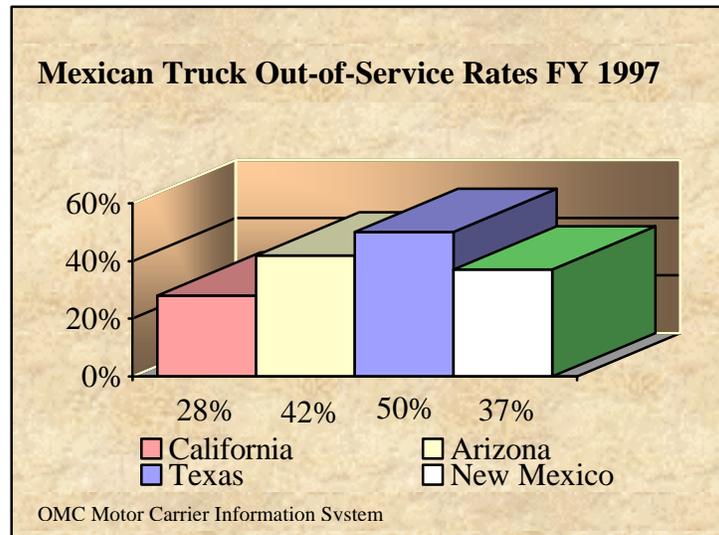
Neither OMC nor the border states, with the exception of California, are taking sufficient actions to ensure that trucks entering the United States from Mexico meet U.S. safety standards.

Since 1992, when the United States, Canada, and Mexico signed the North American Free Trade Agreement, DOT and the border states have pointed to each other when asked who has the responsibility for inspecting trucks crossing the border. Neither the Federal Government nor the border states (except California) have provided the necessary resources. For example, at El Paso, Texas, an average of 1,300 trucks enter daily, yet only one inspector is on duty and he can inspect only 10 to 14 trucks daily. At other crossings, there are times when there are no inspectors.

Far too few trucks are being inspected at the U.S.-Mexico border, and too few inspected trucks comply with U.S. safety standards. Of those Mexican trucks inspected, about 44 percent were placed out of service because of serious safety violations. This contrasts with a 25-percent out-of-service rate for U.S. trucks and a 17-percent out-of-service rate for Canadian trucks.



The 1997 truck out-of-service rates for the four border states with Mexico ranged from 28 percent in California, where a good inspection program has been in place, and the quality of trucks has improved to 50 percent in Texas.



With the exception of California, a significant increase is urgently needed in the number of inspectors, the number of trucks inspected, and the hours of inspection coverage to make sure trucks entering the United States from Mexico are safe. OMC and the States point to each other as having responsibility for inspecting trucks entering the United States. In view of this continuing debate, we are not confident that the necessary actions are imminent.

Organizational Placement Is Important but Strong Leadership and Willingness to Make Tough Decisions to Improve Safety Are More Important

The answer to the question of where to put truck safety is not simple. There are several options but there are no clear-cut answers.

The subcommittee suggested transferring OMC to the National Highway Traffic Safety Administration (NHTSA). Several years ago, the Department proposed creating a Surface Safety Administration. The trucking industry would like a separate administration focused on trucking, just like the Federal Aviation Administration for air travel and the Federal Railroad Administration for rail travel. There are pros and cons to each of these alternatives but none provide a clear-cut answer.

Regardless of where the truck safety organization is placed in DOT, the organization will require strong leadership, a very high focus on safety and reducing fatalities, and management willing to fight the tough battles when necessary and make the hard decisions such as issuing shut down orders to trucking firms when warranted. A robust program involving outreach and

education, buoyed by aggressive and progressive enforcement, is absolutely essential to reducing the number of fatalities.

One of the options for placement of motor carrier safety oversight is leaving it in FHWA. We are concerned that leaving motor carrier safety in FHWA makes it difficult for the program to receive the priority it deserves. The OMC staff we surveyed share this concern. When asked their views on the proposed transfer to NHTSA, 48 percent moderately to strongly favored it, 32 percent neither favored or opposed it, and only 20 percent voiced opposition.

FHWA's mission has been primarily directed towards surface infrastructure development, including distribution and management of \$22 billion of grants annually. That mission demands and deserves a significant amount of senior management attention within FHWA. Motor carrier safety often seems subordinate. This does not, however, mean that motor carrier safety cannot be effectively managed within the FHWA, but doing so will require an extraordinary effort to ensure safety receives a top priority. Also, the credibility of OMC has been significantly harmed by the recent disclosure that its most senior managers did not always have an arms-length relationship with the industry it was responsible for overseeing.

The next option in the current debate is to transfer motor carrier safety responsibilities to NHTSA. NHTSA certainly has the reduction of fatalities in the Nation's roadways as its primary mission. NHTSA has many functions that seemingly overlap OMC, including safety research, rulemakings, and highway safety. NHTSA also has a strong outreach and education program driven by leadership that is associated in the public eye with highway safety and reduction of fatalities. What NHTSA does not currently have is an enforcement mission anywhere near what is needed to maintain effective oversight of the motor carrier industry and necessary to bring about significant reductions in fatalities. NHTSA also does not have the field structure necessary to execute and support an effective motor carrier oversight program. Such a structure would have to be built in NHTSA or elsewhere.

An option not often heard in the current debate is the creation of a Surface Safety Administration within DOT. Such an administration might bring together the surface safety oversight functions scattered throughout the Department: FHWA (OMC), NHTSA, Research and Special Programs Administration (RSPA), Federal Railroad Administration (FRA), and Federal Transit Administration (FTA). By having all these functions under one roof, with its primary mission being surface safety, distractions from competing missions would be eliminated. In fact, in the early 1990's the Administration proposed such a reorganization. The proposal was not accepted.

The trucking industry proposes another option. It suggests a separate organization, called either an Administration or an Office, focused solely on trucking. The industry believes that would be an organization with a clearly defined mission that it could rally around to achieve real reductions in fatalities associated with large truck crashes. Combining motor carriers with other modal safety functions is likely, in the short run, to be more costly, time consuming, and disruptive than establishing a separate organization for motor carrier safety. By establishing a separate organization, the dislocation and anxiety of affected staff would be minimized.

Regardless of where the truck safety mission is organizationally placed, the responsible organization must have the leadership, direction, and tenacity to make safety its "North Star."

- Leadership is critical. OMC's senior leadership was brought into question with the recent release of an OIG investigative report which concluded that an improper and inappropriate relationship existed between senior OMC officials and the trucking industry they regulate. OMC, wherever located, simply cannot be effective without an "arms-length" relationship with the industry it regulates.
- OMC's current goals, established as part of GPRA, allow it to accept the relatively flat "rate of fatalities" in relation to miles traveled. With 5,300 lives lost in 1997, this measure does not foster or contribute to the sense of urgency needed to significantly reduce the outright number of fatalities. In addition to reducing the "rate", the goal must include a very substantial reduction in the number of fatalities. DOT would not accept that scenario in aviation and we must not accept it in large trucks.

Other Actions Can Be Taken to Improve Truck Safety

Organizational realignment and strong industry oversight alone may not achieve significant reductions in fatalities. There are numerous actions to help prevent truck crashes and fatalities that should be considered as part of the current debate. Several warrant further consideration, and they are not affected by OMC's location in DOT.

- Increasing driver accountability. Make the driver responsible for inspecting the truck just like a pilot must do for the aircraft. The driver must be held accountable for ignoring safety deficiencies. By implementing this requirement, both the company and the driver could be sanctioned for out-of-service violations related to vehicle condition.

- Requiring periodic inspections. Require all trucks to undergo an independent inspection not less than annually, similar to the requirements that exist for automobiles in some states. Companies determined to have good safety inspection processes could be certified to self-inspect their vehicles and perhaps those of other companies as well.
- Adopting a 60-mile-per-hour maximum truck speed nationwide. There is no national speed limit. The impact of a full “18-wheeler” weighing as much as 80,000 pounds hitting another vehicle, perhaps an automobile or a minivan weighing about 3,000 pounds, at a speed greater than 60 miles per hour is often fatal. Some of the largest trucking companies in the United States support a truck speed limit of 60 or lower.
- Improving the visibility of trucks. Simple solutions such as the use of reflective tape would make trucks more visible.
- Continuing to add rumble strips along the major highways. Rumble strips are an effective means to alert inattentive and tired drivers when they go off the road.
- Adopting satellite technology for monitoring. Fatigue is believed to be the number one cause of crashes. Satellites are a very effective means for monitoring compliance with hours-of-service rules.
- Revising Hours of Service Regulations. This is necessary to ensure they reflect the latest research on fatigue. This was recommended by the National Transportation Safety Board.
- Improving driver awareness. Mirrors or other sensors now being developed and marketed can alert a driver to his surroundings and thereby help prevent crashes.

Mr. Chairman, we plan to issue a report on the Office of Motor Carrier Safety and its effectiveness shortly. This report will further detail many of the problem areas we have discussed and it will contain recommendations. The direction of these recommendations should be apparent from our testimony today. They center, most importantly, on the following.

First, the Department should change its safety goal for motor carrier safety. The goal should go from one that tolerates more fatalities as the mileage of trucks

driven increases to one that aims for a substantial reduction in the 5,300 deaths we now endure annually.

Second, the Department should take much firmer and expeditious enforcement action, including shut down orders, against those truck drivers and trucking firms that pose a high risk to safety.

Third, specific safety measures to enhance truck safety should be considered on an expedited basis, such as those just highlighted, including a 60-mile-per-hour speed limit.

And finally, we recognize there is no clear-cut answer on the organizational placement issue, and that there are legitimate but differing views on where truck safety belongs in the Department. We have expressed our principal concern with the current organizational placement in FHWA--the risk is that a legitimate focus on investment and distribution of billions of dollars for surface infrastructure will obscure or overwhelm the preeminent focus motor carrier safety also deserves. This risk could conceivably be managed, but it is a most formidable challenge indeed. We understand the Chairman has asked a distinguished group of safety and trucking experts for their organizational proposals and the Secretary is doing likewise. The combination of these perspectives should help the Congress and the Department make the necessary policy decision.

We urge, however, that actions on enforcement, trucking safety measures, and the change in safety goals be done promptly and not be put to one side during deliberations on the appropriate organizational placement for motor carrier safety.

We are now going to change the focus from motor carrier safety and turn to safety oversight of rail and transit. We will also discuss transportation of hazardous materials by all types of shippers and carriers.

Railroad Safety

Railroad Oversight

Railroad safety trends have continued to improve since 1993. The Federal Railroad Administration (FRA) has made significant changes to its oversight process. While these changes have been positive, we have identified shortcomings in FRA's approach. FRA is addressing the shortcomings we identified and has taken action to increase the effectiveness of its program. However, there will be times when enforcement actions are required.

FRA traditionally relied on site-specific inspections and civil penalties to ensure compliance with railroad safety regulations. FRA determined, however, that site-specific inspections only assessed the condition of a specific piece of track, or equipment, or execution of an operating practice at a particular point in time. To complement FRA's traditional safety inspection and enforcement program, FRA implemented the Safety Assurance and Compliance Program (SACP). This program was to provide a comprehensive approach in which SACP participants work with FRA to identify and correct root causes of problems across an entire railroad. SACP draws upon information developed by labor and state partnerships and FRA inspection teams to develop comprehensive, cooperatively developed solutions.

Our review of SACP showed that the systemic approach has improved communication and cooperation among railroad management, labor, and FRA. However, because so many factors affect accident statistics, a direct causal relationship between a reduction in the number of fatalities and SACP, or any other infrastructure or technology improvement, could not be established.

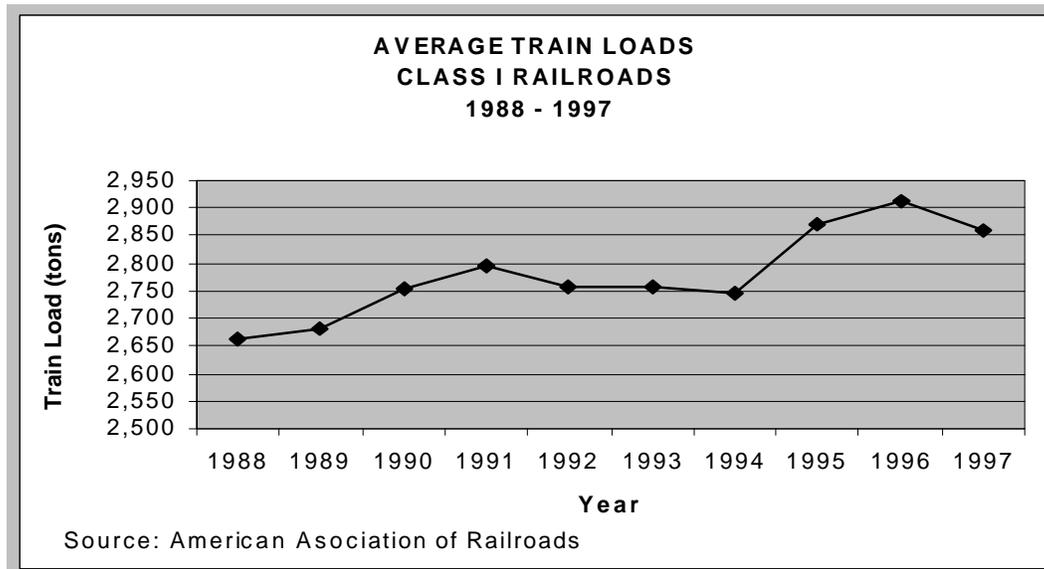
We identified a number of changes needed to make the SACP process more comprehensive and to correct root causes of problems across an entire railroad. SACP is heavily dependent on partnership with industry. It is imperative that there be a clear understanding that FRA, the regulator, will take strong and prompt enforcement action when its "industry partner" fails to take the appropriate corrective action.

We recommended FRA strengthen SACP by: (i) defining SACP policies and procedures more clearly, (ii) developing better railroad safety profiles, (iii) identifying systemic safety issues in safety action plans, and (iv) monitoring and enforcing railroad compliance with safety action plans. FRA concurred with our recommendations and said it is taking appropriate corrective actions that have the potential for significantly improving the process.

Rail Bridges

Over a recent 10 year period, the major railroads (Class 1), which own 82 percent of the nation's 100,000 railroad bridges, experienced an 8 percent increase in average train loads, from 2,662 tons in 1988 to 2,861 tons in 1997.

INCREASES IN CLASS I RAILROAD TRAIN LOADS



Technological advancements have allowed use of larger, longer freight cars, increasing carload capacity from 263,000 pounds to 315,000 pounds. Railroads have also introduced double-stacked container railcars for their intermodal rail service which, according to the Association of American Railroads, has grown from 3 million trailers and containers in 1980, to 8.7 million in 1997. FRA officials project that rail traffic will increase annually through the year 2006.

The need to focus on structural integrity of bridges is also driven by the age and composition of the nation's bridges. In 1992 and 1993, FRA conducted a bridge safety survey, which found that more than half of the nation's 100,000 bridges were built before 1920. Sixty-eight percent of the bridges are made of metal or timber, which are both vulnerable to additional stresses and fatigue from increases in weight and traffic.

To its credit, FRA concluded that the railroad industry will need to closely monitor bridge integrity and capacity to ensure continued safe transit. FRA therefore issued an interim policy to provide technical guidelines it deemed essential for the railroads to maintain successful bridge programs.

Our review of FRA's "Interim Statement of Policy on the Safety of Railroad Bridges" concluded that the technical elements of the policy, if followed, are an appropriate approach to maintaining effective bridge programs. However, as currently proposed, the policy is not mandatory. Furthermore, implementation by

some railroads could be improved. Further, FRA has not implemented a program to monitor the railroads' bridge inspection programs.

We plan to issue a report recommending that FRA clarify its bridge safety responsibility guideline and adopt a graduated approach to improve its monitoring of railroad bridge programs. We will also recommend that FRA assign sufficient trained staff to evaluate railroad bridge programs and target resources to evaluate bridge programs of small railroads. Lastly, we will recommend that FRA develop a consistent methodology for conducting routine evaluations of all railroad bridge programs. FRA's position on these recommendations will be requested when we issue the report.

Rail Highway Grade Crossings

Nine out of ten fatalities involving trains occur at rail-highway crossings or as the result of trespassing on railroad tracks. In 1997, collisions at rail-highway grade crossings caused 461 fatalities and 1,540 injuries. In addition, 533 people were killed and another 516 were injured while trespassing on railroad property.

To address the issue, DOT developed a Safety Action Plan in 1994. FRA, FHWA, NHTSA, and FTA are working in partnership with the railroad and transit industries, state and local governments, the Congress, and citizen interest groups. The Plan presented 55 proposals in the areas of enforcement, engineering, education, research, and legislation, intended to improve safety at the nation's railroad-highway public and private grade crossings (which total 261,317 as of September 1998). The plan set a goal of reducing the toll of crossing accidents and casualties (fatalities and injuries) by 50 percent or more by the year 2004.

The Safety Action Plan is approaching the midpoint of its 10-year timeframe. Significant progress in reducing crossing accidents and casualties has been made during the period the Plan has been in effect. This was evident in the crossing statistics for the most recent 5-year period for which complete FRA statistics are available (1993 through 1997). Crossing accidents were down 21 percent from 4,892 in 1993 to 3,865 in 1997. Crossing fatalities decreased 26 percent from 626 in 1993 to 461 in 1997.

Trespassing on railroad tracks and property, however, is a persistent problem and is a separate issue from rail-highway crossing safety. Trespassing has accounted for about half of the railroad fatalities in every year since the Plan was established. In 1997, trespassing fatalities became the leading cause of railroad fatalities. Trespasser fatalities increased 2 percent from 523 in 1993 to 533 in 1997. Therefore, FRA, NHTSA, and citizen action groups have initiated a public outreach and education program in this arena.

We are evaluating DOT's effectiveness in completing the Plan's proposals and recommendations. We are also assessing DOT's progress toward achieving its 10-year goal to reduce rail-highway crossing accidents and casualties, including those resulting from trespassing, by at least 50 percent. The preliminary results of our review indicate that during the first half of the Plan, significant progress has been made toward reaching this goal. Whether the Department achieves the Plan's overall goal will depend largely on how effectively it gets the safety awareness message out to the public regarding grade level crossings and trespassing. Outreach and education are essential if the goal is to be met.

Safety of Transit Systems

The ability of the Federal Transit Administration (FTA) to ensure that all transit systems (buses and commuter rail) are safe is limited. Unlike the Federal Aviation Administration, the Federal Highway Administration, the U.S. Coast Guard, and the Federal Railroad Administration, FTA does not have the statutory authority to license and/or regulate industry employees (e.g., operators or safety inspectors) in areas of safety or to regulate transit operations. In our opinion, FTA should analyze the causes of transit accidents and fatalities. Then, based on that information, FTA should determine whether an expanded FTA role can add value in the area of transit safety. Given the report by the National Transportation Safety Board last November, which concluded DOT should develop and implement oversight programs to assess and ensure safety of transit operators that receive Federal funding, it is the right time for this policy review.

In 1991, Congress, as part of the Intermodal Surface Transportation Efficiency Act, provided FTA a limited role in oversight of safety and security of transit systems. In implementing this role, FTA created the State Safety Oversight Program for Rail Fixed-Guideway Systems in 1995. The program applied to states with rail transit systems that are not regulated by FRA.

Under the program, 19 states and the District of Columbia are required to designate state oversight agencies to manage the safety of rail transit systems and to develop system safety program standards. The system safety program standards should define the relationship between the oversight agency and the transit agencies. Each transit agency must develop a system safety program, which details safety and security policies, objectives, responsibilities, and procedures. FTA's role is to determine if state agencies have the required program.

We recently reviewed FTAs participation in the oversight program. To date, only 2 states (Georgia and Michigan) have not established state safety rail oversight programs. To its credit, FTA, under the authority of the Act, withheld 5 percent of

their Urbanized Areas Formula Grant funding until they comply with the program's requirements.

Transport of Hazardous Materials

DOT's Office of Hazardous Materials Safety presently estimates the number of hazardous material (hazmat) shipments in the United States at more than 800,000 per day. Approximately 500,000 daily shipments involve chemical and allied products; about 300,000 involve petroleum products; and at least 10,000 other shipments involve waste hazardous materials, medical wastes, and various other hazardous materials.

HAZARDOUS MATERIALS SHIPMENTS

Product Group	Daily Shipments	Annual Tons Shipped
Chemicals & Allied	500,000	0.53 billion
Petroleum Products	300,000	2.60 billion
Other	10,000	0.01 billion
Totals	>800,000	>3.1 billion

While only about 43 percent of all hazmat tonnage is transported by truck, approximately 94 percent of the individual shipments are carried by truck. The air mode, while almost negligible in terms of tonnage, also has a share of individual shipments that greatly exceeds its percent of tonnage carried: less than 1 percent of all hazmat tonnage but about 5 percent of all hazmat shipments. In contrast, rail, pipeline, and water modes carry enormous amounts of hazmat tonnage, and in some markets they are the only modes that haul hazmat products. The total number of shipments for all three of these bulk commodity modes is less than 1 percent, yet they carry 56 percent of the tonnage.

Hazardous materials are shipped by several modes of transportation; therefore, five DOT administrations are involved in this program.

DOT HAZARDOUS MATERIALS PROGRAM DESCRIPTION

Mode	Budget Program Activities	Hazmat Program Description
RSPA	Hazmat Safety	Regulation, compliance, and enforcement Pipeline safety
FHWA	Motor Carrier Safety Grants Motor Carrier Safety	Enforcement Compliance and Enforcement Registration and permitting Safety Evaluation Area Spill/accident development program Routing and safety permitting Federal Motor Carrier Safety Regulations
FAA	Civil Aviation Security	Compliance and enforcement
USCG	Marine Safety Marine Environmental	Compliance and enforcement Compliance and enforcement Regulation of bulk transport by vessel
FRA	Federal Enforcement Regulation and Administration	Compliance and enforcement

Hazmat Program Evaluation

DOT initiated a Departmentwide Program Evaluation of the Hazardous Materials Transportation Program in 1998. The purpose of the evaluation is to examine the congressional intent of Federal hazmat transportation laws along with the program structure defined by the delegation of authority within DOT, and assess program delivery. The Program Evaluation will allow the Department to determine the effectiveness of the current program structure, including the division of responsibilities across and within operating administrations, and the allocation of resources dedicated to specific functions. The intent of the Evaluation is to determine whether there is a more effective way to oversee hazmat activities to yield a higher return on the dollars already being spent by DOT. This positions DOT to potentially increase the level of safety and environmental protection when hazmats are transported. We are a joint leader on this evaluation.

Registration of Hazmat Shippers and Carriers

Under the 1990 Hazardous Materials Transportation Uniform Safety Act, as amended, Congress established a “for fee” hazmat registration program. The purpose was two fold: first, to build a database of registrants that ship or carry various broad categories of hazardous materials, and second, to use the registration fees to provide grants for hazmat emergency preparedness planning and training, which is intended to make the states better prepared to respond to future hazmat incidents.

We reviewed implementation of the Act and found that collections are limited because RSPA has not identified all shippers and carriers that are potentially subject to its regulations, does not follow up to ensure that covered entities register as required, and has not established an equitable graduated fee structure. With registration and collections limited, anticipated funds from which to provide assistance grants has not materialized.

We recommended the RSPA Administrator: (1) develop a more comprehensive hazmat entity database; (2) require recipients of the annual registration mailing to provide a response to the mailing; (3) follow up with additional contacts to those recipients who fail to reply; and (4) establish a graduated registration fee schedule based on the types and quantities of hazmat transported. RSPA has initiated actions to address our recommendations.

Criminal Acts That Violate Hazmat Transportation Regulations Are an IG Priority

The Office of Inspector General has made the illegal transport of hazardous materials one of its highest priority investigative programs due to the serious potential threat to the environment and public health. Investigations conducted by OIG agents have resulted in 41 indictments since 1997 and 26 subsequent convictions. Fines, recoveries, and restitution total \$2.6 million.

In conducting these criminal investigations, we have worked with each of the Operating Administrations responsible for regulating hazmat. We have also joined forces with the FBI, Department of Justice Environmental Crimes Section, U.S. Attorney’s Offices, and the Environmental Protection Agency, through Federal and state environmental law enforcement task forces across the country. We intend to continue this as an investigative priority based on its importance to the Department’s mission and goals.

Mr. Chairman, this concludes my statement. I would be pleased to respond to questions.

Attachment

Survey of Office of Motor Carrier Division Personnel¹

1. Are you currently a GS/GM-2123 or GS/GM-2125 with the Office of Motor Carriers?

2123	174	(Safety Investigators, and Program Specialists)
2125	72	(Program Specialists, and State Directors)
Unknown	10	(Used in TOTAL calculation)
TOTAL	256	Eligible respondents
	73%	Adjusted response rate (excluding ineligible)

2. How long have you been with OMC?

2123	8.5 Yrs.	Average
2125	14.2 Yrs	Average

3. During a typical month, what percentage of your work time do you spend on the following activities?

	2123	2125	TOTAL
Compliance reviews	37.49%	4.89%	27.37%
Enforcement activities	12.70%	4.04%	10.14%
Administrative duties	14.06%	19.37%	15.57%
Monitoring programs	6.30%	23.30%	11.47%
Outreach	4.99%	3.57%	4.47%
Attending meetings/seminars	4.15%	9.38%	5.64%
Speaking to associations/trucking companies	2.84%	3.17%	2.88%
Roadside inspections	3.79%	0.26%	3.24%
Reviewing investigators' compliance reviews	2.50%	6.23%	3.68%
Training (attending)	2.09%	2.24%	2.31%
Training (conducting)	1.76%	2.21%	1.97%
Supervising investigators	1.43%	15.40%	5.38%
Accident investigations	1.41%	0.99%	1.28%
Other	4.49%	4.95%	4.60%

4. Prior to the reorganization into four Virtual Resource Centers, there were nine Regional Offices. Which region did you work in before the reorganization? (Regions number 1,3,4,5,6,7,8,9,&10)

TOTAL

1	3	4	5	6	7	8	9	10
12.20%	8.90%	19.50%	15.90%	14.20%	8.10%	6.50%	8.10%	6.50%

¹ Totals include additional respondents for whom job series was unknown.

5. How do you usually select carriers for compliance reviews?

	2123	2125	TOTAL
Assigned to me	38%	13.64%	35.00%
Regular review cycle	0.67%	0.00%	0.60%
Complaint	1.33%	4.55%	1.70%
Accident	0%	4.55%	0.60%
Time since last review	0.00%	0.00%	0.00%
SafeStat scores	55.33%	72.73%	57.10%
Other	4.67%	4.55%	5.10%

Questions 5 and 6 exclude respondents who do not perform compliance reviews.

6. In general, when do you conduct follow-up compliance reviews?

	2123	2125	TOTAL
Within 6 months	10.39%	4.55%	10.40%
Within 12 months	16.88%	4.55%	14.80%
After a complaint	0.65%	0.00%	0.50%
After an accident	0%	4.55%	0.50%
SafeStat scores	51.30%	63.64%	52.70%
Never	2.60%	4.55%	2.70%
Other	18.18%	18.18%	18.10%

7. After a compliance review is completed and an enforcement action is sent forward, how often do you find out the final disposition (i.e., the recommended penalty was paid, a reduced penalty was negotiated, the action was dropped)?

	2123	2125	TOTAL
Rarely or never	26.90%	12.68%	22.30%
Sometimes	24.56%	18.31%	22.70%
About half the time	7.60%	7.04%	7.20%
Most of the time	21.64%	21.13%	21.50%
Always or almost always	19.30%	40.85%	26.30%

8. Where are decisions to drop enforcement actions usually made? At the Division Office, the Resource Centers/Regional Office, or Headquarters (i.e., DOT Washington)?

	2123	2125	TOTAL
Usually at Division Office	32.74%	29.85%	32.80%
Usually Resource Ctr/Reg Off	52.98%	50.75%	51.20%
Usually at Headquarters	4.76%	13.43%	7.00%
Don't know	9.52%	5.97%	9.00%

9. Are you familiar with the DOT Office of Inspector General's program to criminally prosecute carriers?

	2123	2125	TOTAL
Yes	86.71%	94.44%	89.00%
No	13.29%	5.56%	11.00%

10. How would you rate the quality of the compliance reviews being conducted today compared to the compliance reviews being conducted when you joined OMC?

	2123	2125	TOTAL
Much better than when I joined	41.18%	33.80%	38.60%
Somewhat better	27.06%	25.35%	26.10%
About the same	20.59%	21.13%	21.70%
Worse than when I joined	6.47%	12.68%	8.40%
Much worse than when I joined	4.71%	7.04%	5.20%

11. Overall, how would you rate the OMC enforcement program?

	2123	2125	TOTAL
Excellent	4.62%	2.82%	4.00%
Very good	16.18%	12.68%	15.00%
Good	33.53%	36.62%	34.40%
Fair	29.48%	29.58%	30.40%
Poor	16.18%	18.31%	16.20%

12. How much impact do you think each of the following changes to the OMC operation would have on OMC's effectiveness? (The following were rated as making OMC moderately to much more effective.) Each respondent had the opportunity to rate seven separate actions.

	2123	2125	TOTAL
Put unsafe carriers out-of-service	93.06%	98.59%	94.90%
Larger fines for repeat offenders	88.31%	93.05%	90.10%
More enforcement actions	86.04%	87.50%	86.50%
More compliance reviews	67.06%	75.00%	69.70%
Larger fines for first time offenders	48.24%	50.00%	50.60%
More roadside inspections	41.28%	23.61%	36.80%
Consistent fines*	30.77%	34.28%	32.20%

* Same dollar fine regardless of carriers size.

13. What policy and/or procedural changes do you think would make OMC most effective? (Narrative responses fell into 30 categories/subcategories. Of all responses, the most frequently suggested changes are shown below. Because respondents could suggest more than one change, the percentages in the table reflect the total number of answers, rather than the number of respondents.) The following account for over 40 percent of the coded responses.

	2123	2125	TOTAL
Management issues	14.05%	9.41%	12.60%
Return to enforcement agency	7.57%	16.47%	10.50%
More compliance reviews	8.11%	9.41%	8.30%
Repeat offenders out-of-service	8.11%	2.35%	6.50%
Other enforcement actions	5.41%	8.24%	6.10%

14. What is your opinion about moving OMC from FHWA to NHTSA? Are you...

	2123	2125	TOTAL
Strongly in favor	27.06%	23.53%	25.20%
Moderately in favor	19.41%	30.88%	22.40%
Neither in favor nor opposed	32.94%	25.00%	32.10%
Moderately opposed	7.06%	14.71%	8.90%
Strongly opposed	13.53%	5.88%	11.40%

15. Besides moving OMC from FHWA to NHTSA what other options to improve OMC's effectiveness should be considered? Of all the responses, the most frequently suggested options are shown below.

	2123	2125	TOTAL
Separate agency	31.58%	47.44%	37.30%
Better enforcement	21.05%	11.54%	18.20%
Change structure	17.76%	21.79%	18.60%

16. During the past four years, how many investigators do you personally know of who have left OMC?

	2123	2125	TOTAL
0	12	0	12
1 - 5	66	29	99
6 - 10	58	24	86
11 - 15	18	7	26
More than 15	15	9	24

17. What would you say are the main reasons that investigators have left OMC?
(Will sum to more than 100% because respondents were asked to mark all choices that apply.)

	2123	2125	TOTAL
Advancement opportunities	76.25%	91.55%	80.80%
OMC leadership	63.75%	70.42%	65.80%
OMC policies	49.38%	61.97%	53.80%
Change of work	34.38%	33.80%	33.80%
Conflicts with management	26.25%	23.94%	25.00%
Geographical change	16.25%	21.13%	17.10%
Dislike work	15.00%	9.86%	12.90%
Conflicts with co-workers	5.63%	4.23%	5.00%
Other	14.38%	25.35%	17.90%

18. In general, how would you rate the safety for trucking (i.e., trucks are maintained properly and driven safely). Would you say trucking safety is...

	2123	2125	TOTAL
Excellent	0.58%	0.00%	0.80%
Very good	16.86%	13.04%	15.60%
Good	44.77%	62.32%	49.60%
Fair	32.56%	18.84%	28.80%
Poor	5.23%	5.80%	5.20%

19. What is the biggest problem you face in trying to accomplish your job?
(Of all the responses, the most frequent problems are shown below.)

	2123	2125	TOTAL
Lack of direction-Headquarters	10.07%	16.92%	12.10%
Not enough safety investigators	8.72%	20.00%	12.60%
Personal issues	18.79%	12.31%	16.60%

PERCENTAGES ARE BASED ON THE NUMBER OF RESPONDANTS WHO ANSWERED EACH QUESTION.
PERCENTAGES MAY NOT TOTAL 100% DUE TO ROUNDING.