

How Do You Know If You Are SELECTING A SAFE CARRIER?

What's The Issue?

Third-party logistics providers (3PLs) help to arrange the movement of goods from producers to sellers by selecting trucking companies to provide the service. Unfortunately, more than 100,000 truck crashes each year result in injury and more than 4,000 result in a fatality. While the majority of trucking companies are very safe, there is currently no standard for what information a 3PL needs to confirm prior to selecting a trucking company to move the goods. Further, 3PLs don't have access to data-driven safety information to know whether a trucking company is fit or unfit to be on the road. Even if this information *is* available, it is not provided in a user-friendly or easy to interpret format.

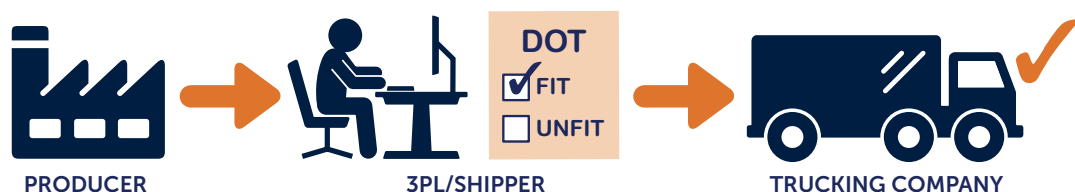
Each day, there are 3,000,000+ shippers and 20,000+ 3PLs selecting trucking companies without consistent and explicit safety requirements in place.



How Can This Problem Be Fixed?

Congress can pass the Motor Carrier Safety Selection Standard (MCSSS), which has two requirements:

#1 Rulemaking: Require the Department of Transportation (DOT) to move forward with the Obama-era Safety Fitness Determination rulemaking that will update the safety rating process for determining the fitness of trucking companies to be on the road. Essentially the rulemaking would implement a "red light/green light" for selecting trucking companies. This rulemaking was stopped under the last Administration, but would provide a comprehensive, data driven method to help ensure the most informed and safe selection of a trucking company.



#2 Set a Standard: While the rulemaking is being developed, set an interim standard requiring 3PLs and shippers to ensure that the trucking company 1) is properly registered, 2) has the required minimum insurance and 3) has not been placed out-of-service at the carrier level or an equivalent DOT safety rating prior to being hired to move goods. This standard would ensure that over 3+ million entities have some clarity on how to select a safe trucking company until the safety fitness determination rulemaking is complete. If 3PLs and shippers do not meet the standard, they can potentially be held liable.



Why Do We Need To Set A Standard Now?

A comprehensive rulemaking can take years to develop and implement. In the meantime, a standard would help bridge the existing safety gap. For example, with a standard in place, the following crashes could have been prevented –

- **Fatal Crash, No Insurance** – On September 25, 2008, Kelly Linhart was killed on I-5 in Oregon, when a Washington Transportation truck driver fell asleep, jackknifed, and struck Linhart. A 3PL had arranged for Washington Transportation to carry the load; however, Washington Transportation had an unsatisfactory rating due to a crash and its insurance had been cancelled.
- **Serious Injury Crash, No Operating Authority or Insurance** – On March 18, 2018, Bryan Shaw was significantly injured while asleep in the cab of his tractor trailer at a truck stop in West Memphis, Arkansas, when a truck driver collided with Bryan’s truck. The trucking company did not possess the proper operating authority and it was uninsured, having cancelled its insurance policy four months before the accident.
- **Serious Injury Crash, No Insurance** – On May 25, 2017, Lucinda Ruh was seriously injured while waiting in traffic on SC-5 in Lancaster County, South Carolina, when a driver for Norris Trucking collided with her vehicle. Norris Trucking, which was hired by a shipper, was uninsured.

If the MCSSS was law, the 3PL or shipper would have been required to confirm that the carriers had insurance and operating authority to be on the road. In all of these crashes, the trucking company would not have been selected and the crash could have been prevented.



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