



**House
Legislative
Analysis
Section**

Washington Square Building, Suite 1025
Lansing, Michigan 48909
Phone 517/373-6466

TRUCK SAFETY

**House Bill 5680 as passed by the House
Second Analysis (8-9-88)**

**Sponsor: Rep. James A. Kosteva
Committee: Transportation**

THE APPARENT PROBLEM:

Truck accidents have increased tremendously within the past decade. There have been several changes within the industry and within the economic environment that can be cited as contributing factors to the increase in truck accidents. Deregulation of the truck industry, the recent downsizing of cars, and an increase in the number of trucks traveling the state's highways are factors which have all contributed to the increase in the rate of truck accidents and violations. The House Standing Committee on Transportation and the House Subcommittee on Truck Safety have taken testimony from interested parties in order to identify areas of major concern relating to truck safety. The bill is part of a comprehensive truck safety package formulated to address truck safety issues.

THE CONTENT OF THE BILL:

The bill would amend the Motor Carrier Safety Act to provide that a third or subsequent violation within one year of the rules regarding hours of service and recording those hours in daily logs could result in an audit of a driver of a vehicle by the Motor Carrier Division of the Department of State Police. The audit could be performed in addition to any penalty imposed under the act.

MCL 480.17

FISCAL IMPLICATIONS:

According to the Department of State Police, the bill would have no fiscal implications to the state. (8-9-88)

ARGUMENTS:

For:

Many professionals in the trucking industry believe that federal deregulation of the trucking industry has helped to make the industry extremely competitive, which has led to low pay and diminishing benefits. It has been suggested that competitive conditions in the industry almost necessitate unsafe practices to allow drivers to make the most trips humanly possible within a short period of time. Many drivers do not get enough sleep because they feel that they cannot afford to take time to sleep. Studies by the AAA Foundation for Traffic Safety have shown that fatigue is a factor in six out of every ten heavy truck crashes. In fact, the study indicates that in 66 percent of these accidents, driver fatigue is judged a primary or probable cause. In addition, studies by the foundation have shown that one in fifteen heavy truck drivers regularly travel more than 16 consecutive hours without sleep. Testimony before the House Subcommittee on Truck Safety also suggested that driver fatigue was a contributing factor in truck related accidents. The Motor Carrier Safety Act requires drivers to carry log books which record the length of time an individual driver has remained behind the steering wheel of a truck. However, drivers often falsify the logs. House Bill 5680 will provide an incentive for drivers to properly maintain log books by allowing the Motor Carrier Division of the Department of State Police to audit drivers that violate log book rules more than two times within one year.

Against:

Some truck drivers hold operator licenses from several states simultaneously. Maintenance of several operator licenses potentially allows a driver to commit several violations on different licenses and avoid license suspension or revocation. Although the intent behind the legislation is noble, it will not address situations in which a driver uses a different license in order to avoid getting a third log book violation.

POSITIONS:

The Department of State Police supports the bill. (8-9-88)

The Michigan Trucking Association supports the bill. (8-9-88)

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