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## **LAUTENBERG: BUSH ADMINISTRATION FAILING TO PROTECT MOTORISTS FROM FATIGUED TRUCK DRIVERS**

*Appellate Court Again Strikes Down Bush Rule Allowing Truck Drivers to Drive  
Longer Than 10 Hours;*

*NJ Senator Who Chairs Senate Subcommittee to Push for Congressional Hearing  
This Fall*

WASHINGTON, D.C. – Sen. Frank R. Lautenberg (D-NJ) said the Bush Administration is failing to protect motorists from fatigued truck drivers, citing a ruling today by a federal appellate court. Today's decision represents the second time the Bush proposal to allow truck drivers on the road for more than 10 consecutive hours has been rejected in court.

Sen. Lautenberg noted that with approximately 5,000 victims of truck crashes annually, the Bush Administration has made no progress in improving truck safety.

**“Today’s Appellate Court decision speaks volumes about the failures of the Bush Administration to protect motorists from fatigued truck drivers. For the Department of Transportation to spend years working to allow trucks on the road for more than 10 hours at a time is simply unconscionable,”** said Sen. Lautenberg, who serves as Chairman of the Senate Surface Transportation and Merchant Marine Infrastructure, Safety and Security Subcommittee.

In 2003, the Bush Administration changed existing rules to allow truckers to drive for 11 consecutive hours instead of 10. When a federal appellate court ruled against the move, citing that the safety agency failed to consider the health implications to truck drivers, the U.S. Department of Transportation (DOT) was forced back to the drawing board to craft a new rule.

However, rather than develop a new rule that addressed many of the Court’s criticisms, the Bush Administration put forth a rule nearly identical to the rule struck down by the court. Today’s decision determined that the Administration’s rationale for the new truck driver hours of service rule was faulty and that the agency developing the new rules failed to conduct open proceedings required by law.

**“I don’t know how many times the Bush Administration needs to hear that this is a bad idea,”** said Sen. Lautenberg. **“They should be working on initiatives that will make a real difference for the safety of Americans traveling on our roads, like ensuring that all trucks are outfitted with on-board electronic recorders to monitor the amount of hours a truck has been driven.”**

Earlier this year, Lautenberg held a hearing on truck driver fatigue and the use of electronic on-board recorders to enforce the hours of service a trucker could drive. These recorders can be installed in a truck's cab, made tamper-proof and programmed like a "black box" to record safety data -- including engine operation, location, mileage, speed and braking information.

Though these devices have been used throughout the world for years, including the entire European Union, the Bush Administration has proposed requiring less than one percent of all trucking companies to install these safety devices in the United States. Placing electronic on-board recorders on trucks would help prevent accidents on roadways and give trucking companies and law enforcement officials a better way to enforce hours of service.

Sen. Lautenberg chairs the Senate Commerce Committee's Subcommittee on Surface Transportation and Merchant Marine Safety, Security, and Infrastructure, and has proposed further hearings this fall on trucker fatigue.

The agency in charge of truck safety is the U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA).

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