

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Establishing a *White House Task Force to Protect Travelers From Truck Crashes*

On December 10, 2012, the U.S. Department of Transportation (DOT) revealed that truck crash fatalities increased in 2011, while overall traffic fatalities decreased, for the second consecutive year. The greatest change in truck crash fatalities occurred in the truck occupant category which showed a 20-percent increase. This dangerous trend serves to emphasize the safety issues with large trucks, which impose tremendous risk to both passenger vehicle occupants, as well as to truck drivers.

Daphne Izer, founder of Parents Against Tired Truckers (P.A.T.T.) after her son Jeff and three of his friends were killed in a truck crash, stated, "Truck driving is consistently listed in the top ten most dangerous jobs. Truck drivers are exposed to daily dangers, overworked and only make, on average, \$38,000 a year. Until the industry improves working conditions and pays a competitive wage, they'll continue to lose experienced drivers and we'll continue to be subjected to unnecessary dangers on our roadways."

Truck drivers also face a high health risk for personal injury, high blood pressure, heart attacks, cancer and diabetes, to name a few. The life expectancy for truck drivers is 61 years, 16 years less than the average.

Available data supports the position of safety groups, and the friends and family of truck crash victims, who maintain that improvements to truck safety issues are vital, particularly as the economy improves and more goods are moved on our roadways. Truck weight and size limits and HOS are but two truck safety issues that must be addressed if we hope to resolve the nearly 4,000 fatalities and over 80,000 injuries that result yearly from truck related crashes and constitute a national health and safety crisis. <http://tinyurl.com/kap3n8h>

Therefore, I am directing the Office of the Vice President and the National Freight Advisory Committee (NFAC) to lead an inter-agency effort to address truck safety issues, including coordinating Federal enforcement efforts by executive departments and agencies (agencies) and helping institutions meet their obligations under Federal law. To these ends, it is hereby ordered as follows:

Section 1. Establishment of the *White House Task Force to Protect Travelers From Truck Crashes*.

There is established a *White House Task Force to Protect Travelers From Truck Crashes*. The Task Force shall be co-chaired by designees of the Office of the Vice President and the National Freight Advisory Committee (NFAC).

(a) Membership of the Task Force. In addition to the Co-Chairs, the Task Force shall consist of the following members:

- (i) the Attorney General;
- (ii) the Secretary of Transportation;
- (iii) the Secretary of Health and Human Services;
- (iv) the Secretary of Education;
- (v) the Secretary of Labor;
- (vi) the Secretary of Commerce;
- (vii) the Director of the Office of Science and Technology Policy;
- (viii) the Director of the Domestic Policy Council;

(ix) the Cabinet Secretary; and

(x) the heads of agencies or offices as the Co-Chairs may designate.

(b) A member of the Task Force may designate, to perform the Task Force functions of the member, senior officials who are part of the member's agency or office, and who are full-time officers or employees of the Federal Government.

(c) The Co-Chairs will also establish an Ad-Hoc Committee to advise this Task Force, and appoint to the Committee at least 12 individuals with expertise in areas related to truck safety, including—but not limited to—truck driver training, driver fatigue, traffic safety engineering, state and local traffic law enforcement, crash reconstruction, the trucking industry, truck trailer manufacturers, truck drivers, and safety advocacy. At least one member will be someone who has been directly affected by a truck crash.

Sec. 2. Mission and Function of the Task Force.

(a) The Task Force shall work with agencies to develop a coordinated Federal response to truck safety issues. The functions of the Task Force are advisory only and shall include making recommendations to meet the following objectives:

(i) providing all stakeholders with evidence-based best and promising practices for preventing and responding to truck crashes;

(ii) building on the Federal Government's existing regulations and enforcement efforts to ensure that institutions comply fully with their legal and ethical obligations to prevent and respond to truck crashes;

(iii) increasing the transparency of the Federal Government's enforcement activities concerning truck safety issues;

(iv) broadening the public's awareness of truck safety issues and, in particular, driver fatigue as it affects all drivers; and

(v) facilitating coordination among agencies engaged in addressing truck safety issues and those charged with helping bring institutions into compliance with the law.

(b) In accordance with applicable law and in addition to regular meetings, the Task Force shall consult with external stakeholders, including the Governors Highway Safety Association, MADD, other safety groups, ATA, TTMA, paramedics, coroners, ER professionals, law enforcement agencies, DMVs, DAs, American Association for Justice, research and crash test organizations, educational organizations, truck drivers, and others as deemed wise and appropriate.

(c) Because truck crashes affect all ages, the Task Force shall evaluate how its educational proposals and recommendations may apply to, and may be implemented by, schools, school districts, and other elementary and secondary educational entities receiving Federal financial assistance.

Sec. 3. Action Plan.

(a) Within 90 days of the date of this memorandum, the Task Force shall develop and submit proposals and recommendations to the President for:

(i) addressing the problem of truck safety in a coordinated manner, including the following concerns: truck driver scheduling policies; truck driver compensation policies; safety technology; underride guards; truck driver training; CDL granting policies and procedures; hours of service monitoring; truck maintenance; all kinds of enforcement issues to be pro-active in preventing crashes; handling of traffic safety when crashes occur; driver fatigue—

acknowledging the scope, extent, and gravity of Driving While Fatigued (DWF) as a reckless behavior both for truck drivers and drivers of light vehicles, and adjusting the legal system to reflect this reality; and other problems as deemed appropriate.

(ii) measuring the success of prevention and response efforts and providing the public with this information;

(iii) maximizing the Federal Government's effectiveness in addressing truck safety issues by, among other measures, enhancing communication among vital stakeholders—fostering an attitude of cooperation and shared goals rather than opposition and competition—as well as making its enforcement activities transparent and accessible; and

(iv) promoting greater coordination, communication, and consistency among the agencies and offices that enforce the Federal laws addressing truck safety issues and support improved system-wide responses to truck crashes and newly-identified factors, research information, and recommended solutions.

(b) Within 1 year of the date of this memorandum, and then on an annual basis, the Task Force shall provide a report to the President on implementation efforts with respect to this memorandum.

Sec. 4. General Provisions.

(a) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(b) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an agency or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) The heads of agencies and offices shall assist and provide information to the Task Force, consistent with applicable law, as may be necessary to carry out the functions of the Task Force. Each agency and office shall bear its own expenses of participating in the Task Force.

(d) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations, which will be specifically sought after to support the effective and timely implementation of the goals of this Task Force.

(e) The Secretary of Transportation is authorized and directed to publish this memorandum in the Federal Register.

Respectfully submitted,

Marianne Karth, July 13, 2014