Date

Draft letter to:\_\_\_\_\_\_\_\_\_\_\_\_( Your Political Representative)

Re: Support for the Uniform Truck Safety Fitness Standard Act of 2015

Dear Senator/Congressman \_\_\_\_\_\_\_\_\_\_\_:

This letter is submitted on behalf of The Expedite Association of North America. Our association is composed of motor carriers and drivers which specialize in providing just on time transportation services.

We urgently request your support for the Uniform Truck Safety Fitness Standard Act of 2015 which has been drafted in two forms attached as Appendix B. It is well recognized that the FMCSA has published and touted for use by shippers and brokers methodology which unfairly brands motor carriers as damaged goods and requires the public to second guess the Agency’s ultimate safety fitness determination.

This bureaucratic overreach violates existing law which requires the Agency to publish a carrier’s ultimate safety fitness rating for use by the public as the sole arbiter of highway safety. Various proposals being circulated in Congress as part of the Highway Bill do not recognize the basic problem. The Agency cannot transfer to shippers and brokers the responsibility for credentialing motor carriers under peril of being sued. Our members have felt the heavy hand of SMS methodology because of arbitrary enforcement anomalies, the inability of the Agency to call balls and strikes on crash preventability, data inadequacy and the law of large numbers. The GAO has found that the Agency’s system cannot statistically measure 90% of the carriers the Agency regulates which includes most of our members.

Ten years into development, SMS methodology is at best a work in progress which can be used by the Agency in focusing its inspection resources but wasting additional government resources in studying the program with a view to publishing it as an alternative carrier credentialing methodology for use by shippers and brokers would destroy our industry. We urge you to support the simple premise that the Agency’s ultimate safety fitness determination is what the shipping public may rely upon as the sole legal standard for selecting a safe carrier for use.

Unfortunately, the legislation contemplated to date focuses on the inadequacy of the methodology, ignoring the statutory duty of the Agency to make an ultimate safety fitness determination that a carrier is not only fit to operate, it is fit to use.

Your help is needed.

Thank you,