

**PRESENTATION BY HOLLY STEARNS, COALITION AGAINST BIGGER TRUCKS  
TO THE AASHTO SUBCOMMITTEE ON HIGHWAY TRANSPORTATION  
June 11, 2002**

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**Introduction**

Thank you.

The Coalition Against Bigger Trucks is a non-profit, grassroots organization with coalitions in 34 states that are made up of law enforcement officers, health care workers, state and local government officials, and thousands of individual citizens who are concerned about the safety and infrastructure ramifications of bigger trucks.

I want to be clear. We are not anti-truck. We are pro-safety, and we work with many truck drivers, including the Owner-Operator Independent Drivers Association and Teamsters across the country.

During yesterday's truck size and weight breakout meeting, a resolution was introduced to express AASHTO's support for the Transportation Research Board's recommendations for bigger trucks, which Joe Morris just described. *I am here today to speak against that resolution.*

**Transportation Research Board Report**

The TRB recommends a permit program and pilot projects on a national scale, to allow both heavier single trailer trucks and longer combination vehicles, or LCVs – long double and triple trailer trucks. The TRB also recommends creating a new federal bureaucracy to deal with truck size and weight.

*As Joe said, the committee issuing this report did not make any quantitative estimates of the impacts of bigger trucks.*

**Safety.** Take the issue of safety. On page 3-21 of the report, the TRB declares that there is a “substantial probability” that the safety effects of bigger trucks – or, in plain English, the dangers of

increasing truck size and weight – would be large. But the TRB says that it “hopes” that the changes would contribute to safety.

The TRB cites the US DOT’s 2000 Comprehensive Truck Size and Weight Study as well as a 1991 Association of American Railroads report on the safety record of multi-trailer trucks. The US DOT found that multi-trailer trucks had an overall fatal crash involvement rate 11% higher than single trailer trucks after correcting for travel distribution differences by highway type. The AAR study found that multi-trailer trucks had an even higher accident rate – 66% higher than single trailer trucks.

The TRB says that the US DOT findings “contradict” the AAR findings, but we think the two studies support each other: *they both found higher crash involvement rates for multi-trailer trucks*. Because the studies were nine years apart and used different analysis periods, it is reasonable to expect some variation in crash involvement ratios. Also, travel data for multi-trailer trucks suffers from fairly high uncertainty rates that result in large variations year-to-year in apparent fatality involvement rates. Either fatal crash rate – 11% or 66% – or something in-between – is completely unacceptable.

**Bridge costs.** The US DOT study also concluded that there would be enormous additional bridge costs from the nationwide operation of LCVs and heavier singles. The US DOT based its analysis on a presumption that the federal and state governments would spend the resources necessary to prevent bridges from collapsing or failing. It found that with nationwide operations of LCVs, the total costs of reconstructing bridges would be \$53 billion, with an additional \$266 billion in costs borne by highway users in extra fuel burnt and lost productivity.

The TRB criticizes the US DOT’s methodology for *overestimating* bridge costs because the DOT assumed that all affected bridges would need to be replaced. At the same time, the TRB said that the DOT *underestimated* bridge fatigue and the need to make future bridges stronger to accommodate the heavier trucks. Yet they say that the correct analysis has yet to be conducted, meaning they don’t know what the bridge costs will be. (pp. 2-21 – 2-23)

In its 1999 Status Report on the Nation's Surface Transportation System, the US DOT said that nearly 30% of our nation's bridges are structurally deficient or functionally obsolete. There is an obvious backlog on maintenance and a shortage of funding. Yet the TRB is proposing testing these trucks on your highways, and that doesn't make any sense to us.

We consider that to be the underlying flaw in the TRB's recommendations: *The Committee members admit they do not know the safety or infrastructure ramifications of bigger trucks, yet propose that we use public roads to test very long, very heavy vehicles on the American public.*

Joe compared this road test to drug testing required by the Food and Drug Administration (FDA), which requires that all new drugs be proven safe and effective before going on the public market. But the two are very different. Drug manufacturers test their products on animals first and then on people who *volunteer* to be part of a study. There are very few people out there who would volunteer to participate in a study about the fatality rate of longer and heavier trucks.

## **State Option**

The trucking industry is arguing that this is an issue best left to the states to decide. But in light of the way the trucking industry has used this ploy since at least 1974, you may feel differently about state authority in this instance. They made this same argument in 1974 when debating truck size and weight, but did not hesitate to come back in 1982 to argue for – and get – federal mandates. Let me read you some of their statements to Congress.

In 1974, when proposing to allow states to increase their weights from 73,280 to the current limit of 80,000 pounds, Edward Kiley of the ATA said: *"we are talking of newer federal limits to which the states, on an individual basis, would move, or not move, as each state determined its own needs. Nothing would*

*be mandatory and no state would be forced to do anything in any way that it did not believe to be in its best interests.”<sup>1</sup>*

In 1982, Mr. Kiley urged Congress to require all states to allow 80,000-pound trucks. Here is what he had to say at that time: *“Despite this change, we still have three states where we cannot operate at the 80,000-pound gross weight limit . . . We believe that the time has come for Congress to correct this situation and to remove these barriers to increased transportation productivity.”<sup>2</sup>* At this time, Congress required all states to raise their weight limits to 80,000 pounds. Also at the ATA’s request, Congress instituted a 48-foot trailer minimum and required all states to accept twin 28s.

States that still held out were taken to court and forced to comply with federal law. The ATA even threatened to sue. In this 1983 *New York Times* article, Nelson Cooney, the ATA’s general counsel, said, *“If everything else failed, we would have to look at the possibility of bringing suit under our own name to force them to enforce it.”<sup>3</sup>*

Now, the ATA is calling for states’ rights. If they get it, they will use economic pressures to convince states to raise their weights. When enough states have buckled, the ATA will lobby for federal mandates.

A number of Governors and state DOT directors have already rejected the ATA’s approach. When Federal Highway Administrator Mary Peters was Arizona’s DOT director, she wrote a letter to her Washington representatives opposing bigger trucks. In her words, while proponents of bigger trucks “argue that expanding the truck weight limit would be at a state’s discretion, Arizona could not realistically exclude larger trucks from commerce here if all of the states surrounding Arizona opt for the higher limits.

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<sup>1</sup> Written statement of Edward V. Kiley, Vice President of the American Trucking Associations before the Senate Subcommittee on Transportation, Committee on Public Works, February 21, 1974.

<sup>2</sup> Oral statement of Edward V. Kiley, Senior Vice President, American Trucking Associations before the House Committee on Public Works and Transportation, May 4, 1982.

<sup>3</sup> Stephen Kinzer, “New York Fights U.S. to Exclude Longer Trucks,” *The New York Times*, January 27, 1983, p. A1.

Regulation of interstate commerce is clearly one of the areas reserved by the Constitution to the Congress.”<sup>4</sup>

I noticed on the program that when I am done here, there will be a discussion about allowing heavier singles in Maine. Bills on this issue have been introduced in the House and the Senate, as they were in past Congresses. In 1999, Members of Congress along I-95 from the tip of Maine to the end of Florida signed a letter to the committee chairmen asking them to oppose such an increase in Maine because it would lead to pressure all the way down I-95 to increase truck weights. If the ATA succeeds in getting a “state option” plan in the reauthorization, it will target every state along I-95 to allow heavier trucks. The ATA will work its way east-to-west, say on Interstate 80 from New York to San Francisco, and perhaps north-to-south along I-35 or I-5. Once they get enough states on board, a call for national uniformity to a higher standard is sure to follow.

## **Conclusion**

In conclusion, I ask that you reject the resolution on the table today. The price of bigger trucks is just too high.

Thank you for your time. I am happy to answer any of your questions.

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<sup>4</sup> Other state officials who have written letters (of which we are aware) are the Secretaries of the Florida Department of Transportation and the New Mexico Department of Transportation ; the Illinois Secretary of State; and the Governors of Arkansas, Minnesota, Mississippi, Nevada and Rhode Island.