



Summary of Federal Motor Carrier Safety Administration Provisions

Safety is the Department of Transportation's top priority. Since the Federal Motor Carrier Safety Administration (FMCSA) was established in 2000, the number of lives lost in large truck and bus related crashes has decreased 24 percent, from 5,620 in 2000 to 4,251 in 2013. While this represents significant progress, more must be done. Every life is precious and the Department is committed to reducing the number of crashes, injuries and fatalities involving commercial motor vehicles.

The **GROW AMERICA Act** includes measures that will empower state and local communities to help achieve our shared goals through more streamlined and efficient grant programs. The **Act** will also build on FMCSA's continued, unprecedented motorcoach safety efforts by expanding the locations where inspections may occur and will provide new authority over brokers who arrange passenger transportation. Furthermore, FMCSA proposes to ease the economic stress on long-distance truck and bus drivers by ensuring they receive fair compensation for the hours they work.

Motorcoach Safety

Bus travel is increasingly popular because it is a convenient, inexpensive option for many people, including students, groups and families. FMCSA is committed to raising the bar for safety in this highly competitive and rapidly changing industry by employing more effective investigation methods and strengthening the Agency's oversight authorities. Last year, FMCSA stepped up its enforcement efforts, shutting down more than 50 unsafe bus companies that put passengers at risk. FMCSA also increased its efforts to educate the public on safe motorcoach travel.

Expands Locations for Motorcoach Inspections: To build on this unprecedented motorcoach safety effort, the **GROW AMERICA Act** will expand the locations at which motorcoach inspections may occur. Current restrictions prevent police officers and FMCSA inspection officials from inspecting unsafe bus drivers and vehicles along their route. The **GROW AMERICA Act** will permit inspectors to stop motorcoaches for routine inspections at designated inspection sites equipped with adequate food, shelter and sanitation facilities to accommodate passengers during the process. (Section 5401)

Provides Jurisdiction Over Motorcoach Brokers: The **GROW AMERICA Act** will also provide FMCSA with jurisdiction over brokers of passenger transportation. This provision will enhance FMCSA's ability to prevent unsafe bus companies from reorganizing themselves as unregulated "brokers." Additionally, requiring bus brokers to comply with the DOT's commercial registration requirements will help ensure that they are authorized to operate safely in interstate commerce. The change will also provide greater transparency for consumers who are booking bus travel. (Section 5302)

Allows Criminal Prosecution for Unscrupulous Carriers: Finally, the **GROW AMERICA Act** will take stronger steps to prevent unscrupulous motor carriers from skirting FMCSA enforcement actions by allowing for criminal prosecution of a person who knowingly and willfully violates an imminent hazard out-of-service (OOS) order issued to prevent the death or serious physical harm to the public. (Section 5509)



GROW AMERICA Act

Fair Pay for Long-Distance Truck & Bus Drivers: Many over-the-road truck and bus drivers are compensated by the mile or on a fixed-rate per load. As a result, they are not paid for extended periods of time spent on-the-clock when they are detained by waiting for shipments to be loaded or unloaded at shippers' or receivers' facilities. Similarly, over-the-road motorcoach drivers are often compensated in a manner other than an hourly wage. As a result, they often face pressure to drive beyond hours-of-service limitations as a matter of economic necessity, risking driver fatigue and jeopardizing highway safety in the process. The **GROW AMERICA Act** addresses these problems by providing the Secretary authority to issue regulations that would require motor carriers to compensate drivers for detention time and other similar non-driving work periods at a rate that is at least equal to the federal minimum wage. (Section 5507)

Improvements to the Motor Carrier Safety Grants

The **GROW AMERICA Act** will also streamline and consolidate FMCSA safety grant programs - a change that will result in increased efficiencies, not only for FMCSA, but for its state partners as well. Among other changes, the Motor Carrier Safety Assistance Program (MCSAP) will be restructured to include the current New Entrant and Border Enforcement grant programs. While the high-priority program will continue under MCSAP, the current safety data improvement grant program will be absorbed into the high-priority program to avoid duplication. In addition, the Commercial Vehicle Information Systems and Networks (CVISN) grant program will be replaced with a new Innovative Technology Program and additional flexibility will be available to address eligible activities under the Commercial Driver's License program improvement grant program. (Section 5401)

As a condition of full MCSAP funding, every state will be required to participate in the Performance and Registration Information Systems Management Program (PRISM) within three years of enactment, thus expanding the number of states that can suspend or revoke the vehicle registration of carriers subject to FMCSA out-of-service orders. States will also gain the ability to use MCSAP funds to conduct reviews of household goods carriers, brokers, and freight forwarders, protecting the public from predatory practices. The **Act** will provide a new minimum federal share of 85 percent, a funding level applied to each of FMCSA's grant programs. The Agency will also have the ability to withhold incremental amounts of MSCAP funding for non-compliance rather than being required to withhold the full amount or none at all. This added tool will allow FMCSA to address compliance issues while allowing states' sufficient funds to continue critical safety activities. (Section 5401)