



FMCSA proposal adds details to current texting ban

The Federal Motor Carrier Safety Administration is proposing to toughen the punishment for truckers who text while driving.

Under the proposal, commercial drivers caught texting can be disqualified from driving, on top of the hefty fines that are now in place.

The proposal spells out the agency's thinking on the texting ban that it established in January, filling in details that could not be addressed in that earlier format.

The ban will cover about 7 million commercial interstate drivers of trucks and other vehicles ranging from 10,000 pounds gross weight rating up to Class 8 trucks rated at more than 26,000 pounds. Within this group are some 4.2 million drivers with commercial licenses.

The fines and disqualifications would apply to both groups, but the agency also is proposing to add state or local anti-texting laws to the list of serious traffic violations that can trigger disqualification for CDL drivers.

The first texting offense, and each subsequent offense, would lead to a fine of up to \$2,750. If a driver commits a second offense within three years he would be disqualified for at least 60 days. Three offenses within three years would lead to a 120-day disqualification.

The Department of Transportation is moving aggressively against texting because it is highly risky and it has grown dramatically. Drivers who are texting are 23.2 times more likely to get into a crash than those who are not, according to recent research. There is no data yet on how many drivers are texting but the wireless industry has reported a 2,200 percent increase in texting



over five years.

FMCSA believes an explicit federal prohibition is needed to keep texting among commercial drivers from becoming a widespread problem.

The agency said in its proposal that the trucking industry is on board with this approach, citing support from the American Trucking Associations for a ban on texting and the use of handheld devices while driving. It also noted that many trucking companies do not allow drivers to operate any electronic devices when the truck is moving. In an ATA survey of fleets, 67 percent of respondents said their policies restrict the use of portable electronic devices while driving.

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The agency added that its proposal should not be seen as a move to prohibit the use of onboard technology such as electronic dispatching or fleet management systems, or of cell phones for uses other than texting. It will take up these issues in separate rulemakings, the agency said.

The agency plans to define "texting" as entering text or reading text on an electronic device, which can include but is not limited to a cell phone, a personal digital assistant, a pager or a computer. Texting will not include reading, entering or selecting a phone number or voicemail retrieval code.

The agency said its intention is to focus on the behavior, not the device.

For that reason, the agency said safety-conscious fleet managers should not allow or require their drivers to type or read messages while driving. "To the extent that there are fleets that require drivers to type and read messages while they are driving, the agency will consider appropriate regulatory action to address the safety problem."

Some types of drivers, such as firefighters and emergency vehicle operators, are exempt from the proposal under federal law. Also, FMCSA cannot directly regulate intrastate drivers but the proposal is likely to reach them anyway because states eventually match the agency's rules to keep getting federal highway funds.



MAY



BIRTHDAYS

ANNIVERSARIES

K	SCHOSSOW	1ST
G	TRAVER	5TH
R	MEEKER	5TH
R	HINDE	5TH
A	SMELTZER	7TH
G	MEIER	8TH
J	HARLOW	8TH
A	HEESCH	10TH
R	COLEMAN	11TH
C	NILSON	12TH
J	FARRELL	12TH
I	GENGLER	16TH
D	AVILA	16TH
T	HERMAN	26TH
T	KOUNKEL	28TH
G	BUCKNER	28TH
D	LISSMAN	29TH

P	WOLLMAN	26YRS
D	POOLE	20YRS
S	GOLLODAY	19YRS
L	NILSON	16YRS
G	PUETZ	15YRS
I	GENGLER	13YRS
W	SANOW	9YRS
C	NILSON	8YRS
A	ELLERMAN	7YRS
J	MASTBERGEN	6YRS
S	DEBRUIN	6YRS
J	WEBB	6YRS
M	JACOBSON	6YRS
K	BARRETT	5YRS
M	FISCHER	4YRS
M	HOCHSTEIN	3YRS
C	LOGGINS	2YRS
T	COONS	2YRS
T	NOBLE	1YR

