

**Remarks of Larry W. Minor, Director, Office of Bus and Truck Standards and Operations
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
to the
NATIONAL REGISTRY OF CERTIFIED MEDICAL EXAMINERS
PUBLIC LISTENING SESSION
ST. LOUIS, MISSOURI
JULY 26, 2006**

Opening Remarks

Good morning everyone. It's nice that all of you made it here safely. I want to welcome you to St. Louis and to this public meeting to discuss the Federal Motor Carrier Administration's (FMCSA) proposal to establish a National Registry of Certified Medical Examiners (NRCME).

My name is Larry Minor, and I'm the Director of FMCSA's Office of Bus and Truck Standards and Operations. I'm responsible for developing medical programs with a lot of help from the staff in our Physical Qualifications Division. Some of those folks are here today to help with this public meeting.

Our plan this morning is to discuss two topics. The first being the reason you are here, which is the National Registry program. We also thought it important to describe another program that we are working on called the Medical Review Board (MRB), which will be examining the full range of our current medical standards. The MRB will convene its first public meeting next month in Washington, D.C.

We're going to have two briefings this morning to describe these projects. At the end of the briefings, we will be asking for your input and reactions to what you've heard today. We're here to listen to you and to get your views on how you think these programs are progressing.

Before we go to rulemaking on the National Registry, we want to make sure you have this opportunity to influence the course and content of the program. We haven't actually started grinding out the notice of proposed rulemaking yet, so it's early enough in the process that the things you have to say today can be considered in its development. The outcomes of these meetings are very important to us.

Administrative Highlights

We are recording today's proceedings and the transcript, which will include any comments you have, will be available along with the presentations that you see today. We'll let you know at the end of the day how to access that information.

We have two American Sign Language interpreters here with us this morning. They are Glenace Humphrey and Robert Bek. They will be performing an important service, and we thank them for being here today.

I'd also like to thank the staff from the Physical Qualifications Division. They, along with our contractor, Axiom Resource Management, have put together today's events. Let me briefly

introduce them and a few other people from the Federal Motor Carrier Safety Administration who are here today to answer your questions and help support our medical program. From FMCSA, we have Dr. Maggi Gunnels, who is the Chief of our Physical Qualifications Division. To my left is Linda Phillips, who is one of the Team Leaders for the National Registry program. Mr. Mark Johnson is here from our Research and Analysis Division, to help us ensure we get an accurate estimate of the cost and benefits of this venture. Mr. Steve Mattioli is our Division Administrator from Illinois. Joseph Boyd, our Division Administrator from Missouri is here, as well as Bill Coleman, one of our State Program Managers. Our contractors include Glenna Tinney who will be presenting later today. She is the Project Manager for the National Registry program. We also have Margo Weeks, the Communications Campaign Manager, and Carmen Truesdale, a Research Analyst supporting the program here today. We thank all of you for the support you have been providing.

Let's talk a little about what we're going to be doing this morning. As I said earlier, we will be discussing the National Registry and the Medical Review Board. It's important that you understand the work that the Medical Review Board is going to be doing and the medical standards review and development process.

This is the second of two public listening sessions that we are holding this summer. The first was held in June, in San Diego, CA. These meetings are following up on a commitment that we made last year during our public meeting on the National Registry in Arlington, VA. During that meeting, we promised we would have additional meetings to give you opportunities to offer comments and reactions to our efforts to establish a National Registry. We also have a public listening session scheduled for August 31 in Washington, DC, in conjunction with the first public meeting of the Medical Review Board. The Medical Review Board meeting will be conducted a little more formally than this meeting because the MRB's activities are governed by the Federal Advisory Committee Act (FACA), which has more formal requirements for making and recording comments. As I said earlier, these listening sessions are important to us because they help us find out your opinions about the programs we are developing at FMCSA and to get your input before we go to rulemaking.

Overview of FMCSA

Let me start with a very brief discussion of the Federal Motor Carrier Safety Administration. Many of you know what we do, but there may be others who are not as familiar with our Agency. We are a safety regulatory agency of approximately 1,000 employees. We are part of the U.S. Department of Transportation (DOT) — one of about 16 safety regulatory agencies within the DOT. Our employees are located in offices throughout the United States — that's all 50 states, the District of Columbia and Puerto Rico. Most of our staff, about 80%, is located in our field offices with the remainder working out of headquarters in various program offices.

FMCSA's mission is to promote truck and bus safety on our Nation's highway. We set standards for commercial motor vehicle (CMV) drivers and vehicles. We determine the safety compliance of companies and drivers. We conduct safety audits of new entry motor carriers and try to make sure that all CMV drivers meet our safety requirements. We work very closely with state transportation agencies, and we also conduct roadside inspections of trucks and buses.

We collect information about companies, their vehicle maintenance records, vehicle performance, and drivers' hours of service compliance. We also review driver qualification files to make sure that drivers have their required medical certificates up-to-date. We gather all this

roadside data and data from other investigations, analyze it and develop research plans to supplement our existing data on highway safety.

FMCSA is held accountable by the President of the United States and by Congress to reduce the number of large truck and bus fatalities and injuries. We have a very ambitious goal, set back in 1996, which is to drive large truck and bus fatalities down 41% by 2008. We have been successful in bringing down the actual rate at which people have been injured or killed in truck or bus crashes, even though the raw numbers have been somewhat stagnant in recent years. We also have many stakeholders, with whom we work very closely, who have an interest in driving down those numbers as well.

In 2004, which is the last year in which we have validated data, injuries resulting from large truck crashes totaled about 116,000. Additionally, about 13,000 injuries involved commercial buses and motorcoaches. In that same year, unfortunately, more than 5,000 people were killed in truck-related crashes. That number has been holding steady for the last few years. About 36 fatalities resulted from bus crashes in the United States during the same period.

Our job at FMCSA is to find solutions for the problems that contribute to crashes and to find ways to drive those numbers down for injuries and fatalities. In addition to the human toll of these crashes, there's also an economic burden. In 2004, it was estimated that motor vehicle crashes cost the U. S. economy about 29 billion dollars, and that includes all motor vehicle crashes, not just truck and bus crashes. These crashes take a major economic toll. In addition to looking at the fatalities and injuries, we also consider the economic impact of truck and bus crashes.

As I mentioned earlier, we collect a lot of research in the process of the work that we do. It's becoming clearer in the data that we gather that the driver is a major contributor to commercial motor vehicle crashes. This is also true of crashes involving passenger cars. Vehicle issues are simply not as pronounced as the role of drivers, so we are focusing much more on driver-related issues in our safety programs.

FMCSA Medical Standards

One of the cornerstones of driver performance is the issue of the medical qualification of drivers who operate commercial motor vehicles. We rely very heavily on the medical community to perform thorough physical examinations of drivers, but it is also important that medical examiners apply an understanding of what it takes for these drivers to do their jobs. CMV drivers are not like passenger car drivers. The demands are much greater on them. Drivers spend a lot of time behind the wheel. They also load and unload cargo, and they have to climb in and out of their vehicle, so the demands of operating commercial motor vehicles are much more pronounced than those of driving passenger vehicles.

This slide describes the major physical demands made on drivers and how those requirements have translated into our current medical standards, which are indicated on the right side of the screen. The MRB will look at all our medical standards and ask the questions: Are they up to date? Are they clear? Do they need to be revised? If so, how should they be revised? What do medical treatments provide or promise and do we need to rethink some of the standards that we currently have? This includes what should be listed in the physical qualifications of drivers, but also, what the content of the educational curriculum should include for medical examiners to apply the standards. Again, we respect the training that the medical examiners possess.

However, we believe that it's very important to make sure they receive up-to-date guidance with respect to conducting physical examinations for CMV drivers. The National Registry of Certified Medical Examiners program is important because it is vital that drivers are healthy and fit to operate commercial vehicles in interstate commerce. We need to be confident that qualified medical examiners are performing these medical examinations, that they know the medical standards, and that they apply the standards evenly and uniformly.

I want to emphasize that we are still in the process of developing the National Registry program. In the meantime, until FMCSA completes the notice and rulemaking process, there is no requirement for medical examiners to be listed on a registry of any kind or other database to show qualifications to perform physical examinations of commercial truck and bus drivers. In addition, at this time, FMCSA does not endorse any medical examiner training, education or certification programs.

Overview of Meeting Schedule

What we plan to do today includes the two briefings I mentioned. Linda Phillips is going to follow me and will provide an overview of the Medical Review Board, the Board's activities and the medical standards process. Glenna Tinney is going to follow her and provide the history, overview, and status of the National Registry of Certified Medical Examiners. We'll then have a short break. Following the break, Dr. Maggi Gunnels will facilitate the listening portion of the meeting, taking questions from you and giving you the opportunity to provide comments.

Closing Remarks

As I close my remarks this morning, I want to emphasize that this won't be the last time that you have the opportunity to provide comments to us on the National Registry. Once we start the notice and rulemaking process, there also will be an opportunity to respond to the notice of proposed rulemaking to give us your feedback and reactions to the proposed regulatory language. It will also be your chance to address the potential costs and benefits, especially if you think this is likely to reduce the number of medical examiners or have some type of impact on the availability of drivers. We definitely are looking forward to feedback from you as we go through the rulemaking process. As I mentioned, we have the Medical Review Board meeting in August. The meeting dates for future Medical Review Board meetings will be publicly announced in Federal Register notices. You will have plenty of notice as to the dates and locations of those meetings. We certainly invite all of you to attend and offer additional feedback and comments at that time.

Again, I'd like to thank you for being here. I appreciate your participation and look forward to your reactions, comments, and ideas. It is now my pleasure to introduce Linda Phillips who will begin our presentations today.