

# Traffic Safety<sup>®</sup>



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## Potential rule on sleep apnea yields strong praise, harsh criticism

**B**efore moving forward on a proposed rule to study obstructive sleep apnea among truck drivers and railroad workers, government officials sought public comments on the issue.

The public did not hesitate to offer feedback.

A total of 593 comments were submitted to the Federal Motor Carrier Safety Administration and the Federal Railroad Administration. The comments included a wide range of viewpoints about whether the agencies should regulate the diagnosis and treatment of obstructive sleep apnea for transportation workers in safety-sensitive positions.

OSA is a respiratory disorder that can cause frequent interruptions during sleep. The condition affects 28 percent of commercial motor vehicle drivers, according to an FMCSA-sponsored study conducted by the University of Pennsylvania. It can lead to impairment or inattentiveness during waking hours if left untreated.

Many commenters agreed that fatigue is an important safety issue among transportation workers. However, they said it would be misguided to force drivers or carriers to pay for tests and treatment that can cost upwards of thousands of dollars. Others said FMCSA's hours-of-service rules should be amended to allow drivers to stop and take naps without cutting into their on-duty time.

"This is junk science," wrote William Henderson, of Brandon, FL. "You make the medical personnel force people to spend \$2,500 to \$4,000 just to [take] a test that no one passes. Total money maker."

Kristoffer Flesland, of International Falls, MN, wrote that he had been diagnosed with sleep apnea and used a continuous positive airway pressure machine as part of his treatment.

"I am not against the federal government being involved in this, but my concern is how the doctors are making this

quite profitable for them," Flesland said. "Many insurances do not pay for this. ... Explain to me why commercial drivers are always in the cross fire? Why aren't these same laws put on every person holding a driver's license?"

Some organizations claim FMCSA and FRA need to do a better job showing the specific need for action. The Owner-Operator Independent Drivers Association stated that it opposes any requirements for screening "until FMCSA identifies OSA as the cause of a not-insignificant number of crashes."

Other organizations spoke out in favor of screening.

"It is astounding that airline pilots, whose planes fly themselves a great deal of the time a flight is in the air, are required to be screened for sleep apnea, yet truck drivers, who need to pay attention every second they are on the road, are not," Road Safe America co-founder Stephen Owens wrote.

Beth Badger, of Columbus, GA, wrote about how her father died when a truck driver fell asleep behind the wheel and slammed into the back of his vehicle, which had slowed because of a crash ahead.

"Emergency (personnel), who were working the prior crash, were running for safety because they recognized that the semi would be unable to stop," Badger wrote. "The emergency (personnel) already on site could not save my dad. He died of blunt force trauma, belted in his crushed car."

"I don't know why the semi driver was sleeping. But to those of you complaining about the cost, I would like to know what you would be willing to pay to save a loved one's life. I thank the FMCSA for looking into this matter. Many comments made sense (about being sensible) about this issue. But to just complain about the cost is short-sighted and painful."

# NEWS BRIEFS

## Final rule exempts transporters of livestock, bees from HOS requirements

WASHINGTON – Commercial drivers who transport livestock and bees are exempt from certain hours-of-service requirements as part of a final rule published July 22 by the Federal Motor Carrier Safety Administration.

Under the final rule – which was mandated by Congress in the Fixing America’s Surface Transportation Act, also known as the FAST Act – the required 30-minute rest breaks for drivers do not apply to those hauling livestock or bees when the animals or insects are in the vehicle.

The final rule also updates the following:

- Drivers of ready-mixed concrete vehicles may use time spent waiting with their vehicle at a jobsite or terminal to meet requirements for a 30-minute rest break.
- Drivers of ready-mixed concrete vehicles are exempt from maintaining records-of-duty status as long as they operate within a 100-mile radius of the normal work-reporting location, return to the work-reporting location and finish work within 14 hours, receive at least 10 hours off duty for each 14 hours on duty, and do not surpass 11 hours of driving time after 10 hours off duty.
- States have the discretion to waive the existing requirement for a commercial driver to obtain hazardous materials endorsement to transport a maximum of 1,000 gallons of diesel fuel.
- Agency exemptions may be granted for up to five years instead of up to two years as previously allowed.

The request for exemption concerning bee transport originally was made by the California Farm Bureau Federation, which said the insects must have cool, fresh air on their hives and that a 30-minute stop in warm weather could place them in significant danger.

The changes went into effect immediately and did not require a notice of proposed rulemaking or public comment period because of a clause within the Administrative Procedure Act.

## More than three out of four drivers engage in aggressive behavior: report

WASHINGTON – Seventy-eight percent of U.S. drivers displayed aggressive behavior behind the wheel at least once in 2014, according to a recent report from the AAA Foundation for Traffic Safety.

Researchers surveyed 2,705 licensed drivers age 16 and older who had driven

at least once in the previous 30 days. The top aggressive driving behaviors reported were tailgating (50.8 percent), yelling at another driver (46.6 percent) and honking to show annoyance or anger (44.5 percent), the report states.

Other findings included:

- 32.5 percent of drivers made an angry gesture at another driver.
- 24.1 percent tried to stop another driver from changing lanes.
- 11.9 percent cut off another driver.
- 3.7 percent left their vehicle to challenge another driver.
- 2.8 percent bumped or rammed another vehicle.



Researchers noted aggressive behaviors may be underreported because the actions are perceived to have negative social connotations. Download the report at <http://sb-m.ag/2aDPU4a>.

## Hundreds of trucks pulled from service during ‘Operation Airbrake’

GREENBELT, MD – Brake violations caused about 760 commercial trucks to be removed from service as part of an unannounced single-day inspection initiative across the United States and Canada, the Commercial Vehicle and Safety Alliance announced July 26.

CVSA-certified inspectors checked 6,128 large trucks and buses on May 4 as part of an annual program dubbed “Operation Airbrake.” The inspections resulted in 12.4 percent of the vehicles being taken out of service for brake violations and 13.9 percent removed for non-brake-related violations.

Most CMVs were equipped with anti-lock braking systems, as required by their manufacture date, CVSA stated. Of those vehicles, 9.6 percent of air-braked trucks had ABS-related violations, and 9.8 percent of hydraulic-braked trucks were found to have ABS-related violations.

None of the 55 buses and motor-coaches that were inspected, including 52 with ABS, had violations.

Brakes that are improperly installed or poorly maintained create serious safety hazards because they reduce braking capacity and increase the required distance for CMVs to stop.

Even with properly functioning brakes, larger vehicles need more space to come to a complete stop.

# STATISTICS

## April traffic deaths increase in 2016

By Kevin T. Fearn

Motor vehicle deaths in April totaled 3,270, up 13 percent from the April 2015 total.

Medically consulted motor vehicle injuries for the first four months of 2016 are estimated to be about 1.4 million. As a result of a refinement made this year to the medically consulted injury estimate, comparison of medically consulted injuries to previous years is not appropriate.

The cost of motor vehicle collisions through April is estimated to be about \$130 billion. The costs include wage and productivity losses, medical expenses, administrative expenses, employer costs, and vehicle damage. Due to recent updates to the National Safety Council's cost model, comparison of current year cost estimates to previous years is not appropriate.

The estimated annual population death rate for 2016 is 13.1 deaths per 100,000 population, a 10 percent increase from the preliminary 2015 rate of 11.9. The estimated annual mileage death rate is 1.3 deaths per 100 million vehicle miles traveled, an increase of 8 percent from the preliminary 2015 rate of 1.2.

### Notes to table

Deaths are reported by state traffic authorities. All figures are preliminary. To ensure proper comparisons, 2014 and 2015 figures cover the same reporting period as those for 2016. The total for 2014 is from the National Center for Health Statistics. States shown in color had fewer deaths in 2016 than they did in 2015 for the same reporting period.

## STATE MOTOR VEHICLE DEATHS, CHANGES AND RATES UNITED STATES, FOUR MONTHS, 2014-2016

STATE	NO. OF MONTHS	DEATHS IDENTICAL PERIODS			PERCENT CHANGES	
		2016	2015	2014	2015 TO 2016	2014 TO 2016
TOTAL U.S.	4	12,080	10,890	10,129	11%	19%
Alabama	4	288	239	277	21%	4%
Alaska	4	18	15	17	20%	6%
Arizona	4	307	293	229	5%	34%
Arkansas	4	153	157	116	-3%	32%
California	4	1,059	1,001	810	6%	31%
Colorado	4	133	148	112	-10%	19%
Connecticut	4	89	57	61	56%	46%
Delaware	4	42	27	37	56%	14%
District of Columbia	4	6	6	10	0%	-40%
Florida	4	1,064	933	765	14%	39%
Georgia	4	460	433	335	6%	37%
Hawaii	4	35	28	40	25%	-13%
Idaho	4	56	43	39	30%	44%
Illinois	4	312	256	231	22%	35%
Indiana	4	239	216	164	11%	46%
Iowa	4	105	87	82	21%	28%
Kansas	4	120	94	110	28%	9%
Kentucky	4	229	194	181	18%	27%
Louisiana	4	211	185	146	14%	45%
Maine	4	40	35	35	14%	14%
Maryland	4	154	126	112	22%	38%
Massachusetts	4	113	84	82	35%	38%
Michigan	4	288	224	235	29%	23%
Minnesota	4	106	103	92	3%	15%
Mississippi	4	153	162	192	-6%	-20%
Missouri	3	196	164	145	20%	35%
Montana	4	53	33	39	61%	36%
Nebraska	3	37	62	48	-40%	-23%
Nevada	2	49	49	33	0%	48%
New Hampshire	4	36	20	20	80%	80%
New Jersey	4	171	151	162	13%	6%
New Mexico	3	83	66	71	26%	17%
New York	4	236	-	-	-	-
North Carolina	4	432	360	324	20%	33%
North Dakota	4	21	34	30	-38%	-30%
Ohio	4	291	290	263	+*%	11%
Oklahoma	4	209	187	189	12%	11%
Oregon	4	143	129	87	11%	64%
Pennsylvania	4	332	325	313	2%	6%
Rhode Island	4	15	10	10	50%	50%
South Carolina	4	292	290	229	1%	28%
South Dakota	4	28	23	47	22%	-40%
Tennessee	4	300	268	268	12%	12%
Texas	4	1,131	1,018	1,079	11%	5%
Utah	4	69	69	55	0%	25%
Vermont	4	17	9	11	89%	55%
Virginia	4	215	205	207	5%	4%
Washington	4	151	144	141	5%	7%
West Virginia	4	71	69	66	3%	8%
Wisconsin	3	122	102	89	20%	37%
Wyoming	4	14	36	35	-61%	-60%

\*Change less than 0.5%.

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## DRIVING TIP

# Controlling your CMV

To safely operate a commercial motor vehicle, you must be skilled in accelerating, steering, stopping and backing, the California Department of Motor Vehicles states.

**Accelerating:** Be careful never to roll back your vehicle when you start it, as you may strike someone behind you. CDMV advises speeding up “smoothly and gradually” to avoid jerking your vehicle or experiencing a rough acceleration, which can result in mechanical and coupling damage. Accelerate slower than normal when traction is compromised by rain or snow. Remove your foot from the gas if you lose control while accelerating.

**Steering:** Firmly hold the steering wheel with each hand on the opposite sides of the wheel.

**Stopping:** Brake gently whenever possible to come to a smooth and slow stop. If you have a manual transmission, push the clutch in when the engine is close to idling.

**Backing up:** Backing a CMV is inherently dangerous because it is impossible to see everything behind the vehicle. Avoid backing up whenever possible. When you must back up:

- Start from the best position you can, and check your path carefully, which may involve you getting out of the vehicle for a closer inspection. Check to ensure clearance on the sides of the vehicle and above it.
- Use side mirrors frequently, but do not rely on them. If you are ever unsure about clearance, get out and check.
- Back up as slowly as possible using the lowest reverse gear.
- Back and turn your vehicle toward the driver’s side whenever you can, which allows you to see better, “even if it means going around the block to put your vehicle in this position,” CDMV states. Avoid backing toward the right side, as you cannot see as well.
- Enlist the help of another worker. Have the helper stand near the back of your vehicle but be sure you can see him or her. Have a set of hand signals worked out beforehand that you both understand, including one for “stop.”

