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Congress of the United States
House of Representatives
Washington, DC 20515

April 22, 2009

The Honorable Jeffrey F. Paniati
Acting Administrator
Federal Highway Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Administrator Paniati,

I am writing to ask for your assistance in addressing a serious truck safety issue that has come to my attention through an unnecessary tragedy in the City of La Cañada Flintridge, which I am honored to represent.

Last September, a tractor trailer filled with over 75,000 pounds of onions was routed onto the Angeles Crest Highway, State Rte 2, by a driver using a GPS navigation device seeking the shortest route to his destination. The Angeles Crest Highway is not suitable for tractor trailers due to its windiness and grade inclines and declines. However, the road is often used by drivers as a short-cut in order to avoid congestion on I-210 and I-5. With his brakes losing function on the decline into the City of La Cañada Flintridge, the driver lost control of the truck and it plowed through one of the main intersections in the City, through a parking lot, and fortunately only resulted in one injury. That driver was an out-of-state driver and was using a GPS navigation device that did not have the proper data indicating the route was dangerous for big rigs.

Earlier this month, on April 1, an eerily similar accident took place at the exact same location, but the result was tragically fatal. An out-of-state trucker was using the same Angeles Crest Highway short-cut where his brakes were seen smoking, indicating they had burned out on the steep grades of the road. He hit a vehicle, dragging it through the same intersection in the City, striking several more vehicles and crashed through a bookstore in a local shopping center, killing Angel and Angelina Posca, a father and his 12-year-old daughter who were in the first vehicle, seriously injuring a dozen more individuals, three critically. The accident is still under investigation. While it has not been determined if the driver used a GPS navigational system to route onto the Angeles Crest Highway, it is my understanding that such a device was in the cabin of the truck.

I am deeply concerned that these trucks were accessing the Angeles Crest Highway. The City of La Cañada Flintridge, the County of Los Angeles, the Los Angeles Sheriff's Department and CalTrans are currently engaged in implementing short and long-term mitigation to prevent this kind of accident from happening again including a 90-day truck ban and additional signage. State legislation has also been proposed to permanently ban truck traffic on the Angeles Crest Highway. However, I am also troubled that trucks are routed onto a road not suitable for tractor trailers by navigation devices not equipped with appropriate information for commercial vehicle use. With this tragic accident serving as background, I write to inquire about what steps are being taken by the Administration to increase the integrity and availability of data made available through real-time information programs and how the Federal Highway Administration can provide leadership to the industry and state and local governments in remedying this safety lapse.

It is the responsibility of drivers to follow all road signs and obey traffic laws. It is also incumbent upon the driver to properly operate his or her vehicle in a manner consistent with local roads and safety and maintenance standards. No Federal law or regulation will provide a 100 percent fail-safe against driver error or driver malfeasance. However, in reviewing the tools currently available to drivers, carrier companies, data providers, navigation device manufacturers, fleet managers and dispatch centers, I strongly believe that a properly constructed National Real-Time Traffic Information Program that includes critical information regarding truck restricted roads can help improve safety while also helping improve general transportation congestion management.

As you know, the Los Angeles metropolitan area is one of the nation's most congested. Not only are we home to over 13 million residents, the ports of Los Angeles and Long Beach serve as the gateway to the Pacific Rim, providing the infrastructure to handle the more than 40% of goods that are imported and exported by the United States. Freight traffic is only projected to increase significantly in coming years and to address that, I have focused efforts on managing freight congestion with infrastructure improvements such as grade separations at rail/vehicle crossings and traffic synchronization to deal with freight rail along the Union Pacific and Burlington Northern Santa Fe lines.¹ However, I recognize the need doesn't end there. Goods movement must include more than just improving congestion – safety is paramount to transportation management and we must address the availability of accurate and effective surface transportation information on our highways for all users including those in the trucking industry.

Specifically regarding the status and direction of the Real-Time System Management Information Program as authorized by SAFETEA-LU¹, it is my understanding that this section of law requires the Secretary of Transportation to establish a real-time traffic system management information program to provide the capability to monitor, in real-time, the traffic and travel conditions of the major highways in the United States and to share that information with state and local agencies, and the general public. It is also my understanding that the Federal Highway Administration is in the process of final rule making on this provision. At this time, the status of transportation information appears to be a FHWA website, <http://www.fhwa.dot.gov/trafficinfo/>, which provides a portal to various state and local agencies that may provide transportation

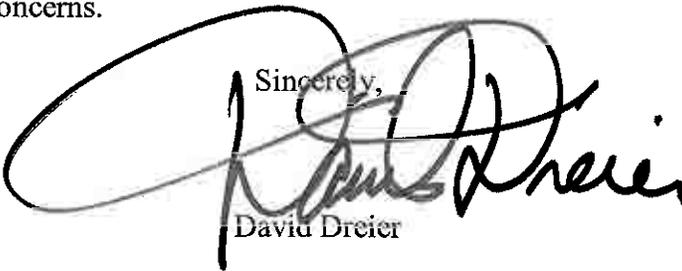
¹ Section 1201 of Public Law 109-59

system information. Unfortunately, the page indicates it has not been updated since March 7, 2008.

In reviewing the rulemaking associated with Real-Time System Management Information Program², it appears that there is emphasis on gathering and disseminating information regarding system performance and road speed. I would appreciate a better understanding of the minimum parameters and requirements and why the focus is only on these elements. It is my belief that the Real-Time System Management Information Program should also focus on indicators of road conditions, which can change due to temporary closures, weather conditions or maintenance emergencies as well as vehicle safety that will take into consideration the grade inclines or declines on various roads and whether they are suitable for different types of passenger and commercial vehicles.

After these two unfortunate accidents that took place over the past several months in my district brought to the forefront the need to improve transportation safety, it is my intent to do everything possible to ensure that we improve the accuracy and effectiveness of transportation information dissemination in order for all drivers to make the best and safest decisions. I strongly believe that any Real Time System Management Information Program must include timely and critical information for the trucking industry, especially as goods are moved through California and across the country.

I greatly appreciate the opportunity to share my concerns on this matter and I look forward to working with you, and the various modal agencies within the Department of Transportation to improve truck safety on our roads. I also welcome your thoughts and recommendations on policy changes that might help reach this goal. Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

David Dreier

² FHWA Docket No. FHWA-2006-24219