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THE READERS' FORUM

Trucking-safety rules in peril

We are all well aware that a Walmart truck driver slammed into a limo van, killing one person and critically injuring comedian Tracy Morgan and others. The media have reported that the criminal complaint later filed indicates this truck driver had not slept in more than 24 hours prior to the accident, despite certain Federal Motor Carrier Safety Administration (FMCSA) regula-

tions restricting truck drivers to a maximum of 11 hours of driving after a minimum of 10 hours off duty.

This accident underscores a grave problem with the trucking industry. Should the facts prove that the truck driver violated the FMCSA's safety regulations, it would not be an aberration. It would be the norm. The dirty little secret in the world of commercial trucking accident litigation is that

it is common for trucking accidents to be caused by violations of the safety rules meant to protect the public.

This accident comes on the heels of a recent vote by the Senate Appropriations Committee in favor of an amendment, sponsored by Sen. Susan Collins, R-Maine, to relax the safety rules aimed at reducing trucker fatigue. The trucking industry typically

opposes the safety regulations arguing they obstruct efficiency. The crash that injured Morgan, however, is another unfortunate example that efficiency and motor-carrier profits cannot be allowed to take precedence over safety and regulatory compliance; otherwise, more innocent lives will be lost on our nation's roads.

— **Michael Hersh, attorney,**
Fort Lauderdale