

Do not allow motor carrier profits to endanger any more lives

We are all well aware that last week a Wal-Mart truck driver slammed into a limo van, killing one individual and critically injuring comedian Tracy Morgan and others. Journalists 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) regulations restricting truck drivers to a maximum of 11 hours of driving after a minimum of 10 hours off duty.

But unbeknownst to the general public, this accident underscores a grave problem with the trucking industry. Should the facts prove that the Wal-Mart truck driver violated the FMCSA's safety regulations, it would not be an abnormality. It would be the norm. The dirty little secret in the world of commercial trucking accident litigation is it is commonplace for trucking accidents to be caused by violations of the safety rules meant to protect the public.

Astonishingly, this incident 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 Tracy Morgan, however, is yet 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.

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