



September 11, 2007

## **Protect Highway Safety Support the Dorgan-Specter Amendment**

Dear Senator:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I urge you to support the Dorgan-Specter Amendment to the Senate FY08 Transportation Appropriations bill. This amendment would prohibit the implementation of an ill advised federal pilot program permitting Mexico-domiciled trucking companies to transport goods on American highways. Transportation unions have long been concerned about the safety and security issues stemming from the poorly conceived cross-border transport provisions embodied in the North American Free Trade Agreement (NAFTA).

The demonstration project proposed by the U.S. Department of Transportation's (DOT) Federal Motor Carrier Safety Administration (FMCSA) would open the border to commercial truck traffic beyond the commercial zone. The pilot program leaves many critical safety and security issues unaddressed. We are also concerned that this demonstration project will be used as a model for future efforts to open the U.S.-Mexico border to intercity bus operators from Mexico.

This demonstration project lacks adequate safety rules and fails to guarantee vigorous enforcement. The pilot program would allow Mexican drivers to enter and operate in the U.S. with a Mexican Commercial Driver's License (CDL) and by passing a drug and alcohol test administered by Mexican authorities and collection facilities. However, FMCSA has not adequately evaluated either Mexico's CDL program or its drug and alcohol testing procedures to ensure that they indeed meet U.S. standards. For example, Mexico lacks a single laboratory certified to provide specimen analysis. Congress also specifically required DOT to provide an "analysis as to how the corresponding United States and Mexican laws and regulations differ." FMCSA has not met this specific requirement and thus cannot rely on Mexican rules and regulations to satisfy U.S. CDL and other safety requirements.

The DOT's Inspector General stated in written testimony to the Senate that serious data problems were found in FMCSA's own repository of Mexican driver convictions that occur in the U.S. Known as the 52<sup>nd</sup> State System, this database allows U.S. officials to disqualify Mexican commercial drivers operating in the U.S. for the same offenses that would lead to the disqualification of a U.S. commercial driver. At this time the system contains faulty information which erects barriers to the effective enforcement of the safety rules that are a condition of this demonstration project.

For these reasons, we believe that the demonstration project proposed by FMCSA would expose U.S. highway users, including workers represented by TTD affiliates, to safety and security threats. We urge you to support the Dorgan-Specter Amendment to assure the safety of our nation's transportation system.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Wytkind", written over a horizontal line.

Edward Wytkind  
President

**Transportation Trades Department, AFL-CIO**

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