

Federal Motor Carrier Safety Administration
Office of Analysis, Research and Technology

Employer Notification Service
System Program
(ENS)

Chris Flanigan
Office of Analysis, Research,
and Technology

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Focus for Today

- ◆ Background on ENS Program
- ◆ Preliminary Results of Phase II State Pilot Tests
- ◆ National Deployment Scenarios
- ◆ Questions



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Incident in Boston, MA

- ◆ In 2003, an overloaded tractor trailer jackknifed in the deepest part of the I-93 tunnel and ***closed the tunnel for 2½ hours***
- ◆ Turnpike officials said the truck was traveling at about ***70 mph in a 45 mph zone***
- ◆ The driver was charged with speeding and ***operating without a license***
- ◆ The crash caused about \$500,000 in damage. Turnpike officials said they hoped to ***recover the money from the trucking company's insurers***



Background

- ◆ FMCSA research indicates that truck and bus drivers with past convictions are statistically more likely to be involved in future crashes
- ◆ Employers are not always notified about these convictions and are unable to take immediate and appropriate corrective action with drivers
- ◆ FMCSA requires:
 - carriers to check driver history annually
 - drivers to report CDL status changes within 30 days and suspensions within one day



Addressing the Problem

- ◆ **Employer notification programs:**
 - Done on a State level and offered by private companies
 - Proactively notify a carrier about the driving record of its drivers
 - Allow the carrier to have real time updates of its drivers' CDL status
 - Streamlines a carrier's ability to oversee its drivers



States with ENS Programs

- ◆ California – Has required all commercial vehicle operators to be enrolled since 1989
- ◆ Illinois, Virginia, Wisconsin – Require school bus operators to be enrolled
- ◆ Michigan, Nebraska, New York – Provide service through third party providers



Third Party Providers

- ◆ USIS/Explore Information Services
- ◆ License Monitor
- ◆ ChoicePoint
- ◆ National Information Clearinghouse



Carrier Exemption from Annual Records Check

- ◆ Interpretation issued in January 2003
 - Carriers could be exempted
 - Interpretation not widely-distributed
 - Not clear to all
- ◆ The American Trucking Associations (ATA) petitioned to clarify in either the interpretation or the regulation



ENS Phase 1: Feasibility and Cost Benefits

- ◆ Completed in September 2004
- ◆ A national system would be feasible, cost beneficial and provide safety benefits
- ◆ Drivers with convictions in the past year are **37% more likely** to be involved in crashes during the year following a conviction than are drivers with no convictions

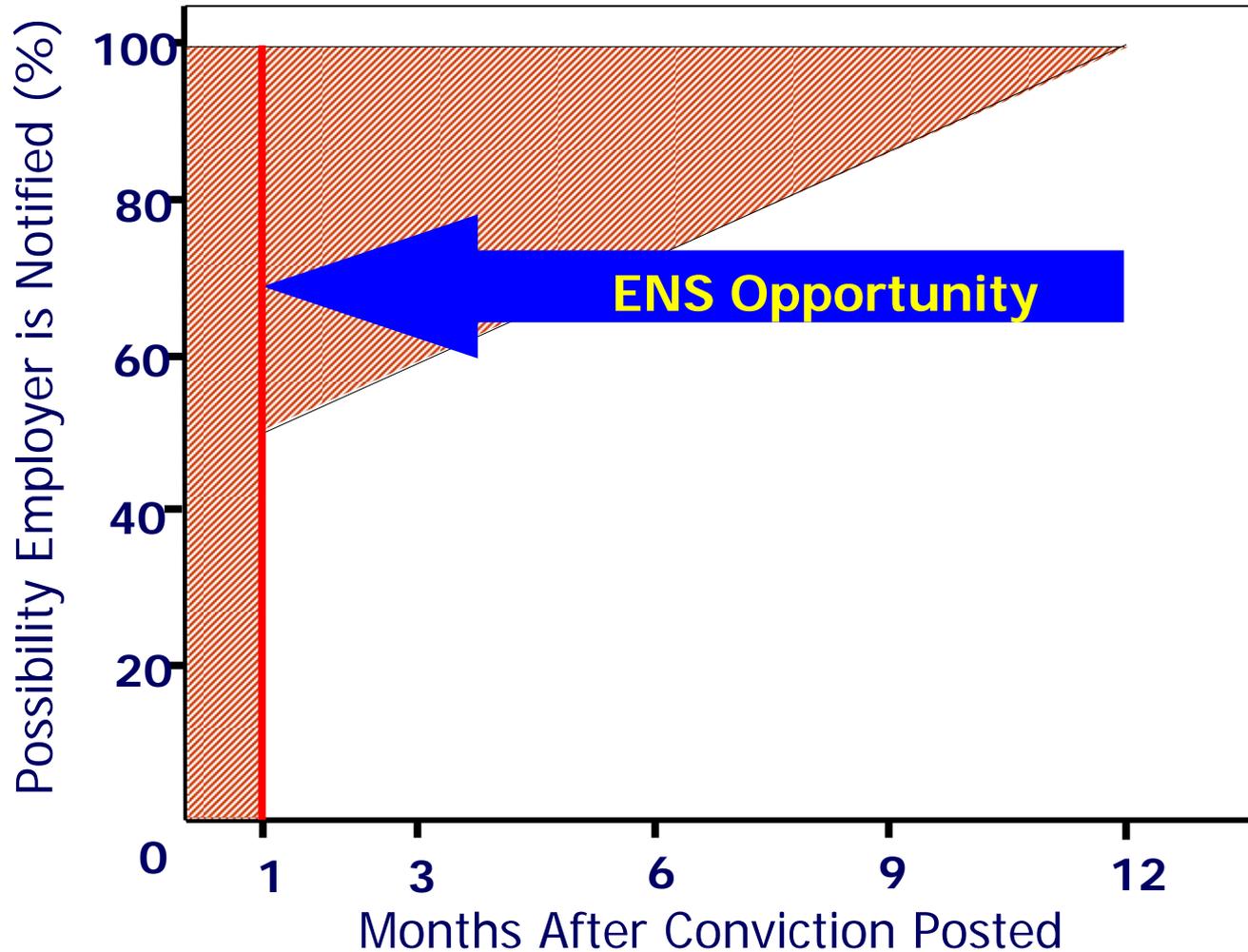


ENS Phase 1: Safety Benefits Opportunity

- ◆ At a minimum, 50% of drivers may not notify employers of convictions within the required 30-day period
- ◆ The motor carrier industry relies on the pulling of Driver History Records (DHRs) to assess driver CDL status



Phase 1: ENS Benefits Window





Anticipated Benefits

- ◆ Improved commercial vehicle safety
- ◆ Improved monitoring and information exchange between States and carriers concerning CDL status
- ◆ Increased efficiency and cost savings for carriers

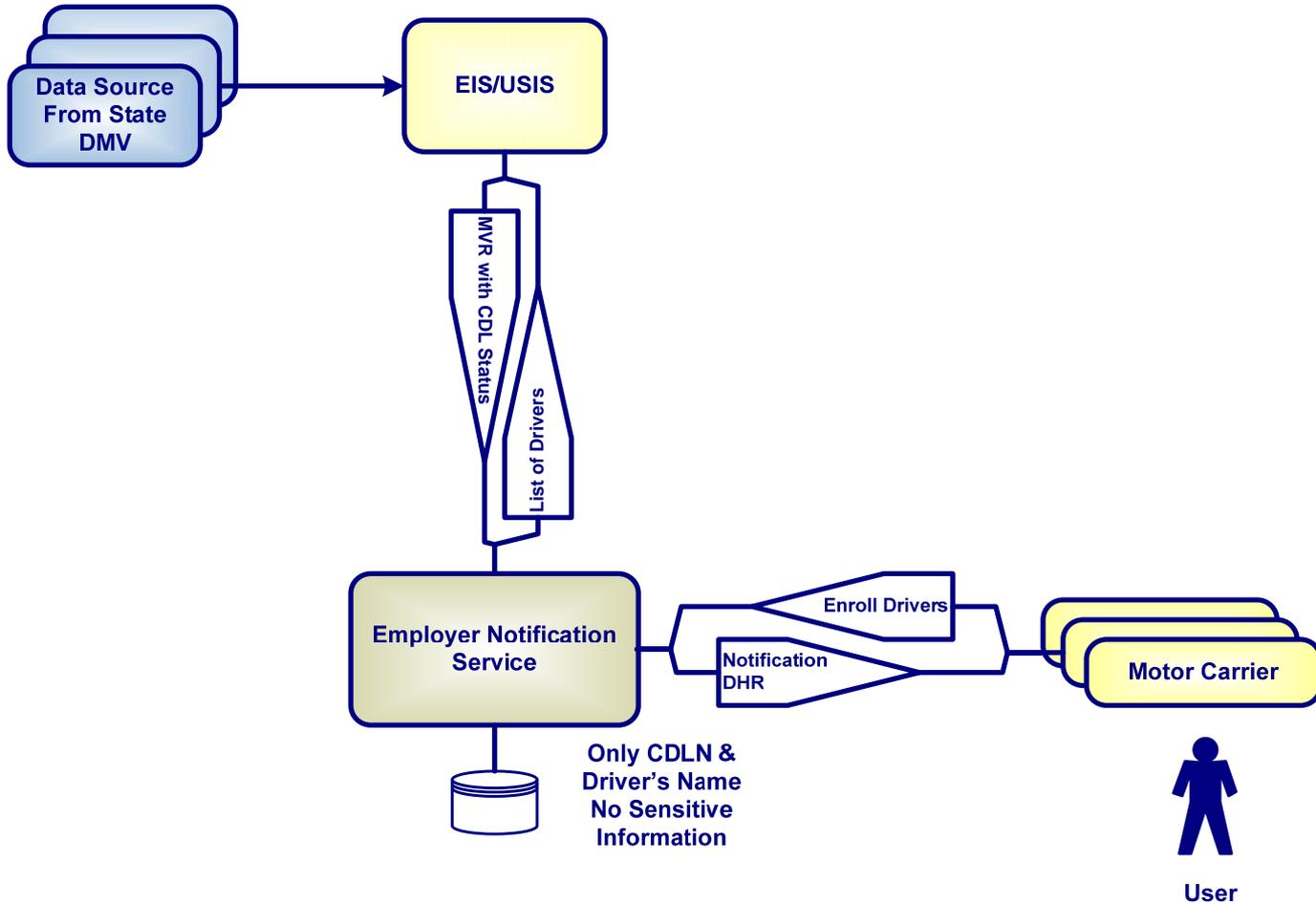


ENS Phase 2: State Pilot Test

- ◆ Prototype developed
- ◆ States recruited to participate in pilot test
- ◆ Pilot tests conducted in Colorado and Minnesota
- ◆ Prototype pilot tested for 18 months (December 2006 to June 2008)



ENS Prototype System Overview





ENS Colorado Operations



- ◆ 425 drivers enrolled
- ◆ 155 notifications were generated



ENS Minnesota Operations



- ◆ 674 drivers enrolled
- ◆ 74 notifications were generated



State Pilot Test Preliminary Results

- ◆ Almost **1,100 drivers** were enrolled from eight carriers
- ◆ **229 notifications** were delivered
- ◆ Approximately 20% of drivers had notifications



State Pilot Test Preliminary Results

- ◆ Participating carriers recognize the safety benefits and are actively using the system
- ◆ States are supportive of ENS but many do not have the resources to develop their own program
- ◆ Participants expressed the need for additional ENS capabilities
- ◆ Final report expected in Spring 2009



ENS Phase 2: State Pilot Test Independent Evaluation

- ◆ Independent Evaluation Components
 - System performance assessment
 - System impacts analyses
 - User acceptance deployment issues
 - National deployment assessment



ENS Phase 2: State Pilot Test Independent Evaluation

- ◆ Evaluation will be based on:
 - Two ENS system data sources
 - DHR notification data from pilot test
 - DHR notification data from similar system
 - Interviews with participating carriers
 - Data from other related research
 - Interviews with deployment team
 - Delphi Analysis



ENS Phase 2: State Pilot Test Independent Evaluation

◆ Carrier interviews

- Company/background information
- Traditional DHR pull method
- Administrative costs
- Benefits
- Responses to notifications
- Additional comments



ENS Phase 2: State Pilot Test Independent Evaluation

◆ Delphi Analysis

- Used to assess system impact
- Initial efficacy data presented to group of carriers (individually) for comment
- Efficacy data revised based on comments and presented again to carriers
- Finalize data based on comments



Deployment Approach

- ◆ A successful National system should include:
 - Integration with existing State systems
 - Secure, web-based application
 - Minimum impact on existing systems and procedures



Potential Deployment Scenarios

- ◆ Federally-Administered
 - Required/optional national program
- ◆ Third-party approach
 - Market-based system
- ◆ State working groups are being conducted to discuss issues pertaining to these scenarios



Federally-Administered

- ◆ Create ENS hub and connect to all States
- ◆ Decide whether carriers should be required to enroll all drivers
 - If required:
 - Begin rulemaking process
 - Address issues (owners and operators, privacy, enforcement)
- ◆ Federal grant money likely necessary for this transition



Federally-Administered

◆ Phase-in process necessary

- Approximately 10 States' systems are currently compatible with prototype
- Some level of modification would be required for remaining States' systems
- DHR uniformity would have to be addressed



Federally-Administered

- ◆ Federal infrastructure would need to be created
 - Prototype modified for national connectivity
 - Administrative needs must be defined
- ◆ Phase-in process would take at least five years
- ◆ Carrier enrollment in third party systems will continue to grow in coming years



Third Party Approach

- ◆ Entities already exist that offer this service
- ◆ Carriers want States to provide uniform access to third parties
- ◆ FMCSA role could be to provide funding for States to interface with third parties



Third Party Approach

- ◆ Obstacles third parties face for National coverage
 - State revenue
 - Legislative changes
 - IT compatibility/modernization



Third Party Approach

- ◆ FMCSA needs to establish minimum reporting requirements of any system
 - What convictions?
 - What is reporting frequency?
 - Is it mandatory?
- ◆ FMCSA interpretation that exempts carriers from annual check if enrolled in system should be clarified



Third Party Approach

- ◆ Quickest route is to give large carriers this valuable tool
- ◆ Assess total carrier coverage at some point in future



Phase 2: State Pilot Test

Participating Carriers



Federal Motor Carrier Safety Administration
Office of Analysis, Research and Technology

Questions?

Chris Flanigan

Chris.Flanigan@dot.gov

202-385-2384

