



July 9, 2019

Mr. Raymond P. Martinez  
Administrator  
Federal Motor Carrier Safety Administration  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
West Building, 6th Floor  
Washington, DC 20590

Dear Administrator Martinez:

On behalf of the Transportation Intermediaries Association (TIA), our 1,800-member companies and the \$213 billion third-party logistics industry, I am writing to express our enormous disappointment with your comments recently at the SMC3 annual conference about our Motor Carrier Safety Selection Standard and the use of CSA data.

Specifically, your comments as quoted in a recent Freight Waves article, that the agency is working towards "refining the data" and telling stakeholders that, "This is what the data says. You make the determination on selecting the carrier." This language is extremely harmful to the shipper and 3PL industries, fuels needless litigation, and does absolutely nothing to improve safety. There have been countless studies and even admissions by long-term agency officials that the CSA scores are useless in determining a motor carrier's safety and impossible to evaluate. It is not up to travel agents and the traveling public to evaluate the safety of the airline they hire. Why are motor carriers different?

TIA fully supports the agency and the intended purpose of CSA to compile data from roadside inspections and other data sources to develop a safety fitness determination. Unfortunately, the Agency (through several administrations) has been unable to transition CSA data into a cogent safety fitness determination. If the agency cannot interpret CSA data, it should not be used by anyone. The misuse of CSA data creates huge liability issues and courts are manipulating this data and promoting it as viable carrier selection data. When CSA scores became publicly available shippers and 3PLs were essentially deputized to police the motor carrier population. No other federal safety agency puts this burden on consumers of the regulated service.

TIA has been one of the Agency's few supporters in developing the safety fitness determination, but unfortunately shippers and 3PLs cannot wait for this process to be completed. TIA must seek a legislative solution to address our concerns, just as the Agency needed Congressional instruction to fix CSA data. Our Motor Carrier Safety Selection Standard would drastically improve safety across our highways by requiring shippers and 3PLs to ensure a motor carrier is properly registered, has the minimum insurance requirements and does not have an unsatisfactory safety rating. The standard will also automatically adjust to ensure compliance with FMCSA's new standards after any safety fitness determination rulemaking. While the Agency continues to develop the safety fitness determination rulemaking, this standard ensures that millions of new entities have to ensure they are only selecting the safe motor

***The Voice of the Third-Party Logistics Industry***

1625 Prince Street, Suite 200 | Alexandria, VA 22314-2883  
Ph 703.299.5700 | Fx 703.836.0123 | [www.tianet.org](http://www.tianet.org)



U.S. MEMBER OF FIATA  
International Federation  
of Freight Forwarders

carriers. By keeping untested CSA data private, it will keep courts from attempting to interpret data that even the agency cannot interpret.

I urge you to clarify your statement and support a new Motor Carrier Safety Selection Standard. I urge you to either finish the safety fitness determination rulemaking or propose another way for the agency to tell shippers and 3PLs which carriers are safe to hire. Finally, I welcome the opportunity to meet with you to discuss the importance of the 3PL industry and the value of a national standard.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert A. Voltmann", with a long horizontal flourish extending to the right.

Robert A. Voltmann  
President & CEO