MOTOR CARRIER SAFETY

Federal Safety Agency Identifies Many High-Risk Carriers but Does Not Assess Maximum Fines as Often as Required by Law

What GAO Found

By and large, FMCSA does a good job of identifying carriers that pose high crash risks for subsequent compliance reviews, ensuring the thoroughness and consistency of those reviews, and following up with high-risk carriers.

FMCSA’s policy for prioritizing compliance reviews targets many high-risk carriers but not other higher risk ones. Carriers must score among the worst 25 percent of carriers in at least two of SafeStat’s four evaluation areas (accident, driver, vehicle, and safety management) to receive high priority for a compliance review. Using data from 2004, GAO found that 492 carriers that performed very poorly in only the accident evaluation area (i.e., those carriers that scored among the worst 5 percent of carriers in this area) subsequently had an aggregate crash rate that was more than twice as high as that of the 4,989 carriers to which FMCSA gave high priority. FMCSA told GAO that the agency plans to assess whether giving high priority to carriers that perform very poorly in only the accident evaluation area would be an effective use of its resources.

FMCSA promotes thoroughness and consistency in its compliance reviews through its management processes, which meet GAO’s standards for internal controls. For example, FMCSA uses an electronic manual to record and communicate its compliance review policies and procedures and teaches proper compliance review procedures through both classroom and on-the-job training. Furthermore, its investigators use an information system to document their compliance reviews, and its managers review these data, helping to ensure thoroughness and consistency between investigators. For the most part, FMCSA and state investigators cover the nine major applicable areas of the safety regulations (e.g., driver qualifications and vehicle condition) in 95 percent or more of compliance reviews, demonstrating thoroughness and consistency.

FMCSA follows up with many carriers with serious safety violations, but it does not assess maximum fines against all of the serious violators that GAO believes the law requires. FMCSA followed up with more than 99 percent of the 1,196 carriers that received proposed unsatisfactory safety ratings from compliance reviews completed in fiscal year 2005, finding that 881 of these carriers made safety improvements and placing 309 others out of service. However, GAO found that FMCSA (1) does not assess maximum fines against carriers with a pattern of varied serious violations as GAO believes the law requires and (2) assesses maximum fines against carriers for the third instance of a violation, whereas GAO reads the statute as requiring FMCSA to assess the maximum fine for the second.