

SB140 - Maryland Motor Truck Association - Support

Uploaded by: Champion, Louis

Position: FAV



Maryland Motor Truck Association

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HEARING DATE: February 3, 2021

BILL NO/TITLE: **SB140 - Vehicle Laws - Commercial Motor Carriers - Safety, Inspection, Performance, and Insurance Information (James Cohran's Law)**

COMMITTEE: Judicial Proceedings

POSITION: Support

In the trucking industry it is commonly recognized that truck drivers are our most valuable asset. For that reason, Maryland Motor Truck Association (MMTA) offers its support of SB140, believing it will provide drivers with the tools necessary to make an educated decision about the quality of the trucking companies where they are seeking employment.

The passage of SB140 will require a motor carrier, upon making a bona fide offer of employment, to provide a driver with its U.S. DOT number and the web address for the Federal Motor Carrier Safety Administration's Safety and Fitness Electronic Records System. By providing this information, a driver can access the following information about the company:

- Inspection history
- Crash history
- Safety rating
- Number and type of vehicles
- Operating authority
- Insurance information
- Types of cargo, and more.

MMTA ultimately believes access to this information will help drivers identify and avoid working for those companies that have subpar safety records, thereby benefitting the many legitimate and safe trucking companies on the roadways. For those reasons we ask the Committee to support SB140.

About Maryland Motor Truck Association: Maryland Motor Truck Association is a not-for-profit trade association representing the trucking industry since 1935. In service to its 1,000 members, MMTA is committed to supporting and advocating for a safe, efficient and profitable trucking industry across all sectors and industry types, regardless of size, domicile or type of operation.

For further information, contact: Louis Campion, (c) 443-623-4223

Jackie Cohran-Furbert Testimony SB James Law Fina

Uploaded by: Cohran, Ethel

Position: FAV

JACKIE COHRAN-FURBERT “ON BEHALF OF MY SON” JAMES PARKER COHRAN TESTIMONY HRSB JAMES LAW

My name is Jackie Cohran-Furbert, a resident of Prince George County Maryland for 29 years. I’m here today in **support** of HB 1036/ SB 0844. I am the **mother** of James Parker Cohran. I’m here as an **Advocate** for ALL Commercial Motor Vehicle Drivers. On Sept 29, 2019, my only son James Parker Cohran died in a fiery crash on the NJ Turnpike. James was 30 years old and a loving father of four children. James was a licensed Commercial Motor Vehicle Driver.

The impact of James death on my life is profound, I believed I have PTSD post realizing that he burned up in the truck with no skin remaining except on the right foot. The remainder of the body was charred to the muscle with areas of charring through to the internal organs the medical examiner wrote. After his death, we learned that the company he worked for has a documented history of **safety violations, recurrent insurance cancellations**, and should have been **out-of-service**. The company is **out-of-service** as I plead to you. Regardless of your profession, everyone is entitled to work in a safe environment or at least be provided knowledge if conditions are **not** safe.

HB 1036/SB 0844 “Vehicle Laws - Commercial Motor Carriers - Safety, Maintenance, and Insurance Information (James's Cohran Law)” This bill requires **EMPLOYERS** of commercial motor vehicle drivers to provide **PROSPECTIVE** employees with:

1. A copy of the employer’s safety record maintained by the Federal Motor Carrier Safety Administration (FMCSA)
 - This **bill** will promote transparency so that drivers can make informed decisions about whether they want to work for said employers.
 - Prior to my son death, his employer was in violation of “396.17 Critical Violation” on 8/05/2018 which requires periodic inspections and fined.
 - After my son death, his employer was in violation of “382.11 Acute Violation” on 11/05/2019 which requires alcohol and drug testing and fined.
2. Proof of insurance, including information on policy coverage. Likewise, a contract between an employer and a subcontractor must require periodic updates by the subcontractor to the employer.
3. Provide USDOT Number of any entity owned or operated by the employer. Also provide the FMCSA URL with an explanation of how to access the prospective employer safety performance records on the FMCSA website which includes the company operational status, inspection reports, fatality reports, crash reports, monetary fines, program violations, insurance coverage and cancellations records.

In 2017, there were 34,247 fatal motor vehicle crashes. Fatalities increased 8% from 2016. Large truck occupants comprised 17% of all large truck and bus fatalities. This **bill** is important to ensure that my son death is not just another statistic and to hold employers accountable for their failure to implement safety laws. This is an educational opportunity for the 16 CDL schools in Maryland.

In the State of Maryland, we must better serve the CDL Drivers. The FMCSA rules must be enforced at the state level. Maryland has 17,020 trucking companies according to the Maryland Trucking Association Fast Facts. Self-regulation historically has never worked. We cannot save James; but maybe we can save someone else’s child. The drivers can’t speak for themselves. Because, they will lose their job. I speak for them today. I’m asking for your support today of this **bill**.

MTBMA & MAA Testimony_SB 140_Oppose.pdf

Uploaded by: Clark, Rachel

Position: UNF



MARYLAND ASPHALT ASSOCIATION



February 3, 2021

Senator William C. Smith, Chair
Judicial Proceedings Committee
2 East Miller Office Building
11 Bladen Street
Annapolis, Maryland 21401

OPPOSE

Re: **SENATE BILL 140 – VEHICLE LAWS – COMMERCIAL MOTOR CARRIERS –
SAFETY, MAINTENANCE, AND INSURANCE INFORMATION (JAMES
COHRAN’S LAW)**

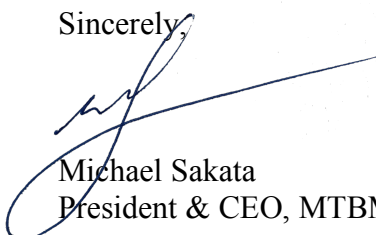
Dear Chairman Smith and Members of the Senate Judicial Proceedings Committee:


The Maryland Transportation Builders and Materials Association (“MTBMA”) and the Maryland Asphalt Association (“MAA”) collectively represent tens of thousands of Marylanders who operate in the areas of transportation construction, production and engineering. Together, for nearly 100 years, these organizations have served as the voice of the transportation construction industry. The mission of both MTBMA and MAA is to encourage, develop, and protect the prestige of the transportation construction and materials industry in Maryland by establishing and maintaining respected relationships with federal, state, and local public officials. We proactively work with regulatory agencies and governing bodies to represent the interests of the transportation industry, and also advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

SB 140 would require commercial motor vehicle employers to provide specified documentation to prospective employees as well as a requirement for regular updates to contracts between employers and subcontractors. This legislation would place an enormous burden on every one of our members that employs and seeks to employ CDL drivers by requiring them to provide copies of all safety records and access to up-to-date service and maintenance records to prospective employees. The bill does not explain what access means – is it paper copies or electronic access? Furthermore, the bill does not define what a prospective employee is. Is it someone that applies for a position with the employer, someone who comes in to interview, or someone who an offer for employment is extended to? This bill is too vague to know to whom it would apply.

We appreciate you taking the time to address this important issue and we respectfully urge an **UNFAVORABLE** report on Senate Bill 140.

Sincerely,


Michael Sakata
President & CEO, MTBMA


Marshall Klinefelter
President, MAA