

**Luncheon Keynote Address of Honorable Robert L. Sumwalt, III
Member, National Transportation Safety Board
to the American Association of Motor Vehicle Administrators
Annual International Conference
Milwaukee, Wisconsin August 23, 2011**

Good afternoon and thank you for this opportunity to participate in AAMVA's Annual International Conference. We at the NTSB share with you a common goal: we are both "Driving Toward Zero Deaths." In fact, when I mentioned to a member of our Safety Recommendations staff that I had been invited to address this conference, he said to me, "That's great news, because AAMVA is an organization with whom we should be working much more often than we do." I hope that today is the start of just such a closer partnership in safety.

As most of you know, the NTSB is an independent Federal agency, charged by Congress with investigating transportation accidents, determining their probable cause, and issuing safety recommendations to prevent their recurrence. Most everyone thinks of us as an agency that investigates aviation accidents – and we certainly do that. But, we also investigate selected accidents involving railroads, pipelines, transportation of hazard materials, marine and highway. Our goal is to find out *WHAT* happened and then, more importantly, *WHY* it happened, so that we can work to prevent similar accidents in the future.

The NTSB itself has no regulatory authority, but ours is the bully pulpit – we advocate fiercely and publicly for safety improvements borne from decades of accident investigations. Indeed, etched into the glass at the entrance to the NTSB's Training Center is this core message: "From tragedy we draw knowledge to improve the safety of us all."

Some of you may know of the very prolific author and speaker John C. Maxwell, who has written dozens of books on leadership. Mr. Maxwell writes that "leadership is about influence - nothing more, nothing less."

As the individuals tasked with administrating and enforcing motor vehicle laws throughout the United States and Canada, **you** are the safety leaders of our highways. As the gatekeepers for millions of people seeking to exercise the privileges of driving on our highways and roadways, **you** wield the influence.

AAMVA has already put its influence into practice on some key issues affecting highway safety. One that is especially near to my heart is a system of Graduated Driver Licensing. When I joined the board five years ago, I was asked what I would like for my advocacy area to be. Knowing that my then 12 year-old daughter would be approaching those teenage driving years, I chose teen driving. Well, today, she is 17 and, yes, she is driving. I'll have to admit that I think she's a pretty careful driver, but that still does not discount the sheer anxiety I feel each and every time I hear her pick up the keys and walk out the door.

I'm anxious because I know that motor vehicle crashes are the leading cause of death for teenagers. That's more than cancer, more than guns, and more than drugs.

AAMVA knows this, too, and it knows that GDL programs are an effective way to allow young drivers to gain needed experience within a protected environment – free from distraction and free from risky behavior. AAMVA has it absolutely right when it urges parents to set the proper example for their teenagers through their own driving habits.

So, we see that leadership influence here – teens look towards their parents to model good driving behavior, and parents look to the laws of their states for guidance, as well. As a parent, I know that it is easier to simply point to the law that says she can't drive past dark, or she can't have more than one passenger in the car with her.

I applaud AAMVA for taking a strong stand in support of GDL, and for providing Best Practices to those states and provinces wanting to better protect their young drivers.

While AAMVA is already at the forefront of the teen driver safety issue, the NTSB's recommendations have provided a roadmap of sorts – if you'll pardon the pun – for continued leadership on numerous highway safety issues. There are 35 states that still have not implemented portions or all of what the NTSB feels a model teen driver program should contain.

Alcohol-Impaired Driving

AAMVA's members play a pivotal role in ensuring that drivers are properly licensed and prepared to operate their vehicles in a safe manner. Nowhere is this more true than in making sure that drivers are not impaired by the use of alcohol.

Truly, if ever there were a group that did not need convincing about the dangers of alcohol-impaired driving, it would be AAMVA.

But I'd like to share with you a statistic that simply boggles my mind. I have an aviation background, so my frame of reference often revolves around aviation statistics. Consider this: In the entire 50-year history of U.S. commercial jet aviation, there have been approximately 5,700 fatalities involving U.S.-operated airline jets (excluding terrorist activities.) Each and every one of these deaths is tragic, but alcohol-impaired driving claims that number of victims on our nation's highways **every five months**. Someone dies in an accident involving an alcohol-impaired driver every 48 minutes.

Administrative License Revocation, which is effective at creating general deterrence of alcohol-impaired driving, could not function without the cooperation of licensing agencies like yours. But your agencies also play a critical role in effective oversight of ignition interlocks, vehicle sanctions such as vehicle immobilization, and zero Blood Alcohol Content laws for convicted DUI offenders.

Unless the licensing agency has processes in place and maintains good records with regard to ALR and court-ordered driver and vehicle sanctions, law enforcement cannot do its job effectively.

In 2000, the NTSB recommended to the governors and legislative leaders of all 50 states that a model program to reduce hardcore drinking and driving be adopted. Such a program would include:

- Frequent sobriety checkpoints, and not simply limited to holiday periods;
- Vehicle sanctions to restrict or separate hardcore drinking drivers from their vehicles, including license plate actions, vehicle immobilization, impoundment, and forfeiture, and ignition interlocks;
- Administrative license revocation for BAC test failure and refusal;
- Legislation to require that DUI offenders who have been convicted or administratively adjudicated maintain a zero BAC while operating a motor vehicle;
- Legislation that restricts the plea bargaining of a DUI offense to a lesser, non-alcohol-related offense, and that requires the reasons for DUI charge reductions be entered into the public record; and,
- Elimination of diversion programs that permit erasing, deferring, or otherwise purging the DUI offense record or that allow the offender to avoid license suspension.

The good news is that the clear majority of your states have taken action to strengthen your laws against alcohol-impaired driving. The bad news is that eleven years later, the recommendations to sixteen states still remain classified as, “OPEN – UNACCEPTABLE RESPONSE.”

I challenge you – individually within your states and provinces, and collectively as members of AAMVA – to continue pressing this issue.

Medical Certification and Oversight

Several tragic motorcoach accidents this year have elevated the profile of commercial motorcoach operations in the minds of the public and our lawmakers, but the NTSB and AAMVA have both had long histories of involvement in motorcoach safety.

On May 9, 1999 – Mother’s Day – a chartered motorcoach crashed on Interstate 610 in New Orleans. Twenty-two passengers were killed, and 21 individuals were injured.

The NTSB’s investigation of this accident determined that the 46-year-old driver possessed a current CDL and medical certificate, but suffered from several life-threatening medical conditions of the kidneys and heart – conditions which led to his incapacitation while driving.

The driver was able to obtain a medical certificate by falsifying and omitting crucial health history information from the examination form. Even though the examiner was able to determine that the driver had heart disease, and possibly kidney disease, she believed that the available FMCSA guidance was insufficient to deny the driver a current medical certificate. Several of the driver’s own physicians were aware of the driver’s profession and were also aware of the seriousness of his illnesses, but none reported their concerns to the state licensing agency.

As a result of the NTSB’s investigation, we made recommendations to FMCSA to develop a comprehensive medical oversight program for interstate commercial drivers – one that would strengthen medical examiner qualification, allow tracking of prior applications, and provide a resource for examiners’ regulatory and medical questions.

The NTSB also issued a companion recommendation to AAMVA, that it should urge its member states to develop such a comprehensive oversight program. Unfortunately, I am sorry to say that more than a decade later, some of the

actions needed to fully satisfy this recommendation still have not been completed.

While AAMVA indicated to the NTSB that it has encouraged its member states to adopt a comprehensive medical oversight program, we have not seen evidence of this outreach; AAMVA's web resources on "Driver Fitness and Medical Review" focuses much more on noncommercial, aging and functionally impaired drivers than on those seeking CDLs.

Open communication between medical advisory boards, licensing agencies, and law enforcement is critical to an effective oversight system. Each of the licensing agencies you represent needs processes in place for soliciting and using the best available information on drivers' medical conditions. We urge AAMVA, and each of you, to work actively and thoughtfully on this issue.

Distracted Driving

During a recent board meeting, I commented that distracted driving has become the new DUI. It cuts across every age, geographic and socioeconomic group. It is present in all modes of transportation. It is pervasive. And it is deadly.

Distracted driving on our highways is being addressed in limited ways, such as restrictions on wireless device use by CDL holders with passenger-carrying endorsements, or restrictions on young people as part of some states' GDL programs.

But you, as the leaders of licensing agencies throughout the U.S. and Canada, should consider what further role you can play in promoting distraction-free driving. Until we attach the same social stigma to distracted driving that we would apply to holding an unrestrained infant in the front seat of a car, we will continue to see lives – young and old alike – tragically ended.

These recommendations and issues represent a bold and far-reaching safety roadmap. In some cases, advocating for these critical safety improvements will place you at odds with entrenched special interests. Weigh that against the cost of doing nothing.

“Leadership is influence; nothing more, nothing less.”

How will you use **your** influence to drive toward zero deaths?

Thank you. Safe travels, and may God bless America.