

## Tis' Deer Season!

It is Deer season, and now is the time to remind drivers of the dangers of animals in the roadway. The Insurance Institute for Highway Safety estimates that 1.5 million deer-related accidents occur each year. Deer are struck in three out of four accidents involving animals. Nationally, deer collisions with vehicles annually cause some \$1.1 billion in vehicle damage, kill 150 people and injure another 29,000 people.

Cattle, horses, dogs and bears also led to fatalities in collisions. Crashes with deer are most likely to occur in late fall during deer breeding, migration and hunting season. Accidents with deer are likely to occur on rural roads with a speed limit of 55 mph or higher speed limits, in darkness, or at dusk and dawn. In 60% of the accidents involving human fatalities with animal-vehicle collisions, the fatality was caused not by the collision with the deer, but failure to wear a safety belt.



The animal-vehicle collision is the first event and often not the deadliest. It is what occurs to the vehicle after the initial collision that is often the cause of the fatality; i.e. striking a fixed object or another vehicle(s). There is no feasible way to keep deer and other animals off of the roadway. Deer whistles have been sold over the years as a way of avoiding deer collisions. I can personally attest that the whistles work. However, it is still up to the deer what action is taken after hearing the whistle. This may include standing still in the roadway or running directly at you; therefore, drivers need to be vigilant at all times and especially in those areas that are prone to animal crossing.

## Ten Tips to prevent collisions with animals:

1. Be especially alert for animals on the roadway during dusk, dawn and darkness.
2. **Wear your safety belt at all times.**
3. Reduce your speed at night and do not overdrive your headlights.
4. Make sure that all items inside of your cab are secure and would not be a flying object hazard in the event of an accident.
5. Drive with your high beams on during darkness when no other vehicles are oncoming.
6. Pay specific attention to areas where animal warning signs have been placed along the roadway.



7. If you see an animal in the roadway, lay on the horn with a long steady blast to frighten the animal.
8. Keep in mind that deer generally travel in herds - if you see one, there is a strong possibility others are nearby.
9. If a collision with an animal is unavoidable, stay in your lane and **DO NOT** swerve. By making an erratic maneuver, you risk rolling the vehicle or losing control and striking another vehicle or fixed object.
10. Do not rely on vehicle-mounted deer whistles as there is no evidence that they work.

## FMCSA RULEMAKING DEADLINES EXTENDED

Notwithstanding the need to accommodate the 29 new rulemakings mandated by Congress in the recent highway bill, MAP-21, the Federal Motor Carrier Safety Administration continues to fall behind on its existing rulemaking agenda.

For example, the agency's proposed rulemaking on carrier safety fitness standards, which is intended to replace the current safety fitness rating system using CSA data, is now not projected to be resubmitted to the Office of the Secretary of Transportation until October 22, 2012, with publication in the Federal Register estimated for March 5, 2013. Assuming no further delays, this would push a final rule off until early 2014 at the soonest.

The final rule on minimum standards for entry-level CDL driver training is still officially in limbo. The FMCSA intended to issue a final rule last year, but the agency withdrew the proceeding from its list of significant rulemakings without comment. No explanation for the delay, nor any timetable for future action, is included in the latest report from DOT.

A supplemental proposed rule on electronic on-board recorders and supporting documents for hours of service compliance is scheduled to go to the Office of the Secretary for review November 1, 2012, with publication in the Federal Register by March 20, 2013. This would make it virtually impossible for the FMCSA to meet the July 6, 2013 deadline for a final rule as set by Congress in MAP-21.



The proposed rule for a CDL drug and alcohol clearinghouse went to the OST on June 7, 2012, and was supposed to be sent to the Office of Management and Budget on August 27, but the Department missed that deadline. Thus, the projected date for publication of December 4, 2012 is now in jeopardy.

Finally, the FMCSA still projects that a proposed rule on medical qualification standards to allow drivers with insulin-treated diabetes mellitus to operate commercial motor vehicles without an exemption will be published in the Federal Register on April 23, 2013. That proposal is scheduled to go to the Office of the Secretary for review in December 2012. (Information provided by the National Private Truck Council NPTC)

### **News:**

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