

# **OPPOSE UNDERRIDE GUARD MANDATES**

## Overview

The Owner-Operator Independent Drivers Association (OOIDA) opposes mandating the use of underride guards on commercial motor vehicles. There is little research to suggest underride guards will increase safety. In fact, a mandate may actually increase crashes and their severity. Underride guards will also create serious operational challenges for truckers.

An underride guard mandate would be another one-size-fits-all regulation for an extremely diverse industry. Mandating the use of new underride guards wouldn't make highways safer; it would simply make trucking more expensive.

## Lack of Safety Improvements

- The National Highway Traffic Safety Administration (NHTSA) has considered numerous proposed rules involving underrides over the last forty years, but consistently concluded a mandate would be impractical and the costs associated with implementation would far outweigh any safety benefits.
- Research indicating underride guards would reduce crash severity and fatalities is lacking, and current crash statistics are imprecise due to inadequate reporting.
- While most underride crashes do not involve intrusion of the passenger compartment, sudden impact with a high-strength underride guard could fully crush an automobile, causing severe injuries and/or fatalities.
- Installing heavy guards would displace a trailer's payload. To compensate for the loss of capacity, more trucks would be needed to move the same amount of freight and pressure to increase minimum weight allowances would intensify. More and/or heavier trucks on the road would undoubtedly decrease highway safety.

## Billions of Dollars to Implement

- The economic impact of a federal mandate would be massive, especially for small trucking businesses.
- The estimated cost for truckers to comply with a side underride mandate alone would be roughly \$1,560 per trailer.
  - Federal mandates for the use of front, side and new rear guards would cost billions of dollars and disproportionately impact small businesses, which account for 96% of U.S. motor carriers.
- Side underride guards would add approximately 750 pounds to a vehicle's overall weight, displacing a significant portion of a trailer's payload.
  - Losing nearly half a ton of capacity would immediately decrease the earnings of small trucking businesses, who already operate on the slimmest of margins.

### Operational Challenges for Truckers

- Little consideration has been given to the impact underride guards would have on the daily operations of truckers.
  - Underride guards create challenges for trucks navigating grade crossings, high curbs, and other road conditions.
- There is no front underride equipment currently on the market because the concept lacks any practicality. Nobody is certain how this equipment would look, what operational challenges it would present, how it would impact safety and what it would cost.
- Spread axle trailers are commonly used in the trucking industry in order to better distribute weight, providing a safer and legal loading option. Side underride guards could restrict the use of such axle/tandem movements, hindering the operational efficiency and safety of the trailer and the load it's carrying.
- Side underrides would also limit a driver's ability to easily inspect equipment located under the trailer, including critical safety systems.

### Takeaway

- An underride guard mandate may actually decrease safety, not improve it.
- More research and adequate data are necessary to understand how new equipment will impact highway safety.
- This is another unfunded Congressional mandate that would not make trucking safer, just more expensive.
- Efforts to improve crash avoidance rather than mitigation may be more effective and less costly.