

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. C. R. No. 8**

**Representative Schaffer**

**Cosponsors: Representatives Antani, Green, Becker, Scherer, Riedel, Roemer,  
Kick**

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**A CONCURRENT RESOLUTION**

To urge Congress to encourage the Administrator of the 1  
FMCSA to change the crash indicator BASIC regulation 2  
standards to consider only crashes in which the driver 3  
was at fault for the crash. 4

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OHIO  
(THE SENATE CONCURRING):**

WHEREAS, The Federal Motor Carrier Safety Administration 5  
(FMCSA) uses the Safety Measurement System (SMS) to assess 6  
commercial motor vehicle carriers in seven Behavior Analysis and 7  
Safety Improvement Categories (BASICs); and 8

WHEREAS, The BASICs include Unsafe Driving, Crash Indicator, 9  
Hours-of-Service Compliance, Vehicle Maintenance, Controlled 10  
Substances and Alcohol, Hazardous Materials Compliance, and 11  
Driver Fitness; and 12

WHEREAS, SMS data allows the FMCSA to assess carrier 13  
noncompliance with the regulations promulgated by the FMCSA and 14  
provides the commercial motor vehicle carrier industry and other 15  
safety stakeholders with comprehensive, informative, and 16  
regularly updated safety performance data; and 17

WHEREAS, SMS data is used to make safety-based business 18

decisions using all available sources of information; and 19

WHEREAS, The Crash Indicator BASIC includes data concerning 20  
all state-reported crashes, regardless of the carrier's or 21  
driver's role in the crash; and 22

WHEREAS, By including crashes in which a carrier or driver 23  
was not at fault, the current data creates an inaccurate, 24  
incriminating, and imbalanced portrayal of the carrier's or 25  
driver's crash record, with the potential for devastating 26  
personal and business consequences for otherwise upstanding and 27  
safe carriers and drivers; now therefore be it 28

RESOLVED, That we, the members of the 133rd General Assembly 29  
of the State of Ohio, urge the Congress of the United States to 30  
encourage the Administrator of the FMCSA to change the Crash 31  
Indicator BASIC regulation standards to consider only crashes in 32  
which the driver was at fault for the crash; and be it further 33

RESOLVED, That the Clerk of the House of Representatives 34  
transmit duly authenticated copies of this resolution to the 35  
President Pro Tempore and Secretary of the United States Senate, 36  
the Speaker and Clerk of the United States House of 37  
Representatives, the President of the United States, the members 38  
of the Ohio Congressional delegation, and the news media of 39  
Ohio. 40