

As Adopted by the Senate

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

H. C. R. No. 8

Representative Schaffer

**Cosponsors: Representatives Antani, Green, Becker, Scherer, Riedel, Roemer,
Kick, Blessing, Callender, Carruthers, Cross, Edwards, Galonski, Ghanbari,
Ginter, Greenspan, Hambley, Holmes, A., Hoops, Jones, Koehler, Lipps, Manning,
D., Manning, G., Miranda, Patton, Perales, Plummer, Reineke, Robinson, Rogers,
Romanchuk, Ryan, Seitz, Sheehy, Smith, T., Stein, Stoltzfus, Vitale, Wiggam,
Wilkin**

**Senators Brenner, Manning, Antonio, Blessing, Burke, Craig, Fedor, Hoagland,
Hottinger, Huffman, S., Johnson, Lehner, Maharath, O'Brien, Roegner, Rulli,
Sykes, Thomas, Wilson, Yuko**

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