

STATE OF DELAWARE



EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER 61

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: ESTABLISHMENT OF THE MOTOR CARRIER ADVISORY COMMITTEE

WHEREAS, the Working Group on State Motor Carrier Procedures of the National Governor's Association, after more than two years of intensive research and study, has recommended the creation of a Consensus Agenda to achieve administrative uniformity of the various state motor carrier procedures; and,

WHEREAS, a policy endorsing the recommendations contained in the Consensus Agenda was endorsed by the Member Governors of the National Governors' Association at its winter meeting in February 1986; and,

WHEREAS, the adoption of the Federal Motor Carrier Safety Regulations by the State of Delaware has created an urgent need to effectively disseminate the information contained in those regulations and to offer training and informational seminars on the newly-adopted legislation to the members of the motor carrier industry; and,

WHEREAS, in Federal Fiscal Year 1987, the Delaware State Police conducted 4,959 Motor Carrier Safety Assistance Program (MCSAP) truck inspections, with 43% of those inspections resulting in the vehicle being placed out of service for violations of the applicable regulations; and,

WHEREAS, the same inspections resulted in the suspension of 8.6% of the drivers of the vehicles so inspected for a variety of violations; and,

WHEREAS, in 1987 over 12% of the vehicles involved in fatal crashes were large vehicles; and,

WHEREAS, the first recommendation of the NGA Consensus Agenda is the establishment of a State Motor Carrier Advisory Committee in each state; and,

WHEREAS, the formation of a committee consisting of representatives from the various state agencies responsible for motor carrier programs and representatives of the motor carrier industry would provide an opportunity for both groups to meet, discuss and analyze the respective concerns of the parties.

2. The Advisory Committee is charged with the responsibility of providing the Governor and the Secretaries of the Departments of Public Safety and Transportation expert counsel and advice on matters relating to motor carrier issues and concerns, which shall include but not be limited to the following:
 - a. Implementation of the NGA Consensus Agenda on State Motor Carrier Procedures;
 - b. Promotion and improvement of truck safety;
 - c. Development of a strong partnership between the State and the industry in implementing highway safety programs
 - d. Preparation of an Annual Report for submission to the Governor on the Committee's accomplishments, concerns, recommendations, and future plans.
3. The Committee shall consist of the following members:
 - a. The Secretary of the Department of Public Safety
 - b. The Secretary of the Department of Transportation
 - c. The Director of the Office of Highway Safety
 - d. The Director of the Division of Highways
 - e. The Director of the Division of Motor Vehicles
 - f. The Director of the Division of Motor Fuel Tax

- g. The Superintendent of the Delaware State Police
- h. The President of the Delaware Motor Transport Association, or their designee
- i. The President of the Delmarva Independent Truckers Association, or their designee
- j. The President of the Delaware Contractors Association, or their designee
- k. The President of the Delaware Farm Bureau, or their designee
- l. A representative from a motor carrier company engaged in the activity of specialized hauling transport to be appointed by the Governor
- m. A representative from an ICC regulated company to be appointed by the Governor
- n. A representative from a motor carrier company engaged in the activity of passenger for hire transport to be appointed by the Governor
- o. A representative from a motor carrier company engaged in the activity of private carrier transport to be appointed by the Governor.

All members appointed by the Governor shall serve at the pleasure of the Governor. Those members who serve by virtue of the governmental office they hold shall serve as long as they continue to hold their respective office. All other members shall serve at the pleasure of the appointing body.

4. The Committee shall meet at least four (4) times per year and as such other times as the Chairperson may deem necessary. Eight members of the Committee shall constitute a quorum for the conduct of business.
5. The Committee shall elect a Chairperson from among its members who shall serve for a term of one year. The Chairperson may be reelected to as many terms as the members so choose. The Chairperson shall form such subcommittees as the Chair determines necessary and shall designate the members to serve on said subcommittees.

APPROVED this 30th day of

August, 1988



Michael N. Castle

Michael N. Castle

Governor

ATTEST

Michael Harkins

Michael Harkins

Secretary of State