Move Over For Mexican Trucks On Our Highways

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The Bush Administration delivered a double whammy on Thanksgiving Eve, timed to minimize public attention. Bush did something Ronald Reagan never would have done in appointing Henry Kissinger to head the 9/11 inquiry, and then Bush did something Bill Clinton never would do by opening our highways to Mexican trucks.
For the past 20 years, Mexican trucks have been limited to a 20- mile-wide commercial zone along the border. President Clinton maintained that boundary, a policy that last year kept 63,000 Mexican trucks within that zone and off U.S. highways.

On February 5, 2001, a NAFTA (North American Free Trade Agreement) panel ruled that the United States may not have a "blanket refusal" of Mexican trucks, but that ruling does not dictate the new Bush Administration policy. Nothing in NAFTA requires us to allow entry into the United States of Mexican trucks that don't meet U.S. truck standards.

Mexican trucks and their drivers do not measure up to U.S. safety or environmental standards, and our deteriorating highways can't sustain the wear and tear meted out by an additional tens of thousands of heavier, environmentally dirtier trucks. Despite the upbeat press release just issued by the Department of Transportation (DOT), no one can credibly assure us that our future experience with Mexican trucks will be very different from the past.

The Department of Transportation inspected only one percent of Mexican trucks in 2000 and put 35 percent of those out of service because of significant safety violations. No one knows how many illegal aliens and/or illegal drugs came into the United States in the 99 percent of trucks that were not inspected.

The DOT says that border inspectors are being increased from 60 to 144. There is no way that small number can inspect the current volume: last year 63,000 Mexican trucks made 4.3 million crossings at 27 sites in four border areas.

A mere safety inspection isn't adequate; trucks should also submit to a cargo inspection. And of course, every driver and every truck should be required to show a driver's license and a truck license at the border, just as every individual coming into our country must show a valid passport.

A 1996 General Accounting Office report concluded that 50 percent of Mexican vehicles attempting to cross the border are "in poor condition and do not meet any U.S. safety standards for trucks." The "major differences" cited included: U.S. drivers are limited to ten hours of consecutive hours of service (whereas Mexican drivers typically drive up to 20 hours per day), U.S. drivers must maintain accurate logbooks while Mexican drivers don't, Mexican trucks are allowed to carry 20 percent more cargo, and U.S. (but not Mexican) trucks since 1980 have been obligated to maintain front brakes.

The DOT press release states that Mexican drivers will now be limited to driving 10 hours per day. Does that mean ten hours after they arrive at the border, not counting the hours they previously drove in Mexico, and who will do the counting?

A 1998 DOT report focused on the shortage of border inspection facilities and personnel. A 1999 DOT report pointed out that the penalties imposed on Mexican trucks for violating U.S. laws are so weak that Mexican truck companies simply "consider the fines to be a cost of doing business."

Where are the environmentalists when we need them? Studies show that Mexican trucks on average generate 150 percent more smog-forming nitrogen oxide and 200 percent more dangerous particulate matter than U.S. trucks.

The weight limit on U.S. trucks is 80,000 pounds, while Mexican trucks are allowed to carry 106,900 pounds. Research shows that heavier tractor-trailers have more severe crashes and cause more damage to U.S. roads and highways.

Another serious safety concern presented by the open-borders policy comes from hazardous materials being transported by untrained drivers, in vehicles in poor condition, and with improperly documented shipments. The U.S. and Mexico have different standards for hazardous material manifests.

The cheerful DOT press release about the new Bush policy describes the Mexican commercial driver's license as "equivalent" to the U.S. commercial driver's license (CDL). That is clearly untrue because there is no Mexican equivalent to the U.S. requirement (49 CFR section 391.11) that the CDL applicant "can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records."

The English language requirement should be strictly enforced. The most tragic truck accident in Illinois history was directly caused by the Mexican driver's inability to understand English.