Obama's Plan to Admit Mexican Trucks

by Phyllis Schlafly January 21, 2011

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It is amazing that, with unemployment unacceptably high, the Obama Administration has endorsed a plan that will cost U.S. jobs and make highway driving for Americans more dangerous and less pleasant. Obama wants to admit Mexican trucks to drive on all U.S. highways and roads.

Todd Spencer, executive vice president of the Owner-Operator Independent Drivers Association, explained what this means: "U.S. truckers would be forced to forfeit their own economic opportunities while companies and drivers from Mexico, free from equivalent regulatory burdens, take over their traffic lanes." We wonder if Mexico has any regulatory standards at all.

Mexican trucks are known to be overweight and lacking in safety regulations we consider essential, such as anti-lock brakes. Mexico doesn't have national databases that track drivers' records, background checks, drug usage, and arrests, and it's known to be easy to get a commercial driver's license with a bribe.

Nevertheless, Obama's Transportation Secretary, Ray LaHood, has announced he wants to admit Mexican trucks, and he thinks he can appease Congress by presenting on January 6 what he calls a "concept document." It is two pages of bureaucratic pablum that does nothing to assure the safety of Americans on our highways and roads.

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The concept document calls for a "review" of the Mexican carriers' safety program, the driving records of Mexican drivers admitted to the program, and inspection of Mexican trucks for safety and emissions. But the document says nothing about what the standard of review and inspection will be, and whether trucks and drivers who don't pass inspection will be rejected.

Under the concept document, Mexican trucks would be subject to border inspections at the "normal border inspection rate," and subject to inspections within the U.S. "at the same rate as U.S. companies." That doesn't reassure us; the "normal" border inspection rate means that only a few violators will get caught, which the Mexicans will consider just a cost of doing business, and the notion that Mexican drivers need inspection only at the 50 percent U.S. rate is ridiculous.

U.S. law requires truck drivers to speak and understand the English language. The concept document says it will "conduct an English Language Proficiency" test of each Mexican driver, but it doesn't say the Mexican drivers must speak English or pass the test.

We know from the House testimony of the previous Transportation Secretary, Mary Peters, that the Department's policy is to approve Mexican drivers as "English proficient" even when they respond to an examiner's questions in Spanish. Senator Byron Dorgan (D-ND), who was conducting the hearing, was so astounded at this answer that he asked Secretary Peters to repeat it.

The concept document contains other provisions about monitoring, inspections, review, and drug and alcohol inspection. But the document contains nothing about requiring Mexican trucks to meet U.S. standards and rejection if they do not.

Mexican trucks have been barred from operating inside the United States since March 2009. They are limited to a border zone where they must then transfer their cargo onto U.S. trucks.

Mexico claims the current ban violates our treaty obligations under NAFTA. That's not true because NAFTA is not a treaty; it was never ratified by two-thirds of Senators as our Constitution requires for a treaty, and is merely a law passed in 1993 by a simple majority vote.

Perhaps the Obama Administration plan to admit Mexican trucks is just a political maneuver. It may be a tactic to reach out to the business community, such as the U.S. Chamber of Commerce, and at the same time be a sneaky way to defeat Republican Members of Congress in 2012 by forcing them to vote on the admission of Mexican trucks.

This issue defeated one of our best conservatives in the House, the great track star Jim Ryun (R-KS), who unexpectedly lost his seat in 2006 after voting to admit Mexican trucks. The feminist Democrat who defeated Ryun, Nancy Boyda, then sponsored a bill to ban Mexican trucks, which passed the House by the overwhelming vote of 411 to 3, with the Senate passing a similar bill 75 to 23, votes that are a good indication of popular opinion.

With the drug war in full battle array along our southern border, this is no time to start admitting Mexican trucks. It's a safe bet that many of the trucks will be carrying illegal aliens and illegal drugs.

Another safety problem exists for U.S. trucks that would get access to Mexican roads under this misguided proposal. Trade is supposed to be two-way street, but U.S. drivers don't want to drive into northern Mexico, the most dangerous area in the world because of the ongoing war between drug cartels.