



Motor Carrier Safety Selection Standard Act: Promoting Safety on Our Roads

August 19, 2021

In May, Representatives Mike Gallagher (R-WI) and Seth Moulton (D-MA) introduced the Motor Carrier Safety Selection Standard Act. The proposed bipartisan legislation would require the Department of Transportation to create a Safety Fitness Determination Test that can be applied to motor carriers. Additionally, the bill would mandate that entities using trucking companies ensure that they are insured, registered, and licensed to operate. The pair of representatives believes that this bill's passage would increase safety on roads across the country.

Under the bill, manufacturers and shippers would need to confirm three things before choosing a trucking company. First, they would need to verify that it is properly registered as “a motor carrier or household goods motor carrier.” Second, they would need to check if the trucking company has the minimum insurance required by law. Finally, they would need to confirm that the trucking company “is not determined unfit to operate safely commercial motor vehicles under section 31144 of title 49, United States Code, or otherwise ordered to discontinue operations by the Federal Motor Carrier Safety Administration (including not renewing a Department of Transportation registration number) or a State, for intrastate commerce.”

To support their proposal, Representatives Gallagher and Moulton cited certain facts about trucking accidents. They explained that there are more than 100,000 truck accidents that cause injuries, and more than 4,000 crashes that cause deaths each year. Additionally, in a press release, the representatives stated, “There are currently over 3,000,000 shippers and 20,000 third-party logistics providers (3PLs) choosing trucking companies that do not have consistent safety requirements in place to protect drivers and prevent accidents.”

In reference to the bill, Rep. Gallagher explained that “when manufacturers select trucking companies to ship their products, they are left without any standard to ensure those trucks are safe or fit to be on the road. The lack of a data-driven method to help manufacturers pick the best carriers has led to hundreds of thousands of accidents on roads and highways.”

This proposed legislation already has support from within the trucking community. The President and CEO of the Transportation Intermediaries Association, in a statement, called the legislation “a common sense, bipartisan measure.” The statement went on to say, “The Federal government's safety rating system is effectively broken, leaving industry stakeholders with no reliable information on carrier selection. This has created a situation of confusion and conflicting vagaries in the marketplace and quite frankly less safe highways and roads.”

The future of this legislation is uncertain. This bill was also introduced in July 2020 but never received a vote before the session of Congress ended. It currently awaits consideration by the House Subcommittee on Highways and Transportation. MG+M will monitor the legislation and provide updates on its progress.

mgmlaw.com

Boston | Boston - State Street | Chicago | Dallas | Hattiesburg | Irvine | Jackson | Los Angeles | Madison County/St. Louis | Miami | New Jersey | New Orleans | New York | Providence | San Francisco | Walnut Creek | Wilmington

Attorney Advertising. This material is for general informational purposes only and does not represent our advice as to any particular set of facts; nor does it represent any undertaking to keep recipients advised of all legal developments. Prior results do not guarantee a similar outcome. © 2025 Manning Gross + Massenburg LLP