

Testimony of Congressman Paul D. Tonko

House Committee on Transportation & Infrastructure

April 5, 2011

Chairman Mica, Ranking member Rahall, respected members of the Committee; I want to sincerely thank you for giving me the opportunity to speak here today. I represent the twenty first congressional district of New York, also known as the Capital Region. The area is home to the convergence of two highways, I-87 and I-90, also known as the Thruway and the Northway, the Erie Canal and Barge Canal, some of the busiest freight and passenger rail tracks in the country, the Port of Albany, multiple airports, a system of locks, dams and reservoirs and much, much more.

As we work together to create long-term transportation policy that reauthorizes the Highway Trust Fund, there are a few areas of interest I would particularly like to highlight. Those include green corridors, high speed rail, clustering, upgrading aging urban cores and smart transit. However, I

am here before you today to focus on one issue in particular – truck parking facilities.

Last session of Congress I introduced Jason's Law, HR 2156.

Picture this: you are a hard working mother with a two year old son in Upstate New York, and you and your husband are pregnant with twins. One late winter morning you say goodbye to your husband as he heads out the door on another truck run. This particular run finds the rig filled with milk, and the destination is South Carolina. You have said goodbye to him hundreds of times before. Only this time, he doesn't come back.

On March 5, 2009 that is exactly what happened to Hope Rivenburg. Her husband, Jason Rivenburg, was foolishly murdered in South Carolina while sleeping at an abandoned gas station along the highway. His murderer stole a meager seven dollars

from Jason's wallet after shooting him in the cab of his truck.

That is why I introduced Jason's Law. This bill would rectify the dire shortage of safe parking for trucks, and improve the conditions at current truck parking facilities. We must ensure that our drivers have safe rest areas with parking for commercial motor vehicles, parking facilities next to truck stops and travel plazas, and new facilities for parking, including weigh and inspection stations. Additionally, we must improve facilities that are closed on a seasonal basis and improve the geometric design of interchanges on the National Highway System for better access to commercial motor vehicle parking facilities.

Small businesses are the heart of the engine that drives our economy. If we require our truck drivers, who are themselves small business owners, to continue to ramp up their deliveries to small

businesses and even major corporations, we need to also ensure their safety. Jason's Law, by investing in infrastructure and helping to buttress state budget shortfalls, does just that.

In these difficult economic times, we need to continue to pay attention to our role to protect public and worker safety – especially where regulations mandate their necessity. I believe that is part of the reason that my bill garnered the bipartisan support of 45 Members in the 111<sup>th</sup> Congress.

As we move forward in the 112<sup>th</sup> Congress, I look forward to working with my new colleagues in the Majority and the distinguished members of this committee to advance safe, stable and reliable truck parking facilities. The trucking community is rightfully worried about changes to the hours of service, ability to find and comply with parking regulations and detention time. We are hearing from truckers on these topics

each and every day and it is my hope that Jason's Law will help to alleviate some of these fears and angst.

I want to close my remarks this afternoon with these words written by songwriters Barry Allen and David Ayers. I quote:

“Jason drove that truck, reaching for that  
blue-collar dream  
Hard working man, making a living driving  
that big machine  
He loved his son Joshua and Hope his wife,  
but for seven dollars he lost his life  
With nowhere to rest in between his loads,  
he was shot to death on the side of the road

Say a prayer for Jason  
Say a prayer for Joshua and Hope  
Say a prayer for all the truck drivers stuck  
out on the road  
Say a prayer, say a prayer, say a prayer”

Chairman Mica and Ranking Member Rahall, and my distinguished colleagues on the Committee – I would like to thank you for letting me testify before you today and I would only end with this: while saying a prayer is always a good decision, I hope that I can work with each and every one of you to ensure the enactment of Jason’s Law and make safe truck parking a reality for anyone that seeks it. Thank you Mr. Chairman, and I yield back.