



September 2023

MOTOR CARRIER OPERATIONS

Improvements Needed to Federal System for Collecting and Addressing Complaints against Truck, Moving, and Bus Companies

Accessible Version

GAO Highlights

Highlights of [GAO-23-105972](#), a report to congressional committees

Why GAO Did This Study

Large trucks and buses move billions of tons of goods and transport millions of people across the United States each year. FMCSA is responsible for reducing crashes, injuries, and fatalities involving large trucks and buses. One way FMCSA carries out this responsibility is through its complaint website.

The Infrastructure Investment and Jobs Act includes a provision for GAO to review FMCSA's complaint website. This report examines (1) complaint data FMCSA makes public, (2) control activities FMCSA uses to review complaints, (3) how the complaint website follows leading practices, and (4) user outreach for the complaint website.

GAO analyzed data from the complaint website, reviewed applicable statutes and FMCSA regulations, policy, and guidance, compared the complaint website to leading practices for federal websites, and reviewed FMCSA's actions to promote awareness of the complaint website. GAO also interviewed agency officials and representatives of industry associations.

What GAO Recommends

GAO is making 14 recommendations, including that FMCSA make all categories of its complaint data public as appropriate, update its complaint review guidance, ensure its complaint website fully follows leading practices, and develop an outreach plan for its complaint website. FMCSA agreed with 13 of these recommendations. For the remaining recommendation, FMCSA cited challenges testing the complaint website with external users.

View [GAO-23-105972](#). For more information, contact Elizabeth Repko at (202) 512-2834 or repkoe@gao.gov.

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What GAO Found

The Federal Motor Carrier Safety Administration (FMCSA), within the Department of Transportation, maintains complaint data submitted against large commercial truck, moving, and bus companies—which are types of motor carriers. GAO found that FMCSA makes some but not all of this complaint data available to the public, which is not consistent with Department of Transportation policy. As a result, FMCSA may be missing the opportunity to improve transparency and collaboration with industry partners.

Types of Vehicles Used by Motor Carriers



Source: Left to right; Stefon Linton/stock.adobe.com, Laura Ballard/stock.adobe.com, Svetlaya/stock.adobe.com. | GAO-23-105972

FMCSA has not designed sufficient controls to help ensure its policy for reviewing complaints related to motor carriers is followed. For example, FMCSA's guidance is organized by seven complaint categories. However, the guidance does not define several key terms, including the complaint categories, or define how the categories align with over 100 possible allegations. Matching the allegation to a category may be challenging without definitions. As a result, FMCSA may not have adequate assurance that staff are consistently applying the appropriate complaint review guidance. Ultimately, this could affect FMCSA's ability to respond to unsafe motor company practices.

GAO also found that FMCSA's public-facing complaint website partially followed leading practices for federal website design and usability. For example, the website works on frequently used web browsers and the content is organized around user-friendly topics, in line with leading practices. However, the complaint website's content is not consistently easy to view on mobile devices. According to FMCSA officials, about half of users access the website on mobile devices. Representatives of industry associations noted that mobile access is particularly important for truck drivers.

FMCSA has conducted some outreach activities for its complaint website, but has not developed a plan to guide these activities. According to GAO's review, FMCSA promotes the website through the "Protect Your Move" education campaign for people who are planning interstate moves. FMCSA's outreach to other audiences—such as truck drivers—has been more limited and all five of the trucking associations GAO interviewed were not aware of such outreach. Without a plan to guide outreach activities, key target audiences may lack awareness of the complaint website, limiting FMCSA's ability to collect motor safety complaints.

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Abbreviations

ADA	Americans with Disabilities Act
DOT	Department of Transportation
FMCSA	Federal Motor Carrier Safety Administration

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September 19, 2023

The Honorable Maria Cantwell
Chair
The Honorable Ted Cruz
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate

The Honorable Sam Graves
Chairman
The Honorable Rick Larsen
Ranking Member
Committee on Transportation and Infrastructure
House of Representatives

Large commercial truck, moving, and bus companies—types of motor carriers—move billions of tons of goods and transport millions of people across the United States each year. From 2010 to 2020, the number of fatal crashes involving motor carriers increased.¹ Within the U.S. Department of Transportation (DOT), the Federal Motor Carrier Safety Administration (FMCSA) is responsible for reducing crashes, injuries, and fatalities involving motor carriers. FMCSA also enforces consumer protections involving companies that move household goods across state lines.

One way FMCSA gathers information about these motor carriers, including their potential safety violations, is through the National Consumer Complaint Database website. Using this public-facing website, individuals—such as motorists, truck drivers, bus passengers, and people who have hired companies to move their household goods across state lines—can submit complaints against truck, bus, and moving companies.²

¹Federal Motor Carrier Safety Administration Analysis Division, *Large Truck and Bus Crash Facts 2020*, FMCSA-RRR-22-005 (Sept. 2022), p.3.

²FMCSA, *National Consumer Complaint Database*, accessed July 17, 2023, <https://nccdb.fmcsa.dot.gov/nccdb/home.aspx>.

Industry stakeholders have raised questions about FMCSA's efforts to address complaints and promote the use of this complaint website.

The Infrastructure Investment and Jobs Act includes a provision for us to review the National Consumer Complaint Database.³ This report examines the extent to which (1) FMCSA makes complaint data public, (2) FMCSA has designed control activities to ensure complaints are reviewed as required by agency policy, (3) the complaint website follows leading practices for website design and usability, and (4) FMCSA has developed an outreach plan to promote awareness of the complaint website.

To assess the extent to which FMCSA makes complaint data public, we interviewed officials from FMCSA; representatives from 12 associations selected to ensure a mix of those representing truck, moving, and bus companies; people who hire companies to move their household goods across state lines; motor carrier drivers; and government and company safety officials. We also reviewed FMCSA's website. We compared FMCSA's actions to make data public to DOT's Data Management Policy.⁴ We also analyzed FMCSA's data on complaints submitted from January 2016 through December 2021 to describe who submitted complaints, whom complaints are submitted against, types of allegations, and the status of these complaints. The complaint status is as of August 2022, when FMCSA provided us the data.⁵ We reviewed the data and determined they were sufficiently reliable for reporting on specific aspects of complaints submitted to FMCSA through the National Consumer

³Pub. L. No. 117-58, § 23016, 135 Stat. 429, 775-776 (2021).

⁴See DOT, *Data Management Policy*, DOT Order 1351.34 (Washington, D.C.: July 13, 2017).

⁵At our request, FMCSA provided complaint data as of August 2022. This included complaints submitted between 2001 and 2022. We reviewed complaints submitted from January 2016 through December 2021 because the Infrastructure Investment and Jobs Act provides that we review complaints submitted to the National Consumer Complaint Database from January 2016 through December 2020. Since 2016, the National Consumer Complaint Database has been the central repository for all motor carrier complaints received by FMCSA. We present complaint data for a 5-year period (2017 through 2021).

Complaint Database, but not on the actions FMCSA has taken to review these complaints.⁶

To examine the extent to which FMCSA has designed control activities to ensure complaints are reviewed as required by agency policy, we reviewed applicable statutes, regulations, and agency complaint review guidance and interviewed FMCSA officials. We analyzed FMCSA's complaint data to provide additional context on how FMCSA staff review complaints. We compared FMCSA's guidance on complaint review with activities in *Standards for Internal Control in the Federal Government* related to achieving agency objectives and responding to risks.⁷ We determined that internal controls were significant to this review, specifically the underlying principles that management should design appropriate types of control activities and document these activities in policies for each responsible unit. We also reviewed a random, non-generalizable sample of 15 safety and 15 household goods complaint case files and compared FMCSA's actions documented in these case files to agency policy.

To determine the extent to which the complaint website follows leading practices for website design and usability, we reviewed Digital.gov's list of leading practices for agency websites and selected the practices related to website design and usability.⁸ We reviewed screenshots of the complaint website, agency documents, and information gathered through interviews and compared them to the selected leading practices.

To determine the extent to which FMCSA has developed an outreach plan to promote awareness of the complaint website, we reviewed applicable statutes and agency documents and interviewed agency

⁶Our analysis does not include the most common types of enforcement actions taken in response to complaints. This is because FMCSA does not track enforcement actions tied to individual complaints. FMCSA tracks enforcement actions through a separate system, and does not identify if a complaint was a source of an enforcement action.

⁷GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 10, 2014).

⁸General Services Administration, Digital.gov, *Checklist of Requirements for Federal Websites and Digital Services*, accessed June 30, 2022, <https://digital.gov/resources/checklist-of-requirements-for-federal-digital-services/?dg>.

officials. We also reviewed leading practices for outreach planning.⁹ Appendix I provides additional information on our objectives, scope, and methodology.

We conducted this performance audit from April 2022 to September 2023 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

FMCSA's Roles and Responsibilities

FMCSA is tasked with regulating commercial motor vehicle safety to achieve its mission of reducing large truck and bus crashes, injuries, and fatalities.¹⁰ FMCSA is also responsible for regulating the transportation of passengers and property by motor carriers across state lines.¹¹ This responsibility includes enforcing its consumer protection regulations involving companies that move household goods.

The motor carrier industry represents a range of businesses, including private and for-hire freight transportation (e.g., large moving trucks or tractor trailers), passenger carriers (e.g., buses, motor coaches, or

⁹We previously identified nine leading practices for consumer outreach planning. See GAO, *Digital Television Transition: Increased Federal Planning and Risk Management Could Further Facilitate the DTV Transition*, [GAO-08-43](#) (Washington, D.C.: Nov. 19, 2007).

¹⁰FMCSA's general authority over commercial motor vehicle safety is located in 49 U.S.C. Subtitle VI, Part B. Its Federal Motor Carrier Safety Regulations are located in 49 C.F.R. Parts 350-399.

¹¹FMCSA's general authority over motor carrier transportation is located in 49 U.S.C. Subtitle IV, Part B (Federal Commercial Statutes). Its Federal Motor Carrier Commercial Regulations are located within the Federal Motor Carrier Safety Regulations in 49 C.F.R. Parts 360-379. FMCSA also has the authority to issue and enforce regulations on certain matters related to transporting hazardous materials by highway, both within a state and across state lines. See 49 C.F.R. § 1.87(d).

limousines), and transporters of certain hazardous materials.¹² According to FMCSA, there were more than 757,000 active motor carriers as of 2021.¹³ These motor carriers included approximately 5,300 moving companies transporting the household goods of about 4 million Americans across state lines each year.

FMCSA's National Consumer Complaint Database

FMCSA operates the National Consumer Complaint Database, which is the name for the public-facing website where the public can submit complaints to FMCSA against truck companies, moving companies, bus companies, and others.¹⁴ The National Consumer Complaint Database has grown out of multiple statutory mandates and FMCSA's efforts to collect and respond to complaints against motor carriers. The Secretary of Transportation was required in 1998 to establish, maintain, and promote a telephone hotline for motor carrier drivers and others to report potential violations of the Federal Motor Carrier Safety Regulations.¹⁵ The Secretary of Transportation was required in 2005 to establish a system for filing and logging consumer complaints related to motor carriers that transport household goods, as well as a database of such complaints.¹⁶ Since 2016, FMCSA has used the National Consumer Complaint Database as the central repository for all motor carrier complaints received by FMCSA via the complaint website, telephone, or mail.

The complaint website prompts a user to identify if they are a consumer (i.e., member of the public, such as a person who hired a moving

¹²As defined by statute, motor carriers include companies, corporations, and other entities that provide motor vehicle transportation for compensation. See 49 U.S.C. § 13102.

¹³FMCSA assigns a number, referred to as a USDOT number, to each active motor carrier.

¹⁴For the purposes of this report, we refer to the public-facing website through which individuals can submit complaints to the National Consumer Complaint Database as the complaint website. We refer to all complaints submitted to the National Consumer Complaint Database as FMCSA's complaint data.

¹⁵The Transportation Equity Act for the 21st Century, Pub. L. No. 105-178, § 4017, 112 Stat. 107, 413 (1998) (codified as amended at 49 U.S.C. § 31143 note). The act also authorized the Secretary to use certain information from these reports in setting priorities for motor carrier safety audits and other enforcement activities.

¹⁶Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Pub. L. No. 109-59, § 4214, 119 Stat. 1144, 1759-1760 (2005) (codified at 49 U.S.C. § 14701 note). The act also required the Secretary to consider information in the database in its household goods compliance and enforcement program.

company or a motorist), a truck or bus driver, or an industry professional (see fig. 1). Next, the user selects whom the complaint is against and then enters information about the incident. Complaints can be submitted against motor carriers, providers of electronic logging devices that record driving time,¹⁷ medical review officers involved with drug testing, or substance abuse professionals involved with treatment of drivers.¹⁸

¹⁷An electronic logging device is a device or technology that automatically records a driver's driving time, facilitates the accurate recording of the driver's hours of service, and is approved by FMCSA for motor carriers' use. It also automatically records other data, such as date, time, driver identification, vehicle location information and miles driven, and duration of engine operation.

¹⁸FMCSA operates a Commercial Driver's License Drug and Alcohol Clearinghouse, which contains records related to drug and alcohol testing of commercial motor carrier drivers under 49 C.F.R. Parts 40 and 382. Complaints may be made through the National Consumer Complaint Database against medical review officers and substance abuse professionals who are required to report information related to such testing to the Clearinghouse. Medical review officers are licensed physicians who are responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug results. Substance abuse professionals evaluate employees who have violated a DOT drug and alcohol regulation and make recommendations concerning education, treatment, follow-up testing, and aftercare.

Figure 1: Users of the Federal Motor Carrier Safety Administration's (FMCSA) National Consumer Complaint Database Website

Consumers

could be any member of the public.

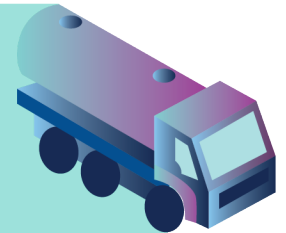
- People who have hired companies or brokers to move their household goods across state lines
- People who have witnessed a truck or other motor carrier operating dangerously
- People who received a shipment of hazardous materials
- Passengers on interstate buses



Drivers

could be anyone who operates a large commercial vehicle.

- Truck or bus drivers
- Other employees of truck or bus companies, such as safety managers



Industry professionals

could be anyone with a role in the commercial motor carrier industry.

- Owners of truck or bus companies
- Companies that are shipping goods
- Brokers (i.e. people who arrange transportation of goods, such as moving brokers)
- Insurers
- Purchasers and users of cargo tanks



Source: GAO illustration and analysis of FMCSA information. | GAO-23-105972

Accessible Text for Figure 1: Users of the Federal Motor Carrier Safety Administration's (FMCSA) National Consumer Complaint Database Website

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Source: GAO illustration and analysis of FMCSA information. | GAO-23-105972

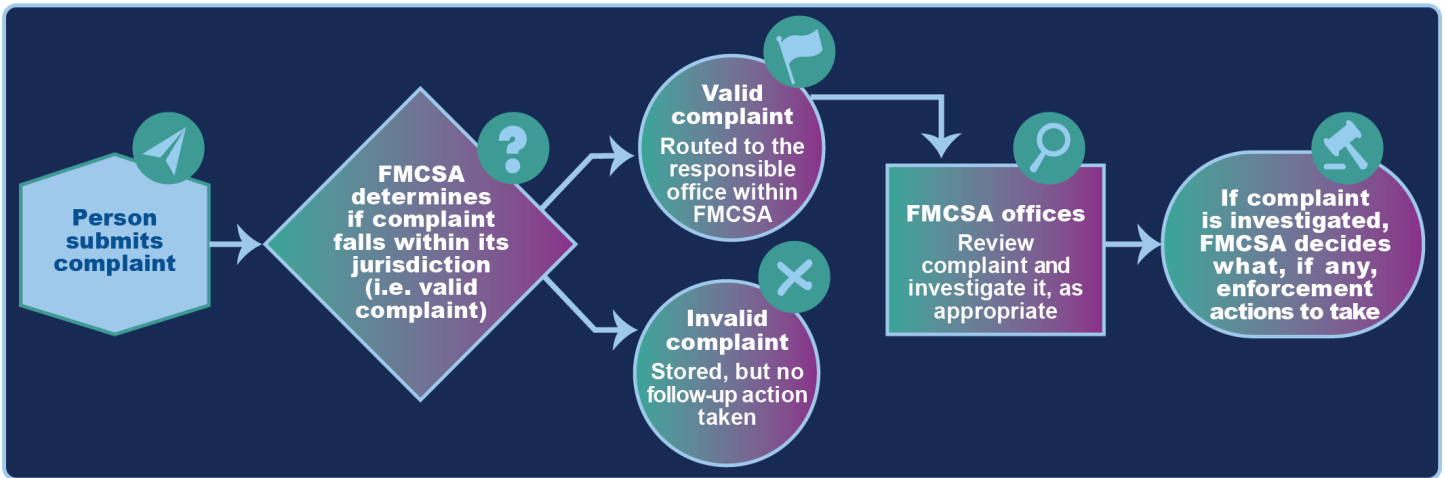
After entering details about the incident that led to the complaint, the user, also referred to as the complainant, selects one or more allegations that best describes the violation(s) they witnessed or experienced. These allegations vary depending on who is making a complaint—a consumer, driver, or industry professional—and the entity against which they are making a complaint—a truck company, moving company, bus company, electronic logging device provider, medical review officer, or substance abuse professional.¹⁹ A complaint submitted to FMCSA can have multiple allegations. Complaints received through the telephone hotline or by mail are entered into the complaint website by FMCSA staff.

FMCSA’s Process for Reviewing Complaints

After a complaint is submitted, FMCSA staff review the complaint and determine what, if any, actions to take, as shown in figure 2. FMCSA staff can view complaints and update the status by logging into the National Consumer Complaint Database.

¹⁹Complaints against moving companies can include those against moving brokers.

Figure 2: The Federal Motor Carrier Safety Administration's (FMCSA) Process for Reviewing Complaints



Source: GAO illustration and analysis of FMCSA information. | GAO-23-105972

Accessible Text for Figure 2: The Federal Motor Carrier Safety Administration's (FMCSA) Process for Reviewing Complaints
Valid complaint

1. Person submits complaint
2. FMCSA determines if complaint falls within its jurisdiction (i.e. valid complaint)
3. Valid complaint - Routed to the responsible office within FMCSA
4. FMCSA offices - Review complaint and investigate it, as appropriate
5. If complaint is investigated, FMCSA decides what, if any, enforcement actions to take

Invalid complaint

1. Person submits complaint
2. FMCSA determines if complaint falls within its jurisdiction (i.e. valid complaint)
3. Invalid complaint - Stored, but no follow-up action taken

Source: GAO illustration and analysis of FMCSA information. | GAO-23-105972

FMCSA categorizes valid complaints—those that fall under its jurisdiction—into seven major categories, as described below.²⁰

- **Americans with Disabilities Act (ADA).** These complaints allege a violation of DOT’s ADA regulations.²¹ For example, a member of the public may allege that a bus company or driver denied transportation due to a disability, a broken lift, or that a driver failed to provide reasonable accommodation and assistance during a rest stop.
- **Coercion.** These complaints allege a violation of an FMCSA regulation that prohibits coercing drivers of commercial motor vehicles to operate them in violation of certain FMCSA and Hazardous Materials Regulations.²² For example, a truck or bus driver may allege that a motor carrier threatened to fire or otherwise retaliate against them if they did not drive the vehicle, despite having an expired commercial driver’s license.
- **Harassment.** These complaints allege a violation of an FMCSA regulation prohibiting motor carriers from harassing their drivers.²³ For example, a truck or bus driver may allege that a motor carrier knowingly, based on electronic logging device information, required them to drive in excess of FMCSA’s hours-of-service limits.
- **Hazardous materials.** These complaints allege a violation of the Hazardous Materials Regulations or FMCSA regulations applicable to the intrastate and interstate transportation of hazardous materials by highway and cargo tank facilities.²⁴ For example, a member of the public may allege that a cargo tank is leaking or not properly secured,

²⁰According to complaint review guidance, in response to an invalid complaint—i.e., one that falls outside of the agency’s jurisdiction—FMCSA may forward the complaint to the agency of jurisdiction or suggest the complainant do so.

²¹Specifically, these complaints allege a violation of DOT’s ADA regulations located in 49 C.F.R. Part 37, Subpart H.

²²See 49 C.F.R. § 390.6(a).

²³A motor carrier harasses a driver when it takes action toward the driver that (1) involves the use of available electronic logging device information; and (2) it knew, or should have known, would result in the driver violating certain FMCSA regulations. These regulations are those prohibiting drivers from operating commercial motor vehicles while ill or fatigued and FMCSA’s hours-of-service rules. See 49 C.F.R. §§ 390.36, 392.3; *id.* pt. 395.

²⁴While the Pipeline and Hazardous Materials Safety Administration issues the Hazardous Materials Regulations located in 49 C.F.R. Parts 171-180, which apply to all transportation modes, FMCSA has the authority to issue regulations specific to the transportation of hazardous materials by highway. This category of complaints may allege a violation of either set of regulations.

or an industry professional may allege that hazardous materials are not being properly loaded.

- **Household goods.** These complaints allege a violation of household goods-related provisions of the Federal Commercial Statutes or the Federal Motor Carrier Commercial Regulations.²⁵ For example, an individual may allege that a moving company is holding their household goods “hostage” and demanding additional payment for their release.
- **Safety.** These complaints allege a violation of the Federal Motor Carrier Safety Regulations.²⁶ For example, a member of the public may allege witnessing a commercial truck or bus driving recklessly, or a commercial driver appearing to be under the influence of alcohol. As another example, a truck or bus driver may allege unsafe vehicles or equipment, or a violation of drug and alcohol testing regulations.
- **Other commercial complaints.** These complaints allege a violation of Federal Commercial Statutes and Federal Motor Carrier Commercial Regulations that are not related to household goods. For example, a member of the public, a driver, or an industry professional may allege that a motor carrier is operating without the required authority or registration.

As described in FMCSA’s Electronic Field Operations Training Manual and related guidance, the complaint review process differs depending on the complaint category. For example, when reviewing a safety or hazardous materials complaint, FMCSA determines whether the complaint (1) is valid (i.e., within FMCSA’s jurisdiction); (2) alleges a substantial violation of the Federal Motor Carrier Safety Regulations or Hazardous Materials Regulations; and (3) is otherwise non-frivolous (i.e., contains sufficient details). If FMCSA makes all three determinations, then it investigates the complaint, as appropriate.²⁷ In contrast, FMCSA may investigate a motor carrier against which a household goods complaint is filed for different reasons, including a high volume of

²⁵See 49 U.S.C. subtit. IV, pt. B (Federal Commercial Statutes); 49 C.F.R. pts. 360-379 (Federal Motor Carrier Commercial Regulations).

²⁶See 49 C.F.R. pts. 350-399. (Federal Motor Carrier Safety Regulations). FMCSA considers violations of certain provisions, such as those on harassment and coercion, as separate categories.

²⁷This process for reviewing safety complaints is consistent with the process set forth in FMCSA’s regulations. See 49 C.F.R. § 386.12(a).

complaints against that motor carrier or the allegation of an egregious violation such as holding household goods hostage.

According to FMCSA, the types of enforcement actions it may take, if warranted, in response to an investigation of a complaint, include: suspending or revoking an entity's operating authority, referring an entity to the DOT Office of Inspector General or U.S. Department of Justice for further investigation, and issuing a verbal warning and providing technical assistance.

FMCSA Does Not Make All of Its Complaint Data Public

FMCSA Maintains Complaint Data Submitted against Motor Carriers and Others

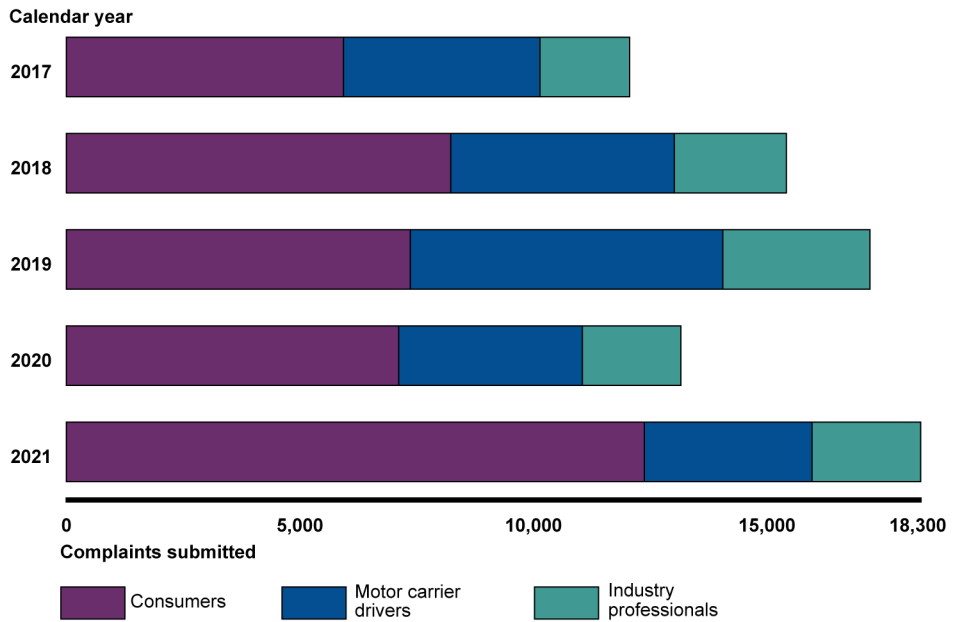
FMCSA maintains complaint data submitted against motor carriers and other entities within its jurisdiction.²⁸ Using this data, we found that FMCSA received about 75,000 complaints against more than 33,000 motor carriers from 2017 through 2021.²⁹ As shown in figure 3, consumers—such as individuals who hired moving companies or brokers, motorists, or bus passengers—submitted the majority of complaints, followed by motor carrier drivers and other industry professionals.³⁰

²⁸Our analysis focused on valid complaints submitted to the National Consumer Complaint Database—these are complaints that fall under FMCSA's jurisdiction.

²⁹To estimate the number of motor carriers against which complaints were submitted, we counted the unique USDOT numbers in FMCSA's data from 2017 to 2021. The number of unique USDOT numbers is 33,908. Several thousand complaints did not contain a USDOT number and were excluded from our estimate.

³⁰A moving company provides trucks and has staff that physically transport a consumer's household goods. A moving broker arranges for the transportation of household goods by a moving company, but does not physically move the goods.

Figure 3: Number of Complaints Submitted to the Federal Motor Carrier Safety Administration (FMCSA) by Type of Complainant, 2017–2021



Source: GAO analysis of FMCSA data. | GAO-23-105972

Accessible Data for Figure 3: Number of Complaints Submitted to the Federal Motor Carrier Safety Administration (FMCSA) by Type of Complainant, 2017–2021

Calendar year	Public complaints	Motor carrier driver complaints	Industry professional complaints
2017	5933	4206	1921
2018	8232	4786	2398
2019	7362	6693	3152
2020	7116	3934	2108
2021	12376	3588	2331

Source: GAO analysis of FMCSA data. | GAO-23-105872

In our analysis of FMCSA’s complaint data, we found that the majority of complaints were made against moving companies, moving brokers, or truck companies. A complaint may contain multiple allegations that the complainant selects from a menu on the complaint website. We found that the most common types of allegations selected were:

- Unfair business practices by a moving company, such as not honoring an estimate;

- Unsafe behavior by a truck company or its employees, such as speeding or driving recklessly;
- Unfair business practices by a moving broker, such as not honoring an estimate;
- Deceptive business practices by a moving company, moving broker, or truck company, such as false advertising;
- Drug and alcohol violations by a truck or bus company or its employees, such as a company not following drug testing regulations.

In the 5 years covered by our analysis, over 90 percent of all complaints (or about 68,000 of the approximately 75,000 complaints received by FMCSA) contained at least one of the types of allegations listed above.³¹ About 37,700 of these complaints were made against truck companies, 29,400 against moving companies (including moving brokers), and 200 against bus companies.

Not All Categories of Complaint Data Are Available to the Public

Open and publicly accessible federal data can increase public participation in government, promote transparency and accountability, and increase government operations' efficiency and effectiveness.³² DOT has a data management policy that establishes general standards for its data collection and dissemination, among other things.³³ The policy is consistent with the Office of Management and Budget's principles on

³¹For all complaints submitted from January 2017 through December 2021, the average number of allegations per complaint was about five. The number of allegations per complaint ranged from one to 111. About two-thirds of all complaints had four or fewer allegations. Complaints against moving companies had the highest average number of allegations—close to nine allegations per complaint.

³²Office of Management and Budget, *Policies for Federal Agency Public Websites and Digital Services*, OMB Memorandum M-17-06 (Washington, D.C.: Nov. 8, 2016).

³³The policy applies to components—operating administrations and certain offices—within DOT, including FMCSA. DOT, *Data Management Policy*, DOT Order 1351.34 (Washington, D.C.: July 13, 2017).

managing federal government information.³⁴ According to its policy, DOT must presume that all DOT data and information be open, which in part means publicly available.³⁵ The policy also provides that DOT will consider internal and external user needs so that data it develops are relevant, in the most appropriate form, and made available to the widest appropriate audience.

According to officials, FMCSA does not make all categories of complaint data available to the public. Specifically, FMCSA does not make public any information on complaints against truck companies, bus companies, or electronic logging device providers. This is not in accordance with DOT's data management policy.³⁶ According to FMCSA officials, FMCSA has not made all categories of complaint data public because it has not prioritized doing so. FMCSA officials said that they have no current plans to make all categories of complaint data public, but may consider doing so in the future. FMCSA officials noted that the public could look to other FMCSA resources to learn about the safety of individual truck and bus companies.³⁷

Further, the complaint data FMCSA does make publicly available are, in general, not meeting the needs of some users, as encouraged by DOT's

³⁴For the purposes of Office of Management and Budget's leading practices, open data is defined as publicly available data structured in a way that enables the data to be fully discoverable and usable by end users, and will be consistent with several principles. These include that the agencies adopt a presumption in favor of openness of data to the extent permitted by law and subject to privacy and other valid restrictions; that the data be accessible, i.e., made available in convenient, modifiable, and open formats; and that the data be described, so that users of the data have sufficient information to understand strengths, weaknesses, and other limitations. Office of Management and Budget, *Open Data Policy—Managing Information as an Asset*, OMB Memorandum M-13-13 (Washington, D.C.: May 9, 2013).

³⁵This presumption is applied only to the extent permitted by law and subject to privacy, confidentiality, and national security restrictions. For the purposes of DOT's Data Management Policy, open data is publicly available data structured in a way that enables the data to be fully discoverable by end users.

³⁶DOT must apply a presumption in favor of openness with respect to its data and information to the extent permitted by law and subject to privacy, confidentiality, and national security restrictions.

³⁷FMCSA provides information on truck and bus companies' on-road performance and compliance organized into seven Behavioral Analysis and Safety Improvement Categories. This information displays company performance in categories such as unsafe driving, vehicle maintenance, and driver fitness. The public can search for individual truck or bus companies using this resource.

data management policy. For example, FMCSA highlights trends in household goods complaints through press releases and maintains a searchable database the public can use to determine if complaints have been made against an individual moving company or broker in the past 4 years.³⁸ However, users cannot view or download complaint data on all or a subset of moving companies and brokers. FMCSA also does not fully describe this complaint data to enable users to know, for example, whether it is common for a moving company or broker to have one or more complaints made against them.

In addition, industry representatives told us they are not satisfied with the information FMCSA shares about complaints. For example, representatives of 11 motor carrier industry and safety associations said that providing information on trends in the number of complaints, the most common types of complaints, or the status of complaints, would be beneficial to their organizations. Access to this information would help these associations educate their members about new or growing problems and allow them to work on potential solutions.

By not making complaint data public in a format that complies with DOT's policy and meets industry stakeholders' need for information, FMCSA may be missing the opportunity to improve transparency and collaboration with industry stakeholders. These efforts could support FMCSA's stated mission and strategy of partnering with stakeholders in the motor carrier industry and with safety groups to reduce truck and bus-related crashes.

FMCSA Has Not Designed Control Activities to Ensure It Reviews Complaints as Required by Its Policy

FMCSA has not designed sufficient controls to ensure its policy for reviewing complaints is followed, as required by *Standards for Internal*

³⁸FMCSA makes data on these complaints available on its *Search for a Registered Mover* webpage. Using this webpage, anyone can look up a specific household good moving company, including brokers, carriers, and freight forwarders. After looking up a specific company, users have access to the company's household goods complaint history, which includes total complaints, complaints by category, and the year a complaint was made—over the last 4 years.

Control in the Federal Government.³⁹ Specifically, FMCSA has not (1) defined some key terms in its guidance for reviewing complaints or (2) included detailed steps in its guidance for reviewing all categories of complaints. In addition, FMCSA does not require that key decisions made during complaint review are documented and does not require certain types of oversight—such as requiring staff to sign up for notifications when complaints are not reviewed or closed within a certain time period—across all complaint categories.

FMCSA Guidance for Reviewing Complaints Does Not Define Some Key Terms

FMCSA's complaint review guidance does not include controls to achieve objectives and respond to risks, as required by *Standards for Internal Control in the Federal Government*.⁴⁰ These standards state that agencies should clearly document control activities, such as by defining key terms, in the appropriate medium (e.g., operating manuals), to achieve objectives and respond to risks. According to FMCSA officials, all control activities for complaint review are documented in its complaint review guidance—i.e., the Electronic Field Operations Training Manual and other related materials.⁴¹ FMCSA officials acknowledged that some of the controls we outline below are not in FMCSA's complaint review guidance and told us they are waiting for the results of our review before making changes. Without these controls in place, FMCSA runs the risk that staff are not applying the appropriate guidance as required by agency policy. Ultimately, this results in FMCSA not being able to effectively

³⁹Control activities are the policies, procedures, techniques, and mechanisms that enforce management's directives to achieve the entity's objectives and address related risks. See [GAO-14-704G](#).

⁴⁰In this report, we use the term complaint review guidance to refer to all of the guidance FMCSA has issued to its staff on complaint review.

⁴¹According to FMCSA officials, the Electronic Field Operations Training Manual is the comprehensive source of guidance for complaint review, including how staff are to review complaints submitted to FMCSA. In addition to this Training Manual, staff may reference a March 2016 memorandum on procedures for handling complaints alleging violations of Federal Motor Carrier Safety Regulations or Hazardous Materials Regulations. See FMCSA, *Complaint Handling Procedures*, MC-ECS-2016-007 (Mar. 25, 2016). FMCSA issued a similar memorandum in February 2016 for coercion and harassment complaints. See FMCSA, *Responding to Coercion and Harassment Complaints*, MC-ECE-2016-0004 (Feb. 23, 2016). Certain divisions within FMCSA have also created standard operating procedures that supplement FMCSA's Training Manual, such as the Passenger Carrier Safety Division's Standard Operating Procedures on Processing ADA Complaints.

monitor how staff review and close complaints, and could affect FMCSA's ability to respond to safety and other issues.

What is the Federal Motor Carrier Safety Administration (FMCSA)'s Electronic Field Operations Training Manual?

The Electronic Field Operations Training Manual is the comprehensive guide for FMCSA's enforcement staff when conducting or managing investigations, audits, and roadside inspections. It contains 11 manuals on specific topics. Five of these manuals include guidance on reviewing complaints. Specifically, the

- **Americans with Disabilities Act (ADA) Review Manual** contains guidance on reviewing ADA complaints;
- **Commercial Enforcement and Household Goods Manual** contains guidance on reviewing household goods and other commercial complaints;
- **Compliance Manual** contains guidance on reviewing coercion and harassment complaints;
- **Federal Program Manual** contains guidance on reviewing hazardous materials and safety complaints as well as additional guidance on reviewing coercion, harassment, household goods, and other commercial complaints;
- **Hazardous Materials Manual** contains additional guidance on reviewing hazardous materials complaints.

Source: GAO analysis of FMCSA's Electronic Field Operations Training Manual. | GAO-23-105972

Major complaint categories and associated allegations. We found that FMCSA's complaint review guidance does not define which allegation options fall into each of the seven major complaint categories.⁴² When reviewing a complaint, FMCSA staff must match the allegation(s) contained in a complaint to one of FMCSA's major complaint categories. A single complaint, as submitted through the complaint website, can have

⁴²As previously described, FMCSA's major complaint categories are: (1) safety, (2) household goods, (3) coercion, (4) harassment, (5) ADA, (6) hazardous materials, and (7) other commercial.

up to 117 allegations.⁴³ For example, an FMCSA reviewer must decide if a complaint made by a truck driver against an electronic logging device provider with the allegation “the company failed to respond to my service request in a timely manner” should be treated as a safety or other category of complaint. According to FMCSA officials, a complaint against an electronic logging device provider falls under the safety complaint category, but we found this is not laid out in FMCSA’s complaint review guidance. Since FMCSA’s complaint review guidance is organized by seven major complaint categories, one must know what the complaint category is in order to apply the appropriate complaint review guidance. Further, FMCSA’s review process differs depending on the major complaint category, hence the importance of knowing which guidance to apply.

Motorist complaint. FMCSA’s complaint review guidance does not define a key term—“motorist complaint.” Specifically, FMCSA’s Training Manual advises staff that “most motorist complaints allege unsafe driving. An investigation is generally not performed in response to a motorist complaint because this type of complaint usually addresses an isolated instance.”⁴⁴ An FMCSA Division Administrator or designee “has discretion for administrative handling of a motorist complaint. At a minimum, place a copy of the motorist complaint in the motor carrier’s file for future reference.”⁴⁵ According to FMCSA officials, a motorist complaint is typically a complaint from a member of the public alleging that a truck driver was driving dangerously.⁴⁶ Our analysis of FMCSA’s complaint data found that FMCSA closed almost 90 percent of the complaints submitted by consumers (i.e., members of the public) against truck companies as a “motorist complaint.” Further, FMCSA closed over 20 percent of complaints submitted by motor carrier drivers against truck companies as

⁴³Complaints may contain multiple allegations. The allegations that make up a complaint depend on who is submitting the complaint and against whom the complaint is being made. For example, a complaint by a motor carrier driver against a truck company can contain between one and 117 allegations. According to FMCSA officials, depending on the selected allegations, a complaint by a motor carrier driver against a truck company could fall into five of the seven major complaint categories.

⁴⁴FMCSA, *Electronic Field Operations Training Manual*, Federal Program Manual, (Washington, D.C.: June 2021), p.38.

⁴⁵FMCSA, *Electronic Field Operations Training Manual*, Federal Program Manual, p.39.

⁴⁶According to FMCSA officials, complaints deemed motorist complaints may allege substantial or non-substantial violations, depending on the content of the complaint. A substantial violation is one which could reasonably lead to, or has resulted in, serious personal injury or death. 49 C.F.R. § 386.12(a)(1).

a “motorist complaint.” According to officials, FMCSA might use complaints closed as motorist complaints to understand if there is a pattern of noncompliance with the Federal Motor Carrier Safety Regulations, such as lax drug and alcohol screening. Since complaints closed as motorist complaints are put into a motor carrier’s file, it is possible for FMCSA to check if a pattern of such safety problems exists.

Without a clear understanding of what this term means—for example, who submits motorist complaints and what type of incidents qualify as motorist complaints—FMCSA staff may automatically close complaints that should receive closer scrutiny. In our review of 15 safety complaint case files, 11 had a status of “closed-motorist complaint.” FMCSA closed 10 of these 11 files without recording follow-up actions. Further, in our review of these 11 safety complaint case files, we found two complaints alleging unsafe company practices, rather than unsafe driving in isolated instances. These allegations included a truck company not properly screening a driver for illegal drugs; and another truck company causing a driver to violate hours-of-service rules and not ensuring another driver complied with drug testing requirements. By not clearly defining what constitutes a “motorist complaint,” FMCSA runs the risk of staff closing some complaints that may warrant follow-up.

Options for Updating Complaint Status

Complaint status options used by Federal Motor Carrier Safety Administration (FMCSA) staff:

- Open
- Open – Carrier Notified
- Open – Hostage Referred to Division
- Open – Request Missing Information
- Open – Safety Investigator Assigned
- Re-Open
- Closed – Americans with Disabilities Act Review
- Closed – Complaint Referred to Federal Transit Administration
- Closed – Complaint Referred to State Director of Pupil Transportation Services
- Closed – Complaint Referred to U.S. Department of Justice
- Closed – Dismissed/Frivolous
- Closed – Forwarded to Motor Carrier Safety Assistance Program Partner
- Closed – Hostage Resolved
- Closed – Informal Resolution
- Closed – Investigation Not Substantiated
- Closed – Investigation Substantiated (enforcements)
- Closed – Investigation Substantiated (no enforcement)
- Closed – Missing Information
- Closed – Motorist Complaint
- Closed – Other
- Closed by Telephone
- Closed with Compliance Review
- Closed with Enforcement

Our analysis of FMCSA's data on over 75,000 complaints found that for all complaints with a status, the two options most frequently used were "closed – motorist complaint" (35 percent) and "closed – other" (22 percent).

Source: GAO analysis of FMCSA data. | GAO-23-105972

Complaint status options. Through our review of FMCSA's complaint review guidance, we found that the options available to staff to update a complaint's status are not defined. FMCSA staff can select from over 20 options when updating the status of a complaint (see sidebar). FMCSA officials confirmed that their guidance does not define these options. FMCSA's guidance provides some direction on which status option to use for two categories of complaints, ADA and household goods, but it does

not do so for the other five major complaint categories.⁴⁷ By not defining these options, or providing guidance on their use, FMCSA cannot ensure it has reliable counts of the number of investigations related to complaints. Ultimately, this makes it difficult to determine the extent to which FMCSA is investigating complaints when required to do so by agency guidance.

We attempted to quantify—using FMCSA’s complaint data—the number of complaints investigated by FMCSA using one of three status options labeled as “investigation.”⁴⁸ As labeled, these options suggested to us that FMCSA had investigated complaints with these statuses. However, FMCSA officials said they use the term “investigation” to identify routine functions and activities, such as reviewing and researching a motor carrier’s operations. Therefore, according to FMCSA officials, these three status options do not necessarily indicate that FMCSA investigated a complaint.

Without defining these options and providing guidance on appropriate use, FMCSA staff may not use these options as intended. In 12 of the 30 complaint case files we reviewed, we found inconsistencies with the complaint status options selected and other information included in the files. For example, in two household goods complaint case files, FMCSA reviewers selected an activity type of “investigation/compliance review” and selected the status of “closed – other,” rather than “closed with compliance review” or “closed – investigation not substantiated,” which may have been more appropriate. In the comments section of one of those case files, a reviewer wrote that the carrier was referred for a compliance review, while in the other file a reviewer wrote that the complaint could not be substantiated.⁴⁹

According to FMCSA officials, FMCSA plans to update the National Consumer Complaint Database in fiscal year 2026, including changes to

⁴⁷These other five complaint categories are (1) safety, (2) coercion, (3) harassment, (4) hazardous materials, and (5) other commercial.

⁴⁸These options are closed – investigation not substantiated, closed – investigation substantiated (enforcements), and closed – investigation substantiated (no enforcement).

⁴⁹According to FMCSA’s complaint review guidance, a compliance review is an onsite examination of a motor carrier’s operation to determine whether the motor carrier meets established safety or commercial regulations. The inconsistencies we found in these case files do not align with other statements by FMCSA officials that complaints resulting in compliance reviews should be closed with specific complaint status options (e.g., closed – investigation substantiated (enforcements)).

the complaint status options. Officials also said FMCSA plans to update its complaint guidance and conduct additional training with FMCSA personnel on when and how to use the appropriate complaint status options.

Activity type options. We found that FMCSA’s complaint review guidance does not include consistent instructions for using the “activity type” field, such as entering an activity for each contact with a complainant or motor carrier. FMCSA staff can select from six options when entering activities taken to review a complaint. Specifically, staff may select “notes,” “letter,” “phone call,” “email,” “investigation/compliance review,” or “enforcement” from the “activity type” option menu. According to FMCSA officials, staff perform many of these activities—activities not captured by the complaint status options discussed above—as part of reviewing and following up on complaints. Further, FMCSA officials told us that the “activity type” field in the complaint data is a reliable method of counting the number of complaints FMCSA staff followed-up on.

However, in seven of the 30 complaint case files we reviewed, we found inconsistencies between the option selected in the “activity type” field and activities described in the comments section. In these cases, the “activity type” field did not reliably count the number or type of follow-up activities taken by FMCSA staff to review complaints. For example, in one household goods complaint case file, a reviewer selected an activity type of “notes.” However, in the comments section, this reviewer wrote that the motor carrier was contacted multiple times and the complaint was referred to the Office of Inspector General to address the complaint—multiple follow-up actions by FMCSA staff that were not clearly captured by “notes” as the activity type. By not providing guidance on the use of the activity type field, FMCSA cannot ensure it has reliable counts on the extent of follow-up activities taken during the review of complaints. Ultimately, this makes it difficult to determine the extent to which FMCSA is reviewing complaints as required by agency policy.

FMCSA Guidance for Reviewing Complaints Lacks Detail for Some Complaint Categories

We found that FMCSA’s complaint review guidance lacks detail and clarity for some complaint categories. *Standards for Internal Control in the Federal Government* states that management should document policies in the appropriate level of detail and should communicate to personnel

the policies and procedures so that personnel can implement the control activities for their assigned responsibilities.⁵⁰ Through our review of FMCSA's complaint review guidance, we found it includes detailed instructions on how to review and respond to some categories of complaints—such as those related to coercion, harassment, and ADA—but does not contain the same level of detail for reviewing and responding to other complaints. For example, there is supplemental guidance for coercion and harassment complaints, with flow charts and specific examples of what a complaint must allege to qualify as coercion or harassment. Similarly, the standard operating procedures for ADA complaints contains step-by-step directions on how to respond, process, and close an ADA complaint. In contrast, the complaint review guidance for safety, hazardous materials, household goods, and other commercial complaints does not contain step-by-step instructions on how to respond, review, and close complaints; flow charts; or specific examples of what constitutes a violation.

In addition to this lack of overall detail for most complaint categories, we found that guidance for reviewing safety and hazardous materials complaints was not always clear. According to FMCSA's complaint review guidance, FMCSA staff must make several key determinations when reviewing a safety or hazardous materials complaint to decide what, if any, action the agency will or must take, such as whether a complaint has sufficient detail. In one section of the training manual, staff are directed on how to handle a complaint that does not contain sufficiently detailed information of events (e.g., it may be frivolous).⁵¹ On one page, the guidance suggests that if a complaint lacks sufficient detail, then the FMCSA reviewer should only try to contact the complainant if the alleged violator is known to have other complaints or violations. In contrast, a few pages later, the guidance suggests that a FMCSA reviewer should make all reasonable efforts to contact a complainant to gather sufficient information for a complaint that is missing details. See figure 4.

⁵⁰See [GAO-14-704G](#).

⁵¹According to the Training Manual, to determine if a safety complaint is non-frivolous, a reviewer should look for certain elements, including name, address, telephone number, and signature of the complainant; information to identify the alleged violator, such as name, address, or USDOT number; sufficient information to identify the specific regulation(s) that the complainant believes were violated; and a statement of facts with dates of the allegations.

Figure 4: Excerpts from Federal Motor Carrier Safety Administration’s (FMCSA) Electronic Field Operations Training Manual



Source: GAO (analysis); FMCSA’s Electronic Field Operations Training Manual, Federal Program Manual (data); ripped paper image, 32 pixels/stockadobe.com (art). | GAO-23-105972

Accessible Text for Figure 4: Excerpts from Federal Motor Carrier Safety Administration’s (FMCSA) Electronic Field Operations Training Manual

Excerpt number one

“If the complaint is determined to be frivolous, the Division Administrator has two options:

- Contact the complainant to obtain the missing information, if, based on the Division Office’s knowledge of the company’s operation or complaint history, further consideration should be given to the complaint or;
- Close the complaint and designate it as frivolous.”

–*Guidance for handling Non Frivolous complaints of Safety and Hazardous Materials, p. 34*

Directs FMCSA staff to contact a complainant to obtain missing information only if that staff has prior knowledge of misdeeds by the alleged violator.

Excerpt number two

“To make a better informed decision whether a complaint is non-frivolous, make all reasonable attempts to discuss the complaint with the complainant. Contact the complainant by fax, phone, or email, etc. Discussion with the complainant often will provide information that will facilitate an efficient investigation.”

–General Procedures for Handling Safety and/or Hazardous Materials Complaints, p. 41

Directs FMCSA staff to make all reasonable attempts to contact the complainant and obtain missing information.

Source: GAO (analysis); FMCSA’s Electronic Field Operations Training Manual, Federal Program Manual (data); ripped paper image, 32 pixels/stockadobe.com (art). | GAO-23-105972

As mentioned above, FMCSA officials told us they are waiting for the results of our review before updating this guidance. The lack of detail and clarity on reviewing safety and hazardous materials complaints may limit the agency’s ability to use these complaints to identify motor carriers with the highest risk of causing accidents. Clear guidance on reviewing these complaints could support FMCSA’s mission of reducing crashes, injuries, and fatalities involving large trucks.

FMCSA Does Not Document Key Decisions or Require Certain Types of Oversight

FMCSA does not have certain controls in place to enable oversight, such as requiring: (1) staff to document key decisions, (2) staff to use auto-notifications, and (3) managers to run, review, and act on reports on complaint status, as required by *Standards for Internal Control in the Federal Government*.⁵² These standards state that personnel should be given the right tools and structure to ensure operational success and that management should provide qualified and continuous supervision so that internal control objectives are achieved.

Documenting key decisions. Through our review of safety complaint case files, we found that FMCSA does not consistently document key decisions. As generally outlined under FMCSA regulations and in FMCSA’s Training Manual, FMCSA staff are required to determine if a safety complaint (1) is valid; (2) alleges a substantial violation of the Federal Motor Carrier Safety Regulations; and (3) is otherwise non-frivolous, which means that it contains sufficiently detailed information

⁵²[GAO-14-704G](#).

and was filed in a timely manner.⁵³ If FMCSA makes these three determinations, then the agency is required to investigate the complaint.⁵⁴ In our review of 15 safety complaint case files, we found that none of these files documented whether FMCSA determined that a complaint alleged a substantial violation. Further, two of the 15 case files documented whether FMCSA determined a complaint as frivolous or non-frivolous. According to FMCSA officials, there is no requirement nor expectation that FMCSA staff will document in the case file whether a complaint alleged a substantial violation or was non-frivolous.⁵⁵

Using auto-notifications. Through our review of FMCSA's complaint review guidance, we found that—with the exception of the standard operating procedures for ADA complaints—it does not require staff to set up auto-notifications. Auto-notifications, which are emails automatically sent when a certain event happens, can inform staff when new complaints are filed or when complaints remain open after a certain number of days. This control is not in place even though FMCSA policies require regular monitoring and updating of complaints. Specifically, FMCSA policy states that FMCSA division offices should use the National Consumer Complaint Database to monitor or update the complaint resolution status at least every 30 days.⁵⁶ While the standard operating procedures for ADA complaints requires staff to enable auto-notifications for any complaint open more than 45 days, this requirement is not in FMCSA's complaint review guidance for staff reviewing any of the other

⁵³This general process also applies to hazardous materials complaints, but not other complaint categories. As previously mentioned, hazardous materials complaints allege a violation of FMCSA regulations applicable to the intrastate and interstate transportation of hazardous materials by highway and cargo tank facilities, or the Hazardous Materials Regulations.

⁵⁴In contrast, if FMCSA determines that a complaint does not meet one of these criteria, it must dismiss the complaint and notify the complainant in writing of the reasons for dismissal. FMCSA is not required to conduct separate investigations of duplicative complaints. See 49 C.F.R. § 386.12(a).

⁵⁵In some cases, a complaint may be closed as dismissed/frivolous, so the decision is included in the complaint status.

⁵⁶FMCSA Division Offices should use the National Consumer Complaint Database to monitor or update complaint resolution status at least every 30 days. See FMCSA, Electronic Field Operations Training Manual, Federal Program Manual, p.38.

six major categories of complaints.⁵⁷ Enabling auto-notifications could help FMCSA staff and managers keep track of the status of complaints and ensure FMCSA reviews complaints in a timely manner.

Using reporting capabilities to view complaint status. Based on our review of FMCSA's complaint review guidance, we found that FMCSA managers are not required to use the reporting capabilities in FMCSA's National Consumer Complaint Database to run reports on the status of complaints. Further, officials told us managers run these reports for household goods complaints, but do not do so for safety complaints. Using this reporting capability to track the status of complaints (i.e., is a complaint open or closed), would better position FMCSA to understand the agency's response to complaints.

According to FMCSA officials, staff and managers are expected to follow all policies and procedures related to complaint review. However, FMCSA officials told us there are no controls in place, such as the ones described above, to ensure that FMCSA staff and managers do so. As noted above, FMCSA officials told us they are waiting for the results of our review before updating the complaint review guidance.

Without having these controls in place, FMCSA may not be able to adequately ensure it is reviewing and responding to complaints in accordance with agency policy. In addition, FMCSA may not have reasonable assurance that it is addressing issues promptly. For example, we found that, as of August 2022, FMCSA had not documented the status for 35 percent of the 75,000 complaints submitted from January 2017 through December 2021. According to FMCSA officials, complaints with no documented status could mean that FMCSA had not taken action on these complaints or had taken, but had not documented, that action.

⁵⁷According to FMCSA officials, all complaints entered into the National Consumer Complaint Database are also in the Activity Center for Enforcement. When an FMCSA reviewer views a complaint in the National Consumer Complaint Database, they will automatically be taken to the Activity Center for Enforcement. It is in the Activity Center for Enforcement that actions taken to address a complaint are entered and the status updated. FMCSA staff can enable auto-notifications by changing the user preference settings in FMCSA's Activity Center for Enforcement.




FMCSA's Complaint Website Partially Follows Leading Practices for Design and Usability

We found that FMCSA's complaint website partially follows leading practices for federal websites in the areas of mobile-friendliness and website design, clear and accessible language, and performance and measurement (see fig 5).⁵⁸ In recent years, the federal government has emphasized the importance of improving public-facing websites and digital services to make them user-friendly, and allow the public to efficiently access government services and information.⁵⁹ An accessible, user-friendly website is particularly important for FMCSA's complaint website, which logs thousands of complaints each year. The complaint website can also be a tool for FMCSA to gather information about safety concerns.

⁵⁸General Services Administration, Digital.gov, *Checklist of Requirements for Federal Websites and Digital Services*, accessed June 30, 2022, <https://digital.gov/resources/checklist-of-requirements-for-federal-digital-services/?dg>. This checklist contains requirements and leading practices across various topic areas. We refer to the checklist as "leading practices" for the purpose of consistency, because not all requirements apply to the complaint website. We selected leading practices related to website design and usability, adapted the wording of some practices, then grouped the practices and developed topic-area categories used for this assessment. See app. I for more details.

⁵⁹See e.g., Office of Management and Budget, *Policies for Federal Agency Public Websites and Digital Services*, M-17-06 (Washington, D.C.: Nov. 8, 2016); Executive Office of the President, *Digital Government: Building a 21st Century Platform to Better Serve the American People* (Washington, D.C.: May 23, 2012).

Figure 5: Extent to Which the Federal Motor Carrier Safety Administration’s (FMCSA) National Consumer Complaint Database Website Follows Selected Leading Federal Practices for Website Design and Usability

Topic area	Selected leading federal practices for website design and usability	GAO assessment
Mobile-friendliness and website design 	Website works on all web browsers used by more than 5 percent of desktop and mobile users	●
	Website provides a consistent look, feel, and experience to users that is consistent with internal agency design and branding guidelines	●
	Website content is consistently easy to view and use on the small screens of mobile devices	○
Clear and accessible language 	Website content is in plain language	●
	Content and navigation are organized around user-friendly topics, not internal organizational structure	●
	Website content is tailored to the site's target audience	○
	Appropriate access is provided for people with limited English proficiency, based on agency mission, analytics, and user feedback	○
Performance and measurement 	Website is running the Digital Analytics Program (Google Analytics) tracking code to collect site usage and performance data	●
	Website has at least one customer satisfaction survey or other mechanism in place to collect customer feedback	●
	Agency regularly uses qualitative and quantitative data to improve the website and program	●
	Agency has set performance standards, such as goals and measures, for the website	○
	Agency has evaluated the website regularly (at least annually) to ensure website is meeting performance standards	○
	Agency conducts regular, ongoing user or usability testing	○

● Followed ● Partially followed ○ Not followed

Source: GAO analysis of FMCSA's National Consumer Complaint Database website and selected leading practices for website design and usability from Digital.gov. | GAO-23-105972

Accessible Data for Figure 5: Extent to Which the Federal Motor Carrier Safety Administration’s (FMCSA) National Consumer Complaint Database Website Follows Selected Leading Federal Practices for Website Design and Usability

Topic area	Selected leading federal practices for website design and usability	GAO assessment
Mobile-friendliness and website design (partially followed)	Website works on all web browsers used by more than 5 percent of desktop and mobile users	Followed

Letter

Topic area	Selected leading federal practices for website design and usability	GAO assessment
Mobile-friendliness and website design (partially followed)	Website provides a consistent look, feel, and experience to users that is consistent with internal agency design and branding guidelines	Followed
Mobile-friendliness and website design (partially followed)	Website content is consistently easy to view and use on the small screens of mobile devices	Not followed
Clear and accessible language (partially followed)	Website content is in plain language	Followed
Clear and accessible language (partially followed)	Content and navigation are organized around user-friendly topics, not internal organizational structure	Followed
Clear and accessible language (partially followed)	Website content is tailored to the site's target audience	Not followed
Clear and accessible language (partially followed)	Appropriate access is provided for people with limited English proficiency, based on agency mission, analytics, and user feedback	Not followed
Performance and measurement (partially followed)	Website is running the Digital Analytics Program (Google Analytics) tracking code to collect site usage and performance data	Followed
Performance and measurement (partially followed)	Website has at least one customer satisfaction survey or other mechanism in place to collect customer feedback	Followed
Performance and measurement (partially followed)	Agency regularly uses qualitative and quantitative data to improve the website and program	Followed
Performance and measurement (partially followed)	Agency has set performance standards, such as goals and measures, for the website	Not followed

Topic area	Selected leading federal practices for website design and usability	GAO assessment
Performance and measurement (partially followed)	Agency has evaluated the website regularly (at least annually) to ensure website is meeting performance standards	Not followed
Performance and measurement (partially followed)	Agency conducts regular, ongoing user or usability testing	Not followed

Source: GAO analysis of FMCSA’s National Consumer Complaint Database website and selected leading practices for website design and usability from Digital.gov. | GAO-23-105972

Complaint Website Follows Two of Three Leading Practices for Mobile-Friendliness and Website Design

Functional across devices and browsers. Our review of the complaint website found that it follows the leading practice that federal websites should work on all web browsers used by more than 5 percent of desktop and mobile users. We tested whether the website was functional on different devices, using the top web browsers for accessing government websites.⁶⁰ We found that the complaint website works—meaning that it displays and allows users to describe a complaint—on different types of devices (e.g., computers and mobile phones) and web browsers.

Consistent with agency website design guidelines. Our review of the complaint website found that it is consistent with internal agency design and branding guidelines, following the leading practice for website design. We compared the complaint website to DOT’s website design guidelines and found the complaint website’s color scheme, header, footer, buttons, and other design elements are consistent with these guidelines.⁶¹ We also compared the complaint website to a selection of other FMCSA websites and found that it provides a look, feel, and experience to users that is consistent with other FMCSA websites.

Inconsistent mobile-friendliness. Our review of the complaint website found that it did not follow the leading practice that website content should

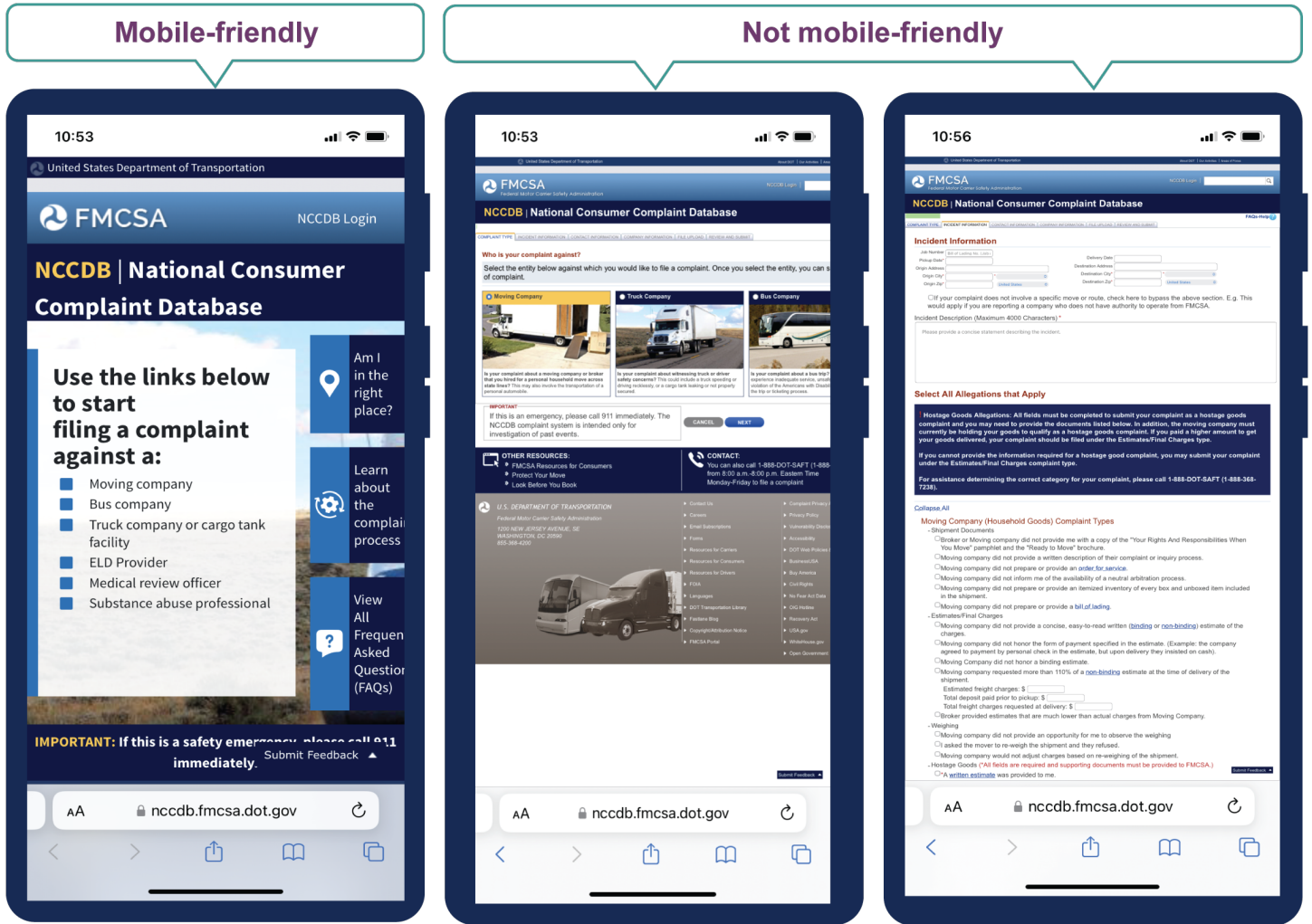
⁶⁰We tested the complaint website on the Chrome, Safari, and Edge web browsers. See app. I for more details.

⁶¹DOT, *USDOT Web Design System Components*, (last updated on Aug. 18, 2020), <https://www.transportation.gov/digitalstrategy/web-standards/design-guide/usdot-web-design-system-components>.

be consistently easy to view and use on the small screens of mobile devices.⁶² The complaint website's homepage is mobile-friendly. The content on that page fits the visual area of a mobile device (shown in the left side of fig. 6). The homepage also has concise and structured text, a legible font size, and buttons that are easy to tap. However, other pages within the website are not mobile-friendly. These pages—such as where the user selects relevant allegations—have content that is cut off, a large amount of text, small font size, and small boxes that are difficult to tap (shown in right side of fig. 6). A lack of mobile-friendliness may require the user to repeatedly zoom in and out and scroll left to right when reading the text on a small screen.

⁶²We adapted the wording of this leading practice from Digital.gov, which has several related practices for mobile-friendliness, including (1) content is optimized for viewing on small screens (concise, structured, most important content first); (2) responsive design is used to deliver content so it performs equally well, and can be easily consumed on a variety of devices, browsers, and screen sizes (fully functional and usable on common mobile devices); and (3) users on non-desktop devices (i.e., mobile devices, tablets) have equivalent access to government information and services.

Figure 6: Illustration Using Mobile Device Screenshots from the National Consumer Complaint Database Website



Source: GAO illustration using screenshots from the Federal Motor Carrier Safety Administration's National Consumer Complaint Database website as of June 7, 2023. | GAO-23-105972

Accessible Text for Figure 6: Illustration Using Mobile Device Screenshots from the National Consumer Complaint Database Website

One mobile-friendly screenshot and two not mobile-friendly screenshots

The mobile-friendly screenshot includes larger text and easily understandable instructions.

Mobile-friendly example:

Use the links below to start filing a complaint against a:

- Moving company
- Bus company
- Truck company or cargo tank facility
- ELD Provider
- Medical review officer
- Substance abuse professional

Source: GAO illustration using screenshots from the Federal Motor Carrier Safety Administration's National Consumer Complaint Database website as of June 7, 2023. | GAO-23-105972

FMCSA officials told us that some parts of the complaint website are optimized for mobile devices but that other parts are not.⁶³ FMCSA began making the complaint website more mobile-friendly around 2019, when FMCSA determined that it benefited users, according to FMCSA officials. FMCSA prioritizes what to make more mobile-friendly based on available resources, level of effort, and other agency priorities, according to FMCSA officials. FMCSA officials said it was practical to make some parts of the complaint website mobile-friendly when making other updates. FMCSA officials said they plan to update the entire website but

⁶³FMCSA uses "mobile-optimized" to refer to webpages that automatically customize to the size of the device screen, according to FMCSA officials. For this report we use the term "mobile-friendly" to refer to various characteristics involved with using a mobile device to access a website, consistent with wording in Digital.gov resources that we used to develop our assessment rubric for this leading practice. For example, see General Services Administration, Digital.gov, *Eight Principles of Mobile-Friendliness*, accessed June 9, 2022, <https://digital.gov/guides/mobile-principles/>.

have not set a timeline or determined details, such as whether the scope will include updates to make the entire website mobile-friendly.

A mobile-friendly website helps ensure access for all users. About half of users access the complaint website on mobile devices, according to FMCSA officials. Representatives from four associations we interviewed specifically raised this issue, with some noting that a mobile-friendly website is particularly important for truck drivers, who may only have access to a mobile phone or tablet for filing complaints. Truck drivers may find it harder to submit complaints if the website is not mobile-friendly.

Complaint Website Follows Two of Four Leading Practices for Clear and Accessible Language

Plain language generally used. Our review of the complaint website found that it follows the leading practice for providing content in plain language.⁶⁴ For example, the complaint website generally uses characteristics of plain language, such as concise writing, strong verbs, short sentences, and conversational pronouns (e.g., you, I).

Content follows logical sequence. Our review of the complaint website found that it follows the leading practice of organizing content and navigation around user-friendly topics, not internal structure. For example, on the website's homepage the user selects which type of complainant they are (i.e., consumer, driver, or industry professional). Tabs at the top of the website follow a logical sequence as the user enters complaint information (i.e., complaint type, incident information, contact information, company information, file upload, review and submit).

Content not consistently tailored to audience. Our review of the complaint website found that it does not follow the leading practice that content should be tailored to the website's target audience. Tailoring the website to the target audience can include making the content relevant to the audience, or avoiding technical language and acronyms.⁶⁵ The complaint website is a tool for the general public, and the target

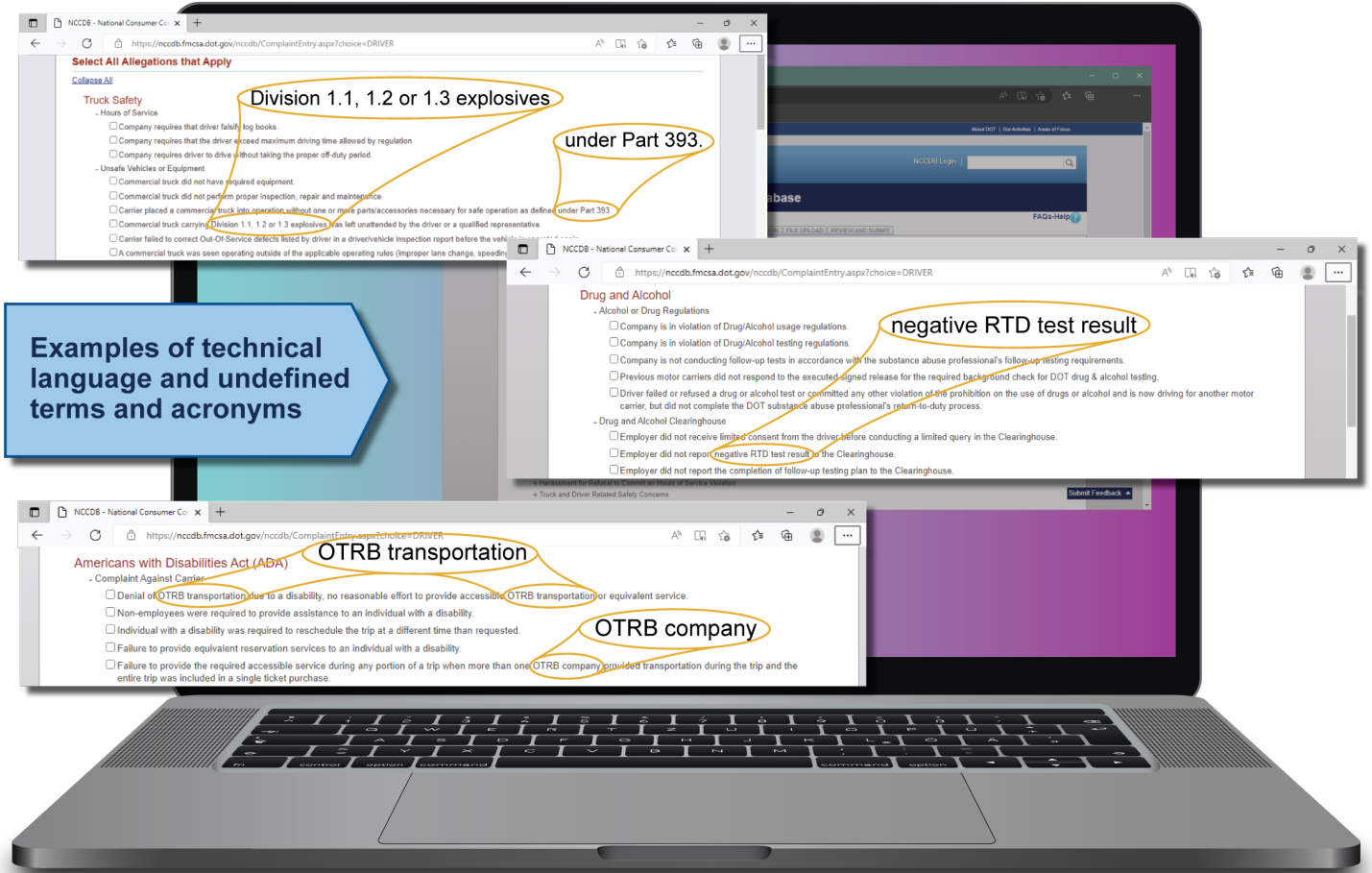
⁶⁴Digital.gov's leading practice combines the concepts of plain language and tailoring content to the audience, and it is based on relevant statutes and policy. Specifically, Digital.gov's checklist states: "content is written in plain language and tailored to the site's target audience. Content and navigation are organized around user-friendly topics, not internal organizational structure." We divided this practice for the purpose of our review.

⁶⁵As noted above, we assessed the concept of tailoring content to the audience separately from plain language.

audiences are consumers, truck and bus drivers, and other motor carrier industry professionals.

FMCSA has taken some steps to tailor website content to target audiences, according to FMCSA officials. For example, they said FMCSA has updated the website so only relevant allegations appear after clicking each audience type and changed language on the website to use less technical and legal language. However, as of June 2023, some pages contain language that may not be familiar to target audiences and do not spell out acronyms or define terms (see fig. 7). Technical or unclear content may make it difficult for users to select the appropriate allegation or could discourage users from filing complaints.

Figure 7: Screenshots of Truck Safety Complaint Form with Technical Language and Undefined Terms or Acronyms, from National Consumer Complaint Database Website



Source: GAO analysis of the Federal Motor Carrier Safety Administration's National Consumer Complaint Database website as of June 30, 2023. Laptop image Just Me. Creative/stock.adobe.com. | GAO-23-105972

Accessible Text for Figure 7: Screenshots of Truck Safety Complaint Form with Technical Language and Undefined Terms or Acronyms, from National Consumer Complaint Database Website

Examples of dis technical language and undefined terms and acronyms:

- Division 1.1, 1.2 or 1.3 explosives
- under Part 393.
- negative RTD test result
- OTRB transportation

- OTRB company

Source: GAO analysis of the Federal Motor Carrier Safety Administration's National Consumer Complaint Database website as of June 30, 2023. Laptop image Just Me. Creative/stock.adobe.com. | GAO-23-105972

In addition, FMCSA has not tailored some examples of truck or bus driver concerns on the complaint website. As shown in figure 8, the website's examples of complaints that a driver might have against truck, moving, or bus companies appear to reflect concerns that a consumer might have, rather than a truck or bus driver. Representatives from one trucking association we interviewed specifically raised this issue, explaining that the examples listed do not generally reflect drivers' concerns and some drivers may not understand that the website is relevant for them. Examples that are not relevant for target audiences is also a concern because representatives from three trucking industry associations told us that the name "National Consumer Complaint Database" did not clearly indicate that truck drivers can use the website to file complaints.

Figure 8: Screenshot Example from National Consumer Complaint Database Website that Is Not Tailored to Truck and Bus Driver Audiences



Source: GAO analysis of the Federal Motor Carrier Safety Administration's National Consumer Complaint Database website as of June 22, 2023. Computer screen image, Just Me. Creative/stock.adobe.com. | GAO-23-105972

Accessible Text for Figure 8: Screenshot Example from National Consumer Complaint Database Website that Is Not Tailored to Truck and Bus Driver Audiences

Examples of complaints that may not reflect the concerns of truck or bus drivers.

Driver - This includes people who:

- Operate trucks and buses
- Work for a truck or bus company in another role (e.g., safety manager)

Is your complaint about a moving company or broker that you hired for a personal household move across state lines? This may also involve the transportation of a personal automobile.

Is your complaint about witnessing truck or driver safety concerns? This could include a truck speeding or driving recklessly, or a cargo tank leaking or not properly secured.

Is your complaint about a bus trip? For example, did you experience inadequate service, unsafe conditions, or a violation of the Americans with Disabilities Act (ADA) during the trip or ticketing process.

Source: GAO analysis of the Federal Motor Carrier Safety Administration's National Consumer Complaint Database website as of June 22, 2023. Computer screen image, Just Me. Creative/stock.adobe.com. | GAO-23-105972

Insufficient access for people with limited English proficiency. Our review of the complaint website found it does not follow the leading practice that appropriate access is provided for people with limited English proficiency, based on agency mission, analytics, and user feedback.⁶⁶ FMCSA officials told us they have not reviewed what level of access to the complaint website is appropriate for people with limited English proficiency.

Complaint website information is in English but not in other languages. FMCSA has Spanish-speaking staff available to take complaints by phone, according to FMCSA officials. However, as of July 12, 2023, the website homepage does not indicate this availability in Spanish or English. FMCSA officials said that it would be a good idea to indicate on the website that Spanish-speaking staff could take complaints by phone. FMCSA officials also said the website previously had information in

⁶⁶The Digital.gov leading practice references Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, Aug. 16, 2000. We reviewed this and additional sources to develop our assessment rubric, including Limited English Proficiency.gov, Commonly Asked Questions, <https://www.lep.gov/commonly-asked-questions>, accessed Aug. 5, 2022; Limited English Proficiency Committee Title VI Interagency Working Group, *Improving Access to Public Websites and Digital Services for Limited English Proficient Persons*, (Washington, D.C.: Dec. 2021).

several languages, but that they did not maintain this information when they updated the website to match the standard DOT format. FMCSA officials said they plan to translate certain household goods moving resources into Spanish but did not identify a timeline for these plans.⁶⁷ FMCSA may be missing opportunities to make the website accessible to its users. As a result, people with limited English proficiency may not report complaints about safety, household goods movers, and other concerns.

Complaint Website Follows Three of Six Leading Practices for Performance and Measurement

Analytics tracking code. Our review of the complaint website found it follows the leading practice for running the Digital Analytics Program (Google Analytics) tracking code, which helps agencies understand how users are accessing their websites.

Feedback button. Our review of the complaint website found it follows the leading practice about having a customer satisfaction survey or other mechanism for collecting customer feedback.⁶⁸ A “submit feedback” button allows the user to provide comments specific to the complaint website when clicked during the complaint submission process. FMCSA officials told us they receive hundreds of feedback surveys each year.

Qualitative and quantitative data for website improvement. Our review of the complaint website found FMCSA follows the leading practice about using qualitative and quantitative data to improve the complaint website.⁶⁹ FMCSA officials described various uses for such qualitative and quantitative data. For example, FMCSA officials told us users commented that the complaint form on the website was too long.

⁶⁷For example, FMCSA regulations require household goods movers to provide each consumer with a pamphlet called “Your Rights and Responsibilities When You Move” or provide a hyperlink on their website to the FMCSA webpage that has the same publication. See 49 C.F.R. §375.213(a). The pamphlet is available on FMCSA’s website in English but not in Spanish.

⁶⁸The leading practice from Digital.gov states that a “site has at least one statistically valid customer satisfaction survey or other mechanism in place to collect customer feedback.”

⁶⁹The leading practice from Digital.gov states that agencies should “regularly use qualitative and quantitative user data, metrics, and user testing to understand user goals, needs, and behaviors, address customer feedback, and continuously improve site and program. Make this data available to staff. Consider making data available to the public, as well. Share findings and validate action plans with your agency’s Digital Council before execution.”

FMCSA responded by splitting it into six tabs, which FMCSA officials said resolved the issue. FMCSA also added allegations of driver coercion and harassment to the complaint form on the website, based on comments received and a quantitative review of the text of past complaints, according to FMCSA officials.

No performance standards. We found FMCSA does not follow leading practices for setting performance standards for the complaint website. Developing performance standards, such as goals and measures, is a leading practice for federal websites. Assessing the performance of the complaint website has not been a focus for FMCSA; instead, FMCSA has prioritized its funding for adding new complaint types and fulfilling the basic purpose of the complaint website, according to FMCSA officials. FMCSA is currently undergoing a business process review, which will include developing performance standards for the complaint website, according to FMCSA officials. Developing performance standards could help FMCSA focus on setting goals for its website, such as awareness among its target audiences.

No evaluation against performance standards. We found FMCSA does not follow the leading practice for evaluating the website against performance standards. As discussed above, FMCSA has prioritized other areas for its complaint website. Developing performance standards and assessing its complaint website against those performance standards could provide FMCSA insight into how effectively the website is reaching its goals.

No user testing. Our review of the complaint website found FMCSA does not follow the leading practice to conduct regular, ongoing user or usability testing, which refers to testing the website with real users (i.e., external users).⁷⁰ FMCSA officials told us they have not tested the complaint website with external users—for example, consumers, drivers, or motor carrier industry professionals. FMCSA officials said they have not tested it with external users because the feedback FMCSA receives

⁷⁰The leading practice from Digital.gov states that agencies should conduct regular, ongoing user or usability testing, and use findings to improve the digital experience. To further define user and usability testing and develop our assessment rubric we reviewed additional sources, including the U.S. Web Design System, *Design Principles*, <https://designsystem.digital.gov/design-principles/>, accessed June 9, 2022; General Services Administration, 18F Methods, *Usability Testing*, <https://methods.18f.gov/validate/usability-testing/>, accessed Sept. 12, 2022; Department of Health and Human Services and General Services Administration, *Research-Based Web Design & Usability Guidelines* (Washington, D.C.: 2006).

from internal testing and user feedback surveys is sufficient for its purposes. However, FMCSA may be missing opportunities to learn about real user needs and problems, which could help enhance the website's usefulness for its target audiences. For example, user testing could help inform FMCSA about challenges discussed above, such as examples that do not match real user concerns or terms that need to be defined. Improving the website to meet user needs could also help capture complaints effectively and provide an accurate picture of concerns for FMCSA.

FMCSA Does Not Have an Outreach Plan for the Complaint Website

FMCSA has not developed an outreach plan for the complaint website. In our prior work we determined that agencies should have a plan for their outreach activities to help overcome challenges that may emerge, and identified key practices for such planning.⁷¹ Developing a plan to guide outreach efforts can also help target limited resources and increase audience awareness. Because the complaint website is a tool for the public and motor carrier professionals to report complaints, these key stakeholders' awareness of the website is essential to its purpose.

In the absence of an outreach plan for the complaint website, we reviewed FMCSA activities that could become part of an outreach plan. FMCSA shares information about the complaint website as part of other activities. For example, FMCSA includes information about where to file a complaint in materials for its Protect Your Move campaign, which is aimed at helping people avoid moving scams. FMCSA also includes hyperlinks to the complaint website from other FMCSA webpages about safety, harassment, and Hazardous Materials Regulations violations. FMCSA officials told us that they share information about the complaint website

⁷¹[GAO-08-43](#). The leading practices developed in this report are (1) define goals and objectives, (2) analyze the situation, (3) identify stakeholders, (4) identify resources, (5) research target audiences, (6) develop consistent, clear messages, (7) identify credible messengers, (8) design media mix, and (9) establish metrics to measure success.

when they attend various industry events.⁷² Appendix IV provides further detail on our leading practices for outreach planning and related FMCSA activities, which could help FMCSA develop an outreach plan for the complaint website.

FMCSA officials told us that FMCSA has not developed an outreach plan for the complaint website because FMCSA has decided to focus its outreach and education resources on its household goods program through the Protect Your Move campaign. This focus is in line with the priorities and direction of FMCSA leadership, according to FMCSA officials. In addition, the amount of funding available each fiscal year for FMCSA's outreach and education is limited to \$4 million, which it must also use for other programs and initiatives.⁷³

Without a plan to guide outreach activities, key target audiences may lack awareness of the complaint website, limiting FMCSA's ability to receive complaints. For example, we found that FMCSA's outreach activities vary by target audience—with a greater level of outreach to people who are planning interstate moves, and less to other audiences, such as truck drivers. Representatives from all five trucking associations we interviewed were not aware of FMCSA's outreach to promote the complaint website. These associations told us FMCSA should do more to promote it. Representatives from two of these associations that specifically represent truck drivers told us that truck drivers are generally unaware of the complaint website. These representatives said they hear from truck drivers about incidents that could be reported to the complaint website, giving examples such as employers coercing drivers to exceed the hours-of-service limit and not addressing workplace safety concerns. Overall,

⁷²Since 2019, FMCSA officials said they have shared complaint website information at 15 events for stakeholders with an interest in electronic logging devices (two of which were truck shows), nine events for stakeholders involved in hazardous materials transportation, nine conferences for stakeholders who organize group bus travel, and five events for stakeholders with an interest in the moving industry. FMCSA officials also told us they conducted outreach with the Better Business Bureau as part of the Protect Your Move campaign, and that FMCSA has reached out to 13 regional Better Business Bureau offices in areas with high rates of moving fraud.

⁷³See 49 U.S.C. § 31110.

most (nine of 12) of the associations we interviewed told us that FMCSA could do more to promote the complaint website.⁷⁴

An outreach plan could help FMCSA determine appropriate messages for each target audience, assess which industry events are best suited to reach the target audiences, and determine other ways to promote awareness. For example, trucking industry associations we interviewed suggested various ways that FMCSA could promote awareness of the complaint website, such as through truck driver training schools or industry association publications or events. The complaint website is also a resource that FMCSA can use to gather information about safety concerns to help meet its mission of reducing crashes, injuries, and fatalities involving large trucks and buses. Increasing awareness for all relevant audiences could provide FMCSA with additional information to understand trends and better target investigations and enforcement.

Conclusions

Given the upward trend in crashes involving large commercial trucks, it is increasingly important that FMCSA use all available sources to help reduce unsafe vehicles on our nation's highways. FMCSA's complaint website is a key tool that the agency can use to collect critical information on motor carrier operations and to foster transparency with the industry and public regarding efforts to meet its safety mission. We identified areas where FMCSA could improve public information, complaint review, website usability, and user outreach.

Specifically, FMCSA has not made all categories of complaint data available to the public, as appropriate, and in accordance with DOT policy. Taking steps to improve public data could better position FMCSA to collaborate with stakeholders and improve transparency. In addition, FMCSA has not designed controls in its guidance—such as defining certain key terms, ensuring detailed and clear instructions, and requiring oversight activities take place. Putting these controls in place would better ensure that FMCSA is consistently following its policies for reviewing complaints submitted to the website.

⁷⁴In addition, the American Trucking Associations referred us to their comments submitted in response to an FMCSA publication in the Federal Register, encouraging FMCSA to explore ways to promote the complaint website so that relevant parties are aware of its purpose and know how to access the website.

FMCSA has taken steps to improve the complaint website. To that end, the website partially follows leading practices for federal websites in the areas of mobile-friendliness and design, clear and accessible language, and performance and measurement. However, fully following these leading practices would better enable the public to submit complaints to the website. Specifically, ensuring the complaint website is consistently easy to view on small screens, tailored to its audience, and is accessible for people with limited English proficiency would improve access for users. Moreover, developing performance standards for the website, evaluating the website, and testing the website with external users would better position FMCSA to ensure the website is advancing its safety mission.

Finally, FMCSA has undertaken some outreach activities to promote awareness of the complaint website, but it has not developed an outreach plan to guide these activities. Developing such a plan would help increase awareness of the website among target audiences, such as truck drivers.

Recommendations for Executive Action

We are making the following 14 recommendations to FMCSA:

The FMCSA Administrator should make data on all categories of complaints available to the public, as appropriate, and in line with DOT's Data Management Policy. (Recommendation 1)

The FMCSA Administrator should ensure FMCSA updates its complaint review guidance to define each category of complaint (i.e., ADA, coercion, harassment, hazardous materials, household goods, safety, and other commercial complaints) and link allegations to these categories. (Recommendation 2)

The FMCSA Administrator should ensure FMCSA updates its complaint review guidance to define the characteristics a complaint must have, such as who submitted the complaint and the nature of the incident, to qualify as a motorist complaint. (Recommendation 3)

The FMCSA Administrator should ensure FMCSA updates its complaint review guidance to define the complaint status options and provide instructions on when to use the complaint status and activity type options. (Recommendation 4)

The FMCSA Administrator should ensure FMCSA updates its complaint review guidance to provide clear and comprehensive procedures on how to review all categories of complaints, such as step-by-step instructions or flow charts. (Recommendation 5)

The FMCSA Administrator should ensure FMCSA updates its complaint review guidance to require that key determinations are documented in complaint case files. (Recommendation 6)

The FMCSA Administrator should ensure FMCSA updates its complaint review guidance to require that FMCSA staff and managers enable auto-notifications for complaints for which they are responsible. (Recommendation 7)

The FMCSA Administrator should ensure FMCSA updates its complaint review guidance to require managers to review reports on the status of complaints as part of their oversight of complaint review. (Recommendation 8)

The FMCSA Administrator should ensure the National Consumer Complaint Database website is consistently mobile-friendly. (Recommendation 9)

The FMCSA Administrator should ensure the National Consumer Complaint Database website appropriately targets key audiences, including by defining acronyms and technical terms, and providing more detailed or relevant examples of complaints that may be filed by truck and bus drivers. (Recommendation 10)

The FMCSA Administrator should ensure the National Consumer Complaint Database website contains information that is appropriately accessible for users with limited English proficiency. (Recommendation 11)

The FMCSA Administrator should ensure the National Consumer Complaint Database website has performance standards, such as goals and measures, and that the website is assessed against the performance standards. (Recommendation 12)

The FMCSA Administrator should ensure the National Consumer Complaint Database website is tested with external users on a regular basis. (Recommendation 13)

The FMCSA Administrator should develop an outreach plan for its National Consumer Complaint Database website that aligns with leading practices for outreach. (Recommendation 14)

Agency Comments and Our Evaluation

We provided a draft of this report to FMCSA for review and comment. In its comments, reproduced in appendix V, FMCSA agreed with recommendations 1 through 12—related to sharing complaint data, improving complaint review, and making the complaint website more accessible—and also agreed with recommendation 14—related to outreach to potential users of the complaint website.

FMCSA partially agreed with recommendation 13, which relates to testing the complaint website with external users. In its comments, FMCSA stated that public testing (i.e., testing with external users) is not a sustainable approach. FMCSA further stated it plans to modernize the complaint website to ensure it follows industry standards for design and integrates user feedback. While modernizing the complaint website is a good first step, we maintain that testing the website with external users—a leading practice for federal websites—would provide FMCSA with critical insight on how useful the website is for its target audiences before launching any changes to the complaint website.

We are sending copies of this report to the appropriate congressional committees, the Secretary of Transportation, the FMCSA Administrator, and other interested parties. In addition, this report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have any questions regarding this report, please contact me at (202) 512-2384 or repkoe@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix VI.



Elizabeth Repko
Director, Physical Infrastructure

Appendix I: Objectives, Scope, and Methodology

The Infrastructure Investment and Jobs Act includes a provision for us to review the National Consumer Complaint Database.¹ This report examines the extent to which (1) the Federal Motor Carrier Safety Administration (FMCSA) makes complaint data public, (2) FMCSA has designed control activities to ensure complaints are reviewed as required by agency policy, (3) the complaint website follows leading practices for website design and usability, and (4) FMCSA has developed an outreach plan to promote awareness of the complaint website.

To assess the extent to which FMCSA makes data public, we interviewed officials from FMCSA and selected industry stakeholders, and reviewed FMCSA's website. We also compared FMCSA's actions to make data public to the Department of Transportation's (DOT) Data Management Policy.² We interviewed 12 industry associations selected to ensure a mix of those representing truck, moving, and bus companies; people that hire companies to move household goods across state lines, motor carrier drivers, and government and company safety officials (see table 1 below).

Table 1: Interview List of Motor Carrier Industry Stakeholders

Category	Category member
Trucking industry associations (represent fleet owners and truck drivers, among others)	Owner-Operator Independent Drivers Association
Trucking industry associations (represent fleet owners and truck drivers, among others)	National Association of Publicly Funded Truck Driving Schools
Trucking industry associations (represent fleet owners and truck drivers, among others)	Trucking Alliance
Trucking industry associations (represent fleet owners and truck drivers, among others)	Truckload Carriers Association

¹Pub. L. No. 117-58, § 23016, 135 Stat. 429, 775-776 (2021).

²See DOT, *Data Management Policy*, DOT Order 1351.34 (Washington, D.C.: July 13, 2017).

Appendix I: Objectives, Scope, and Methodology

Category	Category member
Trucking industry associations (represent fleet owners and truck drivers, among others)	Women in Trucking
Moving industry associations	Moving and Storage Conference
Moving industry associations	International Association of Movers
Moving industry associations	UniGroup/MoveRescue
Other motor carrier or safety associations	American Bus Association (represents motor coach operators, tour operators, and tourism-related organizations, among others)
Other motor carrier or safety associations	Commercial Vehicle Safety Association (represents local, state, provincial, territorial and federal commercial motor vehicle safety officials and industry representatives)
Other motor carrier or safety associations	NATSO (represents the truck stop and travel center industry)
Other motor carrier or safety associations	Transportation Intermediaries Association (represents the third-party logistics industry, including transportation intermediaries involved in the trucking industry as brokers and freight forwarders)

Source: GAO. | GAO-23-105972

For additional context on the data that FMCSA collects and stores, we obtained all of FMCSA’s complaint data as of August 2022. We also analyzed FMCSA’s complaint data to better understand who submitted the complaints (the complainant), whom these complaints were against (the respondent), and the types of allegations contained in these complaints. To determine the reliability of this data, we reviewed agency documents, interviewed agency officials, assessed the data for missing values, outliers, and other anomalies, and reviewed a non-generalizable, random selection of 30 complaint case files. We analyzed complaint data submitted between January 2016 and December 2021 and determined that for the purposes of this report, presenting results for a 5-year period (2017 through 2021) was appropriate.³

³This timeframe satisfies the Infrastructure Investment and Jobs Act provision that we review the use of the National Consumer Complaint Database from January 2016 through December 2020. At our request, FMCSA provided complaint data as of August 2022. This included complaints submitted between 2001 and 2022. We reviewed complaints submitted from January 2016 through December 2021. The National Consumer Complaint Database became the central repository for all complaints submitted to FMCSA against motor carriers starting in 2016. We present complaint data for a 5-year period (2017 through 2021) – the most recent 5-year period for which we had an entire year of data.

From January 2017 through December 2021, a total of 75,153 complaints were submitted to FMCSA. These complaints can be broken down into several mutually exclusive groups, such as by complainant (i.e., consumers, motor carrier drivers, and industry professionals) and by respondent (i.e., truck company, moving company, bus company, electronic logging device provider, substance abuse professional, and medical review officer). When we analyzed complaint status by the respondent and the complainant, the total number of complaints summed to 76,125. According to FMCSA officials, some complaints submitted in 2020 and earlier were initially filed as complaints against truck companies, but FMCSA subsequently determined that these complaints were made against electronic logging device providers. FMCSA officials also told us that these 972 complaints are coded as complaints against truck companies and against electronic logging device providers. This was not a standard practice by FMCSA and no complaints submitted after early 2020 were coded as having more than one type of respondent.

Based on our review, we determined that FMCSA complaint data were reliable for the purposes of reporting on the overall number of complaints submitted, who submitted the complaints (the complainants), whom these complaints were against (the respondent), and the types of allegations included in the complaints. However, based on interviews with agency officials, our review of complaint review guidance, and our review of selected complaint case files, we found that the complaint data were not reliable for reporting on the number of complaints investigated. In addition, based on these same reviews, we found that the data were not reliable for the purposes of reporting on the extent to which FMCSA staff follow-up on complaints.

Our analysis does not include a review of the most common types of enforcement actions taken in response to complaints. This is because FMCSA does not track enforcement actions tied to individual complaints. FMCSA tracks enforcement actions through a separate system and does not identify if a complaint led to an enforcement action.

To examine the extent to which FMCSA has designed control activities to guide complaint review, we reviewed applicable statutes, regulations, and agency complaint review guidance materials and interviewed officials from FMCSA. We also analyzed FMCSA's complaint data to understand how FMCSA resolved complaints. We compared FMCSA's guidance on complaint review with activities in *Standards for Internal Control in the Federal Government* related to achieving agency objectives and

responding to risks.⁴ We determined that internal controls were significant to this review, specifically the underlying principles that management should design appropriate types of control activities and that these internal control activities should be documented in policies for each responsible unit.

We also reviewed a random, non-generalizable sample of safety and household goods complaint case files to provide additional context on how FMCSA staff review complaints. To create the sample of safety complaints, we asked FMCSA for the case files on 25 complaints that met the following criteria:

- submitted in 2021,
- closed by FMCSA,
- submitted against a truck company,
- included allegations that fell under FMCSA's truck safety allegation category and the following complaint sub-categories, specifically driver qualifications, hours-of-service, truck and driver related safety issues, and unsafe vehicles or equipment.

To create the sample of household goods complaints, we asked FMCSA for case files on 25 complaints that met the following criteria:

- submitted in 2021,
- closed by FMCSA,
- submitted against a moving company,
- included allegations that fell under FMCSA's moving company (household goods) allegation category and the following complaint sub-categories, specifically claim settlement, estimates/final charges, hostage, loss and damage, other commercial complaints, owner operator-leasing violations, pickup and delivery, shipment documents, and weighing.

From these two samples of 25, we selected the first 15 of each that met the criteria above and had the necessary documents, such as a complaint summary. We then reviewed the content of the 15 safety complaint case

⁴GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 10, 2014).

files and the 15 household goods complaint case files. We compared actions documented in these case files to agency policy.

To determine the extent to which the complaint website follows leading practices for website design and usability, we reviewed the General Services Administration’s Digital.gov checklist of leading practices for agency websites and selected the practices related to website design and usability.⁵ We refer to the Digital.gov checklist as “leading practices” for the purpose of consistency, because though the checklist compiles various requirements and leading practices, not all are requirements for the complaint website. We selected leading practices related to website design and usability, considering whether the practices were relevant to the type of website we were reviewing and could be objectively measured. We adapted the wording to combine similar leading practices,⁶ split practices,⁷ allow us to assess the practices as followed or not followed, and simplify language.

We then grouped the practices and developed topic area categories used for this assessment: mobile-friendliness and website design, clear and accessible language, and performance and measurement. For the summary of the results for the topic area, we described the topic as “fully followed” if FMCSA followed all of the component practices, as “partially

⁵General Services Administration, Digital.gov, *Checklist of Requirements for Federal Websites and Digital Services*, accessed June 30, 2022, <https://digital.gov/resources/checklist-of-requirements-for-federal-digital-services/?dg>. The Digital.gov website—developed by the General Services Administration—has a mission to transform how government learns, builds, delivers and measures digital services. We reviewed the Digital.gov checklist content under all topic areas and determined that three areas were most relevant to our review of website design and usability: analytics, content, design/user experience.

⁶For example, we adapted the wording of the leading practice for mobile-friendliness—i.e., website content is consistently easy to view on the small screens of mobile devices. Digital.gov has several related practices for mobile-friendliness, including (1) content is optimized for viewing on small screens (concise, structured, most important content first); (2) responsive design is used to deliver content so it performs equally well, and can be easily consumed, on a variety of devices, browsers, and screen sizes (fully functional and usable on common mobile devices); and (3) users on non-desktop devices (e.g., mobile devices, tablets) have equivalent access to government information and services. We adjusted the wording so that we could assess the practice as followed or not followed and streamlined language for simplicity.

⁷For example, we split the practice related to performance standards, into setting performance standards and evaluating the website against those performance standards. We also split the practice related to plain language and tailoring the website to the target audience.

followed” if FMCSA followed fewer than all practices, and as “not followed” if FMCSA did not follow any of the component practices.

We compared the selected leading practices to screenshots of the complaint website, as well as FMCSA documents and interviews. We developed a rubric to assess the complaint website against the leading practices, using supplemental documents such as relevant policies, Digital.gov materials, or other agency documents to develop characteristics for assessing each practice as either followed or not followed, as appropriate. For our assessment, on September 22 and 23, 2022, we took screenshots of the complaint website using computers, a tablet, and mobile phones, and using a mix of web browsers, consistent with the Digital.gov leading practice that a website works on all web browsers used by more than 5 percent of desktop and mobile users. With computers, we took screenshots using the Chrome, Safari, and Edge browsers; with mobile devices we used the Safari and Chrome browsers. We determined that these were the web browsers used by more than 5 percent of users to federal government websites, based on web analytics for June 20, 2022 through September 20, 2022, which we obtained through the General Service Administration’s Digital Analytics Program and with support from the Digital Analytics Program staff. Two analysts independently reviewed the same relevant screenshots, agency documents, and interviews using the rubric developed—then reconciled their assessments where there were any differences. We also asked representatives of 11 industry associations we interviewed about their views on the complaint website.⁸

To determine the extent to which FMCSA has developed an outreach plan to promote awareness of the complaint website, we reviewed applicable statutes, agency documents, and interviewed agency officials. We also reviewed leading practices for outreach planning that we determined were relevant to awareness of federal websites and have been used in a similar context in our past work.⁹ We obtained FMCSA’s view on these leading practices and compared FMCSA’s outreach activities to these practices. We also asked representatives of all 12

⁸We asked one additional association about FMCSA’s outreach, but we did not ask about the complaint website because that association does not represent relevant target audiences for filing complaints.

⁹GAO, *Digital Television Transition: Increased Federal Planning and Risk Management Could Further Facilitate the DTV Transition*, [GAO-08-43](#) (Washington, D.C.: Nov. 19, 2007).

industry associations we interviewed about their views on FMCSA's outreach for the complaint website.

We conducted this performance audit from April 2022 to September 2023 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix II: Complaints Submitted to the Federal Motor Carrier Safety Administration by Respondent and Complainant

The complainant is the individual that submits a complaint to the Federal Motor Carrier Safety Administration’s National Consumer Complaint Database. The respondent is the entity against whom the complaint is submitted.

Table 2: Complaints against Truck Companies Submitted to the National Consumer Complaint Database, 2017–2021

Category	Total	Submitted by:		
		Consumer	Motor carrier drivers	Industry professionals
Total complaints	41,989	12,841	21,160	7,988
Open	1,345	64	959	322
Closed	35,180	12,094	17,021	6,065
Missing value	5,464	683	3,180	1,601
Most common complaint status: Closed - motorist complaint	16,775	11,328	4,729	718
Most common complaint status: Closed - other	6,178	219	3,405	2,554
Most common complaint status: Closed - dismissed/frivolous	5,881	291	4,229	1,361

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

**Appendix II: Complaints Submitted to the
Federal Motor Carrier Safety Administration by
Respondent and Complainant**

Table 3: Complaints against Moving Companies Submitted to the National Consumer Complaint Database, 2017–2021

Category	Total	Submitted by		
		Consumer	Motor carrier drivers	Industry professionals
Total complaints	30,560	26,897	417	3,246
Open	1,417	1,347	10	60
Closed	8,426	7,648	122	656
Missing value	20,717	17,902	285	2,530
Most common complaint status:				
Most common complaint status: Closed - other	4,338	3,957	54	327
Most common complaint status: Closed - investigation substantiated (enforcements)	1,867	1,784	16	67
Most common complaint status: Closed - investigation substantiated (no enforcement)	1,039	987	9	43

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

**Appendix II: Complaints Submitted to the
Federal Motor Carrier Safety Administration by
Respondent and Complainant**

Table 4: Complaints against Bus Companies Submitted to the National Consumer Complaint Database, 2017–2021

Category	Total	Submitted by:		
		Consumer	Motor carrier drivers	Industry professionals
Total complaints	2,070	1,270	438	362
Open	98	45	32	21
Closed	1,763	1,127	349	287
Missing value	209	98	57	54
Most common complaint status: Closed - dismissed/frivolous	737	517	118	102
Most common complaint status: Closed - other	343	198	60	85
Most common complaint status: Closed - motorist complaint	227	153	63	11

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

**Appendix II: Complaints Submitted to the
Federal Motor Carrier Safety Administration by
Respondent and Complainant**

Table 5: Complaints against Electronic Logging Device Providers Submitted to the National Consumer Complaint Database, 2017–2021

Category	Total	Submitted by:	
		Motor carrier driver	Industry professional
Total complaints	1,385	1,103	282
Open	72	54	18
Closed	1,123	944	179
Missing value	190	105	85
Most common complaint status: Closed - dismissed/frivolous	294	248	46
Most common complaint status: Closed - other	220	183	37
Most common complaint status: Closed - missing information	205	169	36

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

Note: Prior to 2020, it was not possible to submit a complaint against an electronic logging device provider through the National Consumer Complaint Database. Complainants could submit a complaint against a truck company with allegations related to electronic logging devices. When it became possible to submit a complaint against electronic logging device providers in 2020, FMCSA coded some complaints submitted against truck companies as complaints that were also made against electronic logging device providers. As a result, 972 complaints are double-counted—they are counted once as complaints against truck companies and then again as complaints against electronic logging device providers.

Table 6: Complaints against Substance Abuse Professionals Submitted to the National Consumer Complaint Database, 2017–2021

Category	Total
Total complaints	89
Open	1
Closed	80
Missing value	8
Most common complaint status: Closed - dismissed/frivolous	54
Most common complaint status: Closed - investigation not substantiated	16
Most common complaint status: Closed - other	10

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

Note: Complaints against substance abuse professionals can only be submitted by commercial motor vehicle drivers. Substance abuse professionals evaluate employees who have violated a Department of Transportation drug and alcohol program regulation and make recommendations concerning education, treatment, follow-up testing, and aftercare.

**Appendix II: Complaints Submitted to the
Federal Motor Carrier Safety Administration by
Respondent and Complainant**

Table 7: Complaints against Medical Review Officers Submitted to the National Consumer Complaint Database, 2017–2021

Category	Total
Total complaints	32
Open	1
Closed	25
Missing value	6
Most common complaint status: Closed - dismissed/frivolous	21
Most common complaint status: Closed - other	3

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

Note: Complaints against medical review officers can only be submitted by industry professionals. Medical review officers are licensed physicians who are responsible for receiving and reviewing laboratory results generated by an employer’s drug testing program and evaluating medical explanations for certain drug test results.

Appendix III: Selected Complaints Submitted to the Federal Motor Carrier Safety Administration by Type of Allegation

Complaints are submitted to the Federal Motor Carrier Safety Administration’s National Consumer Complaint Database.

Table 8: Complaints Submitted by Consumers against Truck Companies Alleging Only Truck and Driver Safety Related Concerns, 2017–2021

Category	Submitted by consumers
Total complaints	11,901
Open	13
Closed	11,485
Missing Value	403
Most common complaint status: Closed-motorist complaint	11,299
Most common complaint status: Closed-other	63
Most common complaint status: Closed-dismissed/frivolous	56

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

Note: This table includes only complaints made by consumers against truck companies. Further, this only includes complaints in which the allegations selected by the complainant from the list of allegations on the National Consumer Complaint Database website fell under the category of truck safety and the subcategory of truck and driver related safety concerns. Examples of the allegations selected include: witnessed a commercial truck passing improperly, turning improperly, failing to yield right of way, or with unsafe or dangerous equipment.

**Appendix III: Selected Complaints Submitted
to the Federal Motor Carrier Safety
Administration by Type of Allegation**

Table 9: Selected Complaints Made by Motor Carrier Drivers against Truck Companies Alleging Truck and Driver Safety Concerns including Hours of Service, Unsafe Vehicles or Equipment, and Driver Qualifications Violations, 2017–2021

Category	Complaints alleging only truck and driver safety related concerns	Complaints alleging truck and driver safety concerns including hours of service, unsafe vehicles or equipment, and/or driver qualifications violations
Total complaints	4,866	6,898
Open	0	472
Closed	4,711	5,187
Missing Value	155	1,239
Most common complaint status: Closed - motorist complaint	4,665	37
Most common complaint status: Closed - other	17	1,153
Most common complaint status: Closed - dismissed/frivolous	15	1,932
Most common complaint status: Closed - investigation not substantiated	8	704

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

Note: This table only includes complaints made by motor carrier drivers against truck companies. Complaints alleging only truck and driver safety-related concerns includes complaints in which the allegations selected by the complainant from the list of allegations on the National Consumer Complaint Database website fell under the category of truck safety and the subcategory of truck and driver safety-related concerns. Examples of the allegations selected include: witnessed a commercial truck passing improperly, turning improperly, failing to yield right of way, or with unsafe or dangerous equipment. Complaints alleging hours of service, unsafe vehicles or equipment, and/or driver qualifications violations include complaints in which the allegations selected by the complainant fell under the category of truck safety and includes the subcategories of hours of service, unsafe equipment and vehicles, and driver qualifications. Examples of the allegations selected include: a company is using a driver that does not possess a valid commercial driver license or commercial driver license permit, company requires that driver falsify log books, and commercial truck did not have required equipment. Complaints with allegations under the subcategory harassment for refusal to commit an hours-of-service violation were excluded.

**Appendix III: Selected Complaints Submitted
to the Federal Motor Carrier Safety
Administration by Type of Allegation**

Table 10: Selected Complaints Made by Motor Carrier Drivers against Truck or Bus Companies, 2017–2021

Category	Complaints alleging coerced to commit a violation	Complaints alleging termination for refusal to commit a violation	Complaints alleging violations of drug and alcohol regulations or requirements
Total complaints	2,873	1,990	4,820
Open	226	139	233
Closed	2,321	1,551	3,886
Missing Value	326	300	701
Most common complaint status: Closed - dismissed/frivolous	710	508	1,111
Most common complaint status: Closed - other	464	290	1,523
Most common complaint status: Closed - missing information	383	215	231
Most common complaint status: Closed - investigation not substantiated	379	252	434

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

Note: This table only includes complaints made by motor carrier drivers against truck or bus companies. Complaints alleging coerced to commit a violation only includes complaints in which at least one of the allegations selected by the complainant from the National Consumer Complaint Database website fell under the category of coerced to commit a violation. Examples of the allegations selected include: was coerced to commit a violation related to hours of service, was coerced to commit a violation related to required equipment, or was coerced to falsely certify my electronic logging device records. Complaints alleging termination for refusal to commit a violation only include complaints in which at least one of the allegations selected by the complainant fell under the category of termination for refusal to commit a violation. Examples of the allegations include: I (or another driver) was terminated for refusing to commit a violation related to hours-of-service, for refusal to commit a violation related to ill or fatigued operations, or refusal to commit a violation related to vehicle condition or maintenance. Complaints alleging violations of drug and alcohol regulations or requirements only include complaints in which at least one of the allegations selected by the complainant fell under the category of drug and alcohol. Examples of the allegations selected include: company is in violation of drug/alcohol usage regulations or employer did not receive limited consent from driver before conducting a limited query in the drug and alcohol clearinghouse.

**Appendix III: Selected Complaints Submitted
to the Federal Motor Carrier Safety
Administration by Type of Allegation**

Table 11: Selected Complaints Made by Consumers against Moving Companies Alleging Household Goods Violations, 2017–2021

Category	Complaints alleging household goods held hostage	Complaints that do not allege household goods held hostage
Total complaints	4,528	18,011
Open	776	511
Closed	1,989	5,017
Missing Value	1,763	12,483
Most common complaint status: Closed - other	1,191	2,449
Most common complaint status: Open - safety investigator assigned	411	204
Most common complaint status: Closed - investigation substantiated (enforcements)	326	1,379
Most common complaint status: Closed - investigation substantiated (no enforcement)	174	742

Source: GAO analysis of Federal Motor Carrier Safety Administration data. | GAO-23-105972

Note: This table only includes complaints made by consumers against moving companies. Complaints alleging that household goods were held hostage only includes complaints in which at least one of the allegations selected by the complainant from the National Consumer Complaint Database website fell under the hostage subcategory. This allegation is listed on the complaint website as: a moving company did not deliver goods or will not provide their location. Complaints that do not allege household goods were held hostage includes complaints in which none of the allegations selected by the complainant fell under the subcategory of hostage. Examples of the types of allegations selected include: moving company did not notify me of a delay in picking up my goods, I asked the mover to re-weigh the shipment and they refused, and moving company did not honor a binding estimate.

Appendix IV: Leading Practices for Outreach Planning and the Federal Motor Carrier Safety Administration's Outreach Activities for Its Complaint Website

This appendix includes information on leading practices for outreach planning from our prior work.¹ It includes additional information on FMCSA's outreach activities for its complaint website, the National Consumer Complaint Database.

Table 12: Leading Practices for Outreach Planning and the Federal Motor Carrier Safety Administration's (FMCSA) Complaint Website Outreach Activities

Leading practice and description	FMCSA's outreach activities for the complaint website
<p>Define goals and objectives Define the goals of the communications campaign, for example, to increase awareness or motivate a change in behavior. Define the objectives that will help the campaign meet those goals.</p>	<ul style="list-style-type: none"> FMCSA has goals for outreach to one segment of potential users as part of its Protect Your Move campaign, which is focused on people who are planning interstate moves. Part of the Protect Your Move campaign involves sharing resources such as the complaint website. FMCSA has not developed goals or objectives for outreach to other types of potential users of the complaint website (e.g., truck drivers, bus passengers, motorists, other motor carrier industry professionals).
<p>Analyze the situation Review relevant past experiences and examples to identify applicable "lessons learned" that may help guide efforts.</p>	<ul style="list-style-type: none"> FMCSA has sought public comment on the complaint website as part of its information collection requests related to the National Consumer Complaint Database, which are published in the Federal Register. FMCSA has analyzed overall educational needs for one segment of potential users (people planning interstate moves) as part of the Protect Your Move campaign, but not other potential users of the complaint website. FMCSA has not identified lessons learned—such as lessons from the Protect Your Move campaign—that could help guide efforts to educate all potential users about the complaint website.

¹We previously identified nine leading practices for consumer education planning. See GAO, *Digital Television Transition: Increased Federal Planning and Risk Management Could Further Facilitate the DTV Transition*, [GAO-08-43](#) (Washington, D.C.: Nov. 19, 2007).

Appendix IV: Leading Practices for Outreach Planning and the Federal Motor Carrier Safety Administration's Outreach Activities for Its Complaint Website

Leading practice and description	FMCSA's outreach activities for the complaint website
<p>Identify stakeholders Identify and engage all the key stakeholders that will be involved in communications efforts. Clarify the roles and responsibilities of each stakeholder, including which entity or entities will lead overall efforts.</p>	<ul style="list-style-type: none"> • According to FMCSA, its agency personnel—including headquarters and field offices—and contractors are involved in outreach and education about the complaint website. The lead entity is FMCSA's commercial enforcement division. • FMCSA has also identified some external stakeholders that may be involved in outreach about the complaint website, including industry associations and state transportation agencies.
<p>Identify resources Identify available short- and long-term budgetary and other resources.</p>	<ul style="list-style-type: none"> • The amount of funding available each fiscal year for all of FMCSA's outreach and education programs is limited to \$4 million. According to FMCSA officials, it has budgeted about \$700,000 for contract support for the Protect Your Move campaign, which targets individuals who are planning interstate moves. • FMCSA has not identified budgetary resources specifically for complaint website outreach.
<p>Research target audiences Conduct audience research, such as dividing the audience into smaller groups of people who have relevant needs, preferences and characteristics, as well as measuring audience awareness, beliefs, competing behaviors, and motivators. Also, identify any potential audience-specific obstacles, such as access to information.</p>	<ul style="list-style-type: none"> • FMCSA identified the primary potential users of the complaint website—consumers, drivers, and other industry professionals—and structured the website around these users.^a FMCSA identified these target audiences by reviewing complaints and feedback submitted, according to FMCSA officials. • FMCSA has used focus groups, including an advisory group for its household goods program, to measure awareness of the complaint website, as well as preferences and obstacles to use, according to FMCSA officials. • FMCSA did not provide information about other audience research for the complaint website.
<p>Develop consistent, clear messages Determine what messages to develop based on budget, goals, and audience research findings. Develop clear and consistent audience messages; test and refine them.</p>	<ul style="list-style-type: none"> • FMCSA has not developed messages for complaint website outreach. FMCSA does have messages for the Protect Your Move campaign related to avoiding moving scams. • FMCSA developed general information about the complaint website's purpose, which is part of a frequently asked questions section of the website. The messages are not used to promote the website. • FMCSA has not tested information on the frequently asked questions section with each user type.
<p>Identify credible messenger(s) Identify who will be delivering the messages and ensure that the source is credible with audiences.</p>	<ul style="list-style-type: none"> • FMCSA personnel conduct outreach about the complaint website. • FMCSA has identified some external stakeholders that may be involved in outreach about the complaint website, including industry associations and state transportation agencies, according to FMCSA officials.
<p>Design media mix Plan the media mix to optimize earned media (such as news stories or opinion editorials) and paid media (such as broadcast, print, or internet advertising). Identify through which methods (e.g., advertising in newsprint ads), how often (e.g., weekly or monthly) and over what duration (e.g., 1 year) messages will reach audiences.</p>	<ul style="list-style-type: none"> • FMCSA has some outreach activities for the complaint website, such as linking to the complaint website from other FMCSA webpages and discussing the complaint website at industry events. • FMCSA has not used other media to educate users about the complaint website specifically. FMCSA does use various media for its Protect Your Move campaign, which includes some information about the complaint website, but this campaign does not address all target audiences of the complaint website.

Appendix IV: Leading Practices for Outreach Planning and the Federal Motor Carrier Safety Administration’s Outreach Activities for Its Complaint Website

Leading practice and description	FMCSA’s outreach activities for the complaint website
<p>Establish metrics to measure success Establish both process and outcome metrics to measure success in achieving objectives of the outreach campaign. Process metrics assure the quality, quantity, and timeliness of the contractor’s work. Outcome metrics evaluate how well the campaign influenced the attitudes and behaviors of the target audience(s) that it set out to influence.</p>	<ul style="list-style-type: none"> • FMCSA has not established metrics for outreach and education about the complaint website. • FMCSA measures effectiveness of its Protect Your Move campaign—a related effort—and one measure is the number of visits to the complaint website to file a complaint.

Source: GAO analysis of FMCSA documents and interviews. | GAO-23-105972

³According to the complaint website, the audience of consumers includes motorists; passengers on buses, limousines, or motor coaches; people who have used interstate movers, brokers, or auto haulers; or people who have received a shipment of hazardous materials. Drivers includes people who operate trucks or buses or who work for a truck or bus company in another role (e.g., safety managers). Industry professionals includes people who have bus or truck companies, shippers, insurers, brokers, owner-operators, consortia/third-party administrators, and purchasers and users of cargo tanks.

Appendix V: Comments from the Department of Transportation

**Appendix V: Comments from the Department
of Transportation**



**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

Assistant Secretary
for Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

August 30, 2023

Elizbeth Repko
Director, Physical Infrastructure Issues
U.S. Government Accountability Office (GAO)
441 G Street NW
Washington, DC 20548

Dear Ms. Repko:

As the lead federal government agency responsible for regulating and providing safety oversight of commercial motor vehicles, the Federal Motor Carrier Safety Administration's (FMCSA) primary mission is to reduce crashes, injuries, and fatalities involving large trucks and buses. As part of its mission, FMCSA operates the National Consumer Complaint Database (NCCDB), a public-facing website used to submit complaints against general property motor carriers, moving companies, motorcoach operators, and others. FMCSA has made great strides in improving the NCCDB and maximizing its use over the past several years. Since 2016, FMCSA has utilized the NCCDB as the primary means for the submission of complaints by members of the public to the FMCSA.

FMCSA continues to make improvements to its NCCDB by:

- Expanding the use of the auto-notification functionality currently used for passenger complaints to all NCCDB users.
- Implementing processes to streamline and improve the identification of household goods complaints relating to "hostage loads."
- Promoting the use of the NCCDB through its annual "Protect Your Move" campaign and other consumer protection and public safety initiatives.

Upon review of the draft report, FMCSA concurs with GAO's recommendations 1 through 12 and 14. FMCSA partially concurs with recommendation 13, which references the testing of the NCCDB with members of the public. FMCSA does not agree that open public testing is a sustainable approach to achieve the sought-after outcomes; however, the agency is currently planning a large-scale modernization of the NCCDB and will ensure its future platform follows industry standards for human-centered design and integrate user feedback to engage with FMCSA more effectively. FMCSA will provide a detailed response to each recommendation within 180 days of the final report's issuance.

FMCSA appreciates the opportunity to respond to the GAO draft report. Please contact Keyanna Frazier at 202-366-5081 or via email at keyanna.frazier@dot.gov with any questions or if GAO would like additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip A. McNamara".

Philip A. McNamara
Assistant Secretary for Administration

Accessible Text for Appendix V: Comments from the Department of Transportation

August 30, 2023

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Director, Physical Infrastructure Issues
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441 G Street NW
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Sincerely,

Philip A. McNamara
Assistant Secretary for Administration

Appendix VI: GAO Contact and Staff Acknowledgments

GAO Contact

Elizabeth Repko, (202) 512-2834 or RepkoE@gao.gov

Staff Acknowledgements

In addition to the contact above, Brandon Haller (Assistant Director); Sarah Arnett (Analyst-in-Charge); Melissa Swearingen (Analyst-in-Charge); Melanie Diemel; Gina Hoover; Alicia Loucks; Mary-Catherine P. Overcash; Kate Perl; Minette Richardson; and Alicia Wilson made key contributions to this report.