

QA 17565

FHWA-97-2176-7

March 16, 1993

**Comments of
Specialized Carriers & Rigging Association
to
Federal Highway Administration
on
Mandatory Minimum Training
Requirements for Operators of
Longer Combination Vehicles (LCVs)**

FHWA Docket No. MC-92-10

**Advance Notice of Proposed Rulemaking
F.R. Vol. 58, No. 10
Friday, January 15, 1993
Pages 4638-4640**

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Foreword

The Specialized Carriers & Rigging Association (SC&RA) represents motor carriers principally engaged in the transportation of oversize and overweight loads (by legal permit), steel carriers and oil field haulers.

SC&RA is located at 2750 Prosperity Avenue, Suite 620, Fairfax, Virginia 22031-4312. Its Vice President responsible for transportation matters is William P. Rieck whose phone number is (703) 698-0291.

As the national representative of this segment of the trucking industry, SC&RA is vitally interested in any regulation affecting the operation of equipment utilized in the nation's specialized carrier fleet.

For many years SC&RA has developed position papers, docket submissions and testimony relating to specialized equipment used in the transportation of oversize and overweight loads, steel commodities, oil field equipment and general freight. The SC&RA positions have been established by its Transportation Group which is composed of motor carrier executives who are members of SC&RA. Input in SC&RA positions is also obtained from manufacturers of vehicular equipment used by SC&RA members.

The comments herein are a result of discussions conducted by members of the SC&RA Transportation Group regarding FHWA's proposal concerning the establishment of mandatory minimum training requirements for the operators of longer combination vehicles (LCVs).



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Comments to the Proposed Rulemaking

The Federal Highway Administration should not define Longer Combination Vehicles (LCV) in any way different from the LCV definition established by the Intermodal Surface Transportation Efficiency Act of 1991 which provides that "longer combination vehicle (LCV) means any combination of a truck tractor and two or more trailers or semitrailers which operates on the Interstate System at a gross vehicle weight greater than 80,000 pounds". The Act specifically provides that trailers and semitrailers are considered to be "cargo carrying units".

An LCV definition by FHWA that differs from the Act is undesirable, and is opposed by SC&RA, because it would lead to confusion among regulators, enforcement officials, and motor carriers. FHWA must adopt the ISTEA definition for consistency, for better understanding and to reduce the potential for varying interpretations of what a longer combination vehicle is. Uniformity of definitions is essential for safety, and for compliance with regulatory requirements applicable to Longer Combination Vehicles and those who use them.

Answer to Rulemaking Questions

- Q.1. Should the definition of LCV that will be used to develop a training requirement be expanded to include vehicles not covered by the ISTEA such as multiple-trailer combinations operating with a gross weight of less than 80,000 pounds?
- A.1. Training requirements of the FHWA for operators of longer combination vehicles should apply only to those who drive combinations of a truck tractor and 2 or more cargo carrying trailers, or semitrailers, which have a gross vehicle weight rating of more than 80,000 pounds. FHWA should not attempt to include other vehicle types and sizes in the LCV training requirement. To do so would cause confusion as to the definition of Longer Combination Vehicle and would be contrary to the action and intent of Congress when it defined LCV in the Intermodal Surface Transportation Efficiency Act of 1991.
- Q.1.a. In addition, the FHWA wishes to determine whether vehicles operating under special permit at weights over 80,000 pounds and/or straight trucks pulling single or multiple trailers with overall lengths in excess of 72 feet should be included in those vehicles used to establish a LCV training requirement.
- A.1.a. As noted above, SC&RA believes strongly that FI-IWA should respect the action of Congress and use the definition of LCV contained in the

ISTEA of 1991. Obviously, Congress intended the LCV training requirement should apply only to those who operate combination vehicles which consist of a truck tractor and 2 or more cargo carrying trailers, or semitrailers, and which have gross vehicle weight greater than 80,000 pounds.

Any action by FHWA to establish training requirements for operators of vehicles other than LCV's should be the subject of a separate rulemaking.

- 4.2. What difficulties would the ISTEA definition create from an enforcement standpoint, in distinguishing which vehicles meet the definition and in determining which drivers must comply with any LCV training requirements?
- A.2. If the LCV definition in the ISTEA of 1991 is adopted by FHWA we believe that enforcement people will have very little difficulty identifying longer combination vehicles. They will be able to easily identify cargo carrying trailers and semitrailers. They should be able to determine gross vehicle weight from shipping papers, manifests and/or weight tickets. We believe that an FHWA definition of LCV that is different from ISTEA could create confusion for enforcement people if, for example, the definition is expanded to include a variety of vehicle types and configurations, and vehicles of varying weights.
- Q.3. What should be the FHWA's role in assuring that the training is actually carried out according to the minimum standards?
- A.3. Once standards have been established FHWA should require that drivers of LCV have certificates of training from training organizations. Commercial training organizations should certify to state agencies that their LCV training meets the standards. Motor carriers which provide LCV training should be required to make a similar certification. FHWA should require that state agencies monitor commercial training organizations and give approval only to those that meet the standards. Motor carrier LCV training programs should be monitored as part of State and Federal motor carrier audits. The state agencies responsible for monitoring LCV training should be those that receive funding from the Motor Carrier Safety Assistance Program. Private organizations, such as Professional Truck Driving Institute of America, should be authorized by FHWA to carry out training and monitoring functions and should be monitored periodically by FHWA.
- Q.4. What standards are necessary to assure that instructors have been adequately and properly trained and are carrying out their training responsibilities in an acceptable manner?

- A.4. Instructor training standards should be established by a committee composed of training experts, (such as representatives of National Association of Trade and Technical Schools and PTDIA) regulators, and motor carriers. Certificates should be issued to organizations which provide instructor training that meets the standards. Monitoring of training organizations and instructors should be as set forth in the answer to question #3 above.
- Q.5. Should initial licensing of LCV instructor's and certification of LCV drivers be accomplished by a Federal or State agency? How should this be accomplished?
- A.5. We are not aware that FHWA and state agencies which are responsible for motor carrier safety have authority to license instructors or the manpower to certify drivers as being trained to operate longer combination vehicles. FI-IWA should require that drivers have certificates of LCV training from schools or training organizations that have certified to state agencies that they meet the standards. FHWA and state agencies should monitor drivers at roadside check points for certificates of training, and should monitor schools and training organizations for compliance with training standards. Any schools and training organizations which do not meet the standards should be dropped from an approval list maintained by the states and FHWA. Motor carriers which have LCV training programs that do not meet the standards, (or which use untrained drivers to operate LCV), should be subject to penalties in the Federal Motor Carrier Safety Regulations.
- Q.6. What specific Federal, State or local agency should have the responsibility for assuring that the requirements of LCV training are met and what form of documentation should be established to prove to prospective employers that adequate LCV training has been successfully completed by a driver? Who should be held accountable if the training requirements are not met, the individual and/or a motor carrier employer?
- A.6. As noted above, the FHWA should be the Federal agency responsible for the LCV training program. State agencies which are responsible for motor carrier safety under the MCSAP should be responsible for monitoring and approving training organizations that provide LCV training. The authority for this program should not be extended to local agencies because the LCV training will be applicable to truck operations that occur mostly in rural operations well beyond the interest and concerns of localities.

If LCV training requirements are not met and an individual has falsified a certificate of training, the individual should be held accountable. If a motor carrier uses a driver for LCV operations without determining that the individual has a certificate of LCV training, the carrier should be held accountable. If an LCV training organization has not provided training which meets LCV standards established by FHWA, the training organization should lose its approval rating and motor carriers and prospective drivers should be so advised.

- 4.7. Should non-profit, private organizations, such as PTDIA, be authorized to evaluate and certify the adequacy of LCV training programs?
- A.7. Both non-profit and profit making organizations should have the opportunity to evaluate and certify the adequacy of LCV training programs. FHWA should set the standards for such organizations and approve/monitor their operations.
- Q.8. What types of LCV driver training programs exist? Please provide as much data about cost and course length as possible.
- A.8. The answers to this question can best be provided by training organizations which are engaged in LCV training.
- Q.9. Should the implementation of minimum training requirements for LCV operators be "phased in" over a certain period of time? If so, what scenario do you propose and why?
- A.9. There should be an evaluation period during which time motor carrier employers of drivers trained in accordance with LCV standards can provide evaluations to FHWA of the adequacy of such training or of changes that are needed to improve the training. Once the standards have been firmed up an effective date should be established for the LCV training to become mandatory. Drivers currently engaged in the operation of longer combination vehicles should be exempted (grandfathered) from the training requirement.
- Q.10. Should LCV training be a prerequisite for a double/triple trailer endorsement or a CDL?
- A.10. No. The LCV definition/training should be applicable only to combinations with gross vehicle weight over 80,000 pounds as mandated by Congress. A requirement for LCV training in order to get a double/triple endorsement on a CDL would be confusing about the definition of LCV because the CDL double/triple trailer endorsement is for a broader range of combination vehicles. It applies when the

vehicle to be operated has a gross vehicle weight rating of more than 26,000 pounds.

Q.11. Should all LCV drivers be required to have previous experience with single trailer vehicles? If so, how much?

A.11. There should not be a government requirement for previous experience with single trailer vehicles. This should be a requirement at the option of employers. If the individual has a CDL that authorizes operation of a combination vehicle and has completed an LCV training course, a government requirement for single trailer experience is not needed.

Q.12. How often should LCV training be offered/repeated for both instructors and drivers?

A.12. If drivers and instructors have completed a complete LCV training program they should not be required to undergo the program a second time. However, we do believe that a refresher course of four to eight hours is desirable if the driver or instructor has not been engaged in LCV activity for a period of one year or more.

Q.13. Do specialized vehicle combinations such as triples or those handling special cargo require different training standards?

A.13. The LCV training should be confined to those combination vehicles consisting of any combination of a truck tractor and 2 or more cargo carrying trailers, or semitrailers, which have a gross vehicle weight greater than 80,000 pounds. The training should focus on vehicle handling characteristics and not on types of cargo being transported. Vehicle combinations that are overweight or overlength because of special cargo do not require different training standards. All LCV drivers should have training which focuses on vehicle handling characteristics (not on types of cargo being transported) and that the driver will have basic knowledge and operating skills necessary for awareness that vehicle handling characteristics change with variations in size, weight and nature of the load being transported. Because loading and handling requirements of heavy cargo, such as bridge girders, construction equipment, and building materials vary from load to load, driver training for safe handling of such loads must be provided by motor carriers.

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Conclusion

SC&RA members are available to FHWA for advice and guidance on the matter of mandatory training of LCV operators. Collectively SC&RA members have hundreds of years of experience in dealing with this issue. They are willing to meet with Federal officials at any time to discuss programs and procedures for the solutions of such problems.

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