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QA 17984

VIRGINIA POWER

August 13, 1993

FHWA-97-2199-27

Federal Highway Administration
Docket No. K-93-12, Room 4232
HCC-10
Office of Chief Counsel
400 Seventh Street SW
Washington, DC 20590

Dear Sir:

Virginia Electric and Power Company is formally submitting the enclosed comments on Docket No. MC-93-12 Trainina for All Entrv Level Drivers of Commercial Motor Vehicles (CMVs).

If you require further information, please advise.

Sincerely,

Thomas D. Leonard

Thomas D. Leonard
Manager, Transportation

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VIRGINIA ELECTRIC AND POWER COMPANY'S

COMMENTS ON
FHWA 49 CFR PART 383
[FHWA DOCKET NO. MC-93-12]

Training for All Entry Level Drivers of Commercial Motor Vehicles (CMVs)

Virginia Electric and Power Company, an investor owned electric utility serving parts of Virginia and North Carolina, hereinafter referred to as Virginia Power wishes to submit comments on the ANPRM Trainina for All Entry Level Drivers of CMVs.

Prior to responding to the specific questions outlined in Docket No. K-93-12, some background information is offered in order to place the context of the responses that will be offered in perspective.

Electric utilities are unlike traditional private, contract and common carrier motor carriers in that electric utility vehicles are utilized as a tool similar to construction equipment at job sites rather than to transport freight or people over long distances. The vehicles are a specially designed tool to accommodate the type of work performed by the electric utility employee. Therefore, the service vehicle is essentially a work platform that is used to transport employees and tools short distances to job sites and is designed to perform such functions as setting poles, digging holes and lifting lineman in a bucket to work on power lines. The employee who drives the electric utility service vehicle is not designated as a driver, but is a member of a work team employed in such job classifications as lineman, groundman, maintenance man, electrician, and storekeeper. These people do not spend long hours at the wheel and are not exposed to the rigors of over the road driving that is automatically assumed in the FMCSR, rather, driving is incidental to their work assignment.

Electric utility employees are dissimilar to the over the road or professional truck driver in that the electric utility employee is closely supervised and reports to and from the same location for work each day. He/she is assigned jobs by the supervisor and is monitored on the job by highly trained supervision capable of judging the employee's fitness for duty. Whereas, the over the road truck driver maintains an independent lifestyle with little supervision.

Virginia Power has an outstanding safety record with less than 0.42 reportable accidents per million miles and no highway fatalities for its service truck fleet. This is due to an aggressive safety program within the company and this dedication to safety is also prevalent throughout the industry. Excellent highway safety is related to the fact that the electric utility employee is exposed

to much less road time than the typical truck driver. An industry wide survey conducted by the Edison Electric Institute indicated that 59 percent of electric utility vehicles were driven less than two hours per day, and 89 percent were driven on the average of less than four hours per day.

The electric utility industry's focus on employee safety is out of necessity because of the exposure to energized high-voltage equipment and the inherent danger of operating construction equipment. Employees must work on this type of equipment under all kinds of weather conditions, especially during emergency conditions such as storms, high winds, ice and snow storms. Therefore, electric utilities have aggressive safety programs administered by trained safety personnel located throughout their systems. These programs include weekly safety meetings, electrical safety training programs, driver safety training and safety awards. The programs are supported from top levels of management and are an integral part of each department's annual goals. At Virginia Power, work is not assigned to employees who are fatigued beyond their capacity to perform a job safely, therefore, a driver is not assigned to drive unless he/she is able to adequately perform that task. This policy is evidenced by the aforementioned excellent accident record.

The annual cost to Virginia Power of complying with regulations designed for over the road motor carriers is significant. The following are conservative estimates of the annual cost for compliance:

Pre and Post Trip Vehicle Inspection, $10,060,200.00;
Driver Paperwork, $2,515,050.00;
Record Keeping, $498,250.00;
Random Drug Testing, $162,510.00;
DOT Physical, $140,940.00;
Commercial Driver's License (CDL), $37,908.00;
Driving Record Review, $12,150.00.

The total annual cost for compliance is over **$13,000,000.00**. This is based on 2,430 drivers and does not include the inestimable expense of complying with the hours of service regulations. The vast majority of the cost is rooted in non productive time spent on F'MCSR requirements that would not otherwise have been necessary. The highway safety benefits intended by the F'MCSR are non-existent when compared to the overwhelming costs of compliance because Virginia Power had an excellent highway safety record in place prior to F'MCSR implementation.

The electric utility industry is dedicated to providing its customers with reliable electric service and to protecting the public safety during electrical emergencies. This differs significantly from the goals of the trucking industry. The electric utility industry operates during power failures and electrical emergencies similar to an emergency response unit. Human lives

depend on electrical power. For example, surgeons operating in hospitals, people on life support machines and when downed electric lines threaten life electric utilities must respond immediately. However, electric utility employees are severely handicapped in this responsibility by the current hours of service regulations and the requirement of official declaration of emergency. Compliance is absolutely incompatible with the operation of an electric utility. Electric utilities are encompassed under the FMCSR simply because electric utility employees drive vehicles that exceed a certain gross vehicle weight. Job function currently does not enter into the definition of a driver of a commercial motor vehicle. Electric utility employees are not truck drivers in the true since of the word nor were they meant to be included in the intent of the original legislation and should not be subject to regulations aimed at employees who drive trucks in the business of transportation.

In light of the aforementioned discussion, the following specific comments are offered:

On the Adequacy of Entry Level Training Provided

1. How can the adequacy of training be defined? What mechanisms exist to measure adequacy?

   The adequacy *of driver training can be defined* in *terms of specific industry driver* safety *records and the* mechanism *used to measure adequacy would be the entry level driver's ability to* pass *the skills test.*

2. What standards exist to insure that training provided by schools and employers is adequate for entry level truck driver training?

   The current standards that exist for *development of a training program can be found in 49 Code of Federal Regulations (CFR) Part 383, Subpart G subsection 383.110 Required Knowledue and Skills. This section provides the basis of a training course outline describing exactly what a driver is expected to know in order to operate a commercial motor vehicle (CMV). Specific drivertrainingprograms can be developed by industry from the information contained in 49 CFR 383.110 without the development of a "standard" mandatory entry level driver training program mandated by an agency of the government who has no knowledge of industry's specific driver training needs. Not all industry employs over the road professional truck drivers* as is *assumed in the Federal Motor Carrier Safety Regulations (FMCSR). Each industry has its own individual equipment suited to specific functions which will require a very focused set of driver training standards where no one mandated set of "standard" training criteria will suffice. Therefore, the current standards as seen in 49 CFR 383.110*

should be sufficient for the development of driver training programs by industry without the promulgation of a government imposed mandatory "standard" driver training provision.

3. What should an adequate truck driver training program include (for example night driving, behind-the-wheel training, and classroom instruction)? What is the minimum amount of time (or number of hours) that should be devoted to each of these components?

An adequate truck driver training program should include the knowledge and skills necessary for a truck driver to operate a CMV as outlined in 49 CFR 383.110. The minimum number of hours that should be devoted to each of the components will vary from industry to industry depending on the function of the vehicle, the amount of time the driver will be expected to drive each day, the type of driving (i.e. rural routes, highway, intercity, etc.), type of terrain, length of trip and other industry specific variables. Each company must be allowed to make the final decision on the amount of time required to adequately train a driver based on the individual needs of the company and not be forced to adhere to an artificial "standard" mandated by the Federal Highway Administration (FHwA).

4. Can governmental or private standards that guide the training of entry level drivers be used to determine the adequacy of entry level driver training? Why are these standards appropriate?

Private standards should be used to guide the training of entry level drivers and to determine the adequacy of entry level driver training because industry has a big stake in producing safe drivers. Safe drivers decrease insurance rates, lessens corporate liability, lowers equipment replacement/down time costs and decreases employee lost time. In addition, private industry must be allowed to develop a program tailored to the specific job functions of the entry level driver and, as mentioned earlier, a single "standard" program mandated by the FHwA cannot possibly address the myriad of variables specific to each individual company. For example, Virginia Power has an aggressive safety program in place that stresses driver safety as a major component and also focuses on job related truck functions necessary for linemen or electricians to perform their job. Entry level drivers are required to obtain the CDL learners permit and are taught on-the-job driving skills by an experienced CDL driver. Some of these skills involve off-road driving in 4 wheel utility service vehicles as well as how to place a vehicle when setting a pole. In addition, at weekly meetings, films on safe driving, pre and post inspections specific to company vehicles are shown. When the supervisor feels that the entry

level driver has met the objectives of Virginia Power's safety standards and can demonstrate he/she can operate a Company utility service vehicle safely, the driver will go forhis/her road test. This program not only focuses on safe driving, but encompasses other specific job related functions of the utility service vehicle. The adequacy of this program is demonstrated by Virginia Power's outstanding driver safety record of less than 0.42 reportable accidents per million miles and no highway fatalities.

Private standards are appropriate to guide the training of entry level drivers as demonstrated by the success of Virginia Power's driver training program mentioned above. In addition, if Virginia Power had to adhere to a mandated FHwA "standard" not tailored to the needs of the company, Virginia Power would be forced to train drivers to company standards as well as an artificial standard set by the FHwA, therefore, creating a duplication of effort and incurring twice the cost for training.

5. To obtain a CDL, a CMV driver must demonstrate knowledge and skills needed to operate a CMV. Are these tests sufficiently comprehensive to accurately measure a driver's performance? Please explain why or why not. Provide information on specific deficiencies.

If properly administered, the CDL skills test is sufficiently comprehensive to accurately measure a driver's performance because the road test covers all of the basic maneuvers required to operate on a public highway and tests the driver's knowledge of pre and post trip inspection procedures. The utility service vehicle utilized for the skills test is the type of vehicle that the driver will be required to operate which further strengthens the validity of the testing procedure.

6. Should training requirements for entry level CMV drivers be Federally mandated?

Training requirements for entry level utility service vehicle drivers should not be Federally mandated. As articulated earlier, private industrymustbe allowed to establish its own training programs based on the required knowledge and skills outlined in 383.110 and be allowed to tailor their training to the needs of the company. Private industry does not need to be shackled to an artificial "standard" mandated by a Federal Government that assumes all drivers are over-the-road truckers. This automatic assumption places industry in the position of having to serve two gods, train the driver to the needs of the industry and also train the driver to an artificial mandated "standard".

The majority of the driver training program at Virginia Power is accomplished by on the job training which pairs an entry level driver with an experienced driver. The classroom portion of safe driving is picked up at regularly scheduled safety meetings. This method of training allows the driver to stay on the job and be trained specific to the company's needs and does not require the employee to be pulled from work for an entire day in order to satisfy a Federal mandate. The cost to the company would be $200.00/day per entry level driver plus the cost of a trainer at $312.00/day. At Virginia Power the entry level driver would have to travel to the training location and perhaps stay overnight for an untold additional cost. The mandated "standard" would be counterproductive for Virginia Power, who already produces safe drivers, and generate an unnecessary operating cost.

Numbers of Drivers Trained

7. What is an "entry level CMV driver"?

An entry level utility service vehicle driver at Virginia Power is generally someone who enters the Construction Department line crew or Substation Department maintenance/electrician crew. These employees are expected to be able to drive a utility service vehicle in order to perform their jobs, even though the driving portion of their jobs amounts to only 12% or less of their work day. The utility service vehicle that these drivers operate are specially designed work trucks used for setting poles, lifting men in buckets to repair power lines, knuckle boom cranes for moving equipment and other types of specialized service vehicles. These utility service vehicles are not designed for over-the-road travel, but require a very focused training program for an entry level driver in order to handle these vehicles in a variety of situations.

8. What industry-wide initiatives or policies, if any, reasonably assure that the majority of all entry level drivers are trained?

Virginia Power has an aggressive safety program which includes driver safety and weekly "tailgate" safety meetings with the crews. In addition, Virginia Power has written driver road test and on the job entry level driver training procedures. The entry level driver is shown films on safe driving and a film on pre and post trip inspections specific to company utility service vehicles, obtains his/her CDL learners permit and is assigned to a crew with an experienced utility service vehicle operator who trains the entry level driver to operate the specialized company utility service vehicles. The training period lasts from 3 to 6 months of on the job training. At the conclusion of this phase the employee is

recommended to receive their CDL skills test and receive their CDL.

Virginia Power as *well* as *other responsible private industries will* assure *that the drivers who* drive *their company,s service vehicles are safe and fully qualified* as *a matter of policy because* it *makes good corporate sense. An excellent driver safety program coupled* with *excellent accident rates lowers overall bottom line operating and capital costs to private industry by decreasing insurance premiums, corporate liability, eguipmentreplacementcosts, workman's compensation liability, and other* associated *expenditures. This provides a powerful stimulus for private industry to promote adequate entry level driver training programs on their own without Federal mandates.*

9. **How many truck driver training schools and motor carrier programs train entry level drivers? What percentage of those enrolled successfully completes such training?**

Virginia Power cannot speak for over-the-road truck driver training schools since the course content would only marginally apply to it's drivers. However, if an entry level driver does not successfully demonstrate the knowledge and skills necessary to operate Virginia Power service vehicles *after completion of a 3 to 6 month training period, the employee will not be allowed to become a utility* service *vehicle driver and will not operate company equipment.*

10. **Is the successful completion of an entry level CMV driver training program (either before or after hiring) a requirement for the drivers employed by your company?**

Yes. *A utility service vehicle entry level driver must complete a 3 to 6 month* training *period which includes driver training* as a *portion of on* the *job training (see the response to questions number 8 and 9).*

11. **Describe the training opportunities available for drivers of smaller trucking companies/owner operators. What percentage of those enrolled successfully completes such training?**

No comment.

Entry Level Driver Training Cost/Benefits

12. **Describe the expected benefits and estimated dollar costs for the following types of training:**

a. **Resident training at public and private truck driver training schools, including trade, vocational and community college programs;**

b. Home study or correspondence courses in combination with hands-on behind-the-wheel training;

c. Training by motor carriers through:

Formal school setting

On the job training (i.e., learning by working with an experienced driver as a trainer); and

d. Externships (i.e., combination truck driver training schools and motor carrier operations).

Virginia Power would not benefit by sending its drivers to truck driver training schools or having them complete home study correspondence courses because this type of training focuses on over-the-road and delivery truck driving with tractor trailer and straight delivery vehicles as the basis for instruction. The only alternative available to Virginia Power personnel is on the job driver training due to the narrow specialized use of utility service vehicles which *does not lend itself to commercial generalized over-the-road driver training courses. In* addition, *the entry level driver training required for a Virginia* Power *employee to adequately perform his/her job must be learned on the job with hands on experience because of the specialty design of the vehicles and the vehicle functions which require the driver to take the vehicle off-road, in back yards, in narrow industrial and residential substations alive with high voltage and other* areas *over-the-road drivers do not travel.*

Private industry must be allowed the flexibility to design its own entry level driver training programs suited to the needs of the industry. Federally mandated "standard" entry level driver training is designed to apply to all drivers when in fact all drivers are not exposed to similar driving conditions. For example, Virginia Power employees spend an average *of 1 hour on the road merely to travel from one job to another. The vehicle used is highly specialized to perform a particular task and handles differently from an over-the-road truck. The center of* gravity, *axle weights, stopping distances and vehicle design are very different when compared to* the *average* tractor *trailer or straight truck. A Federally mandated training program designed to meet the demands of an over-the-road truck driver could not possibly address each private company's training needs, therefore, Virginia Power would be forced to require the entry level driver to sacrifice a day to mandated driver training and still be expected to adequately train the driver with on the job training. This will generate a duplication of effort and an unnecessary cost for implementation when enough regulation already exists in 49 CFR 383 adequately addressing the required knowledge and*

skills necessary to develop in-house drivertrainingprograms.

Other Than Entry Level Driver Training

12. **Please describe the type and frequency of training, if any, that you offer or financially support for the more experienced CMV drivers of your company. Is this training required at certain specific intervals or provided only on an "as needed basis"?**

The majority of the utility service vehicle drivers at *Virginia Power transport some type of hazardous material which requires that they receive driver training every two years. Utility service vehicle drivers that fall into this category will be trained concurrently as a part of their hazardous materials training program.*