



FEDERAL HIGHWAY
ADMINISTRATION

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ENVIRONMENT, HEALTH AND SAFETY
DOT COMPLIANCE SERVICES AND SUPPORT
LEGS./REGS. DIV.

May 13, 1996

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FHWA-97-2277-13

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Re: (FHWA Docket No. MC-96-6) (RIN 2125-AD66)

The requirement of requesting a motor carrier to obtain for the preceding three-year period information regarding the driver's accident record, hours of service violations and violation of the rehabilitation program within 30 days could result in extra time spent by the inquiring motor carrier trying to obtain information. It could also result in extra time spent by the former motor carrier trying to release the information gathered. If the inquiring motor carrier tries and cannot get this information due to the former motor carrier not being available due to close of business or if the former motor carrier doesn't respond, how will this be address. Will this employee be able to continue employment in a safety sensitive job function?

Motor carriers that will be required to give out this information will need to adopt a type of program that would help to facilitate this information on a timely basis. This could burden the previous employer with an extra amount of work time as well as dollars trying to put this program into place as well as maintain it. There will also be an additional cost factor to distribute this information to the inquiring motor carriers.

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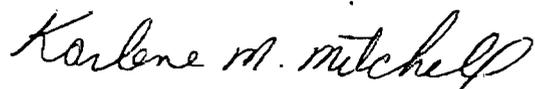
(2)

Under the proposal of 391.23(e)(1)(III)(iv), how would a motor carrier determine if the applicant's job was subject to D.O.T. testing in order for the inquiring motor carrier to request this information?

Under the driver's right to review and comment on the inquiring information, it is most important for the FHWA to define what constitutes a "reasonable opportunity" and should increase a time frame for compliance. This would eliminate any gray area in question.

This information could be useful; however given the amount of time and money spent to maintain and retrieve this information would not add that great of value to the motor carrier. With the present system as it is, we feel we are able to chose the quality drivers necessary to maintain safety on our public roads.

Sincerely,



Karlene M. Mitchell
Compliance Coordinator

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