



*Contract Freighters, Inc.*

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June 24, 1996

QA - 20589

FHWA - 97-2299 - 11

FEDERAL HIGHWAY ADMINISTRATION  
OFFICE OF THE CHIEF COUNSEL  
ROOM #4232  
SEVENTH STREET, S.W  
WASHINGTON, D.C. 20590

LEGS./REGS. DIV.

96 JUL 22 AM 11:32

FEDERAL HIGHWAY  
ADMINISTRATION

RE: **FHWA DOCKET NO. MC - 96-18**  
Proposed rule making - Request for comments

The comments below reflect CFI's position on the proposed rule making listed above.

1) **INVESTIGATIVE POWERS OF OFF SITE ENTITIES**

Third party vendors and contracts with shippers are currently evaluated through our ISO-9002 quality system which has proven an effective tool in the measurement of their compliance with the federal regulations. CFI would not be opposed to an investigation of a vendor or shipper, as our quality system is designed to capture any deficiencies before they occur.

2) **COMPLAINTS**

It is our opinion that comprehensive audits should not be performed based upon a complaint. The problem lies with the definition of a "comprehensive audit." Which in the past has indicated auditing of items unrelated to the complaint.

In order for the carrier to adequately support an investigation of a complaint, all details of the complaint should be disclosed including the name of the person or entity making the complaint since details of that individuals work history or business relationship may more accurately explain the basis for the complaint.

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### 3) RATING PROCESS

Carriers that have not yet been rated should be shown as "UN-rated." It would be our recommendation that operating authority not be granted until the applicant for authority has been audited and rated.

CFI supports the (CVIS) pilot program now in place in Iowa, Indiana, Colorado, Oregon and Minnesota which determines a carriers fitness based on data now accumulated in the "carrier profile" or "SafeStat." We have reviewed this program and believe that it will identify those carriers not currently in compliance with the Federal Motor Carrier Safety Regulations.

While accident data supplied by the states may not always be accurate, a carrier should be required to update this information on an annual basis and be responsible for the accuracy of the data. This will force the carrier to look at their compliance with the regulations on a scheduled basis and help them determine weaknesses in their safety programs.

### 4) OPERATIONAL VARIANCES

There is little doubt that the operational characteristics of some carriers may require a different rating process and if so should be broken down by the number of miles a carrier reports on an annual basis. The mileage traveled is a direct reflection of the exposure created.

### 5) TURNOVER

(A) We have noted that some of the safest carriers in the industry run in the northeast. Conversely, some of the of the carriers with the worst safety records operate extensively in the western states. We believe the safety performance of truckload carriers is far more dependent on their total commitment to safety than to the area of the country they run in.

(B) It is our opinion that turnover not be tied to a rating process. The truckload segment has typically shown to have higher turnover than the less than truckload segment of the industry. The lifestyle of the truckload driver is much different than that of the LTL driver in that they are required to be gone from home for much longer periods of time. There have not been any studies that show a driver for long haul company is less safe than a driver for a short haul or LTL company.

CFI hires only experienced drivers. In previous cases of hiring students, we have considered new drivers as experienced drivers after having been successful following 12 months of employment.

6) GOVERNMENTAL ADMINISTRATION

As stated above under the "rating process" section, CFI supports a system such as "CVIS" that would force the carriers to continually review and modify their operations to remain in compliance. This "self audit" system would not require governmental involvement toward enforcement actions unless the carrier is unwilling to comply with "CVIS."

"CVIS" is very specific and educates the carrier on the four elements that they should concentrate on to provide a safe working environment for their employees and the general public. The current rating process is inconsistent and cumbersome, not to mention that most carrier officials do not know when or how they may be audited. "CVIS" provides the consistency and knowledge to the carrier so we can now concentrate on the problem areas and alleviate the need to be micro-managed by the governmental agencies.

7) INCENTIVES

The FHWA should recognize efforts of carriers that review and attempt to improve the driving skills of drivers through re-training programs and disciplinary actions that include warnings, suspension and in some cases discharge from employment. Credit should also be rewarded to those carriers that "weed out" the bad apples and show an improved safety record as a result.

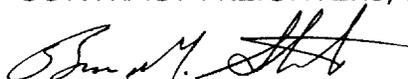
8) RANKING SYSTEM

The "CVIS" program would help identify the equipment and drivers that have poor safety records. These records should be made readily available to all carriers which would assist in making hiring decisions.

Carriers need access to data in the "Carrier Profile," "SafeStat," and the future "CVIS" program in an effort to manage their own compliance with the Federal Motor Carrier Safety Regulations.

Sincerely,

CONTRACT FREIGHTERS, INC.



Bruce M. Stockton  
Vice President - Safety

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