

VICTORY EXPRESS

W. W. (Bill) Gaskill
Safety Manager

July 26, 1996

FHWA Docket No. MC-96-18
Federal Highway Administration
Office of the Chief Counsel
HCC-10, Room 4232
400 Seventh St., S.W.
Washington, DC 20590

QA - 20610
FHWA-97-2299-26

LEGS./REGS. DIV.

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FEDERAL
HIGHWAY
ADMINISTRATION

Re: Comments on Safety Rating Proposal

Dear Sir/Madame:

In response to the Notice of Proposed Rulemaking published in the April 29th Federal Register, we herewith submit the following comments and opinions for your information and consideration.

1. Basis of Safety Ratings

We firmly believe that the entire safety process must be more reflective of actual safety performance. Therefore, ratings should be weighted and based not only on accident ratios, but also on roadside inspections and what we will term "Paper Compliance".

We suggest the following weights be given to the various safety-related factors:

- 40% - Recordable accidents
- 40% - Roadside Inspections
- 20% - Paper Compliance

"Paper Compliance" should include the following areas:

- a. Driver Qualification
- b. Vehicle Maintenance
- c. Operational Factors (hours of service)
- d. Accident Rates
- e. Financial Responsibility
- f. Accident Register
- g. Hazardous Materials

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In addition, safety ratings should also account for operating exposure, ie. carriers operating only in the Western states versus carriers operating in congested, highly populated areas in the East and Midwest. This can be easily determined by using IRP reported miles for the states in which a carrier operates.

2. Accidents

The current standards used for determining preventability seem to be adequate provided that auditors are sufficiently trained and understand them. Subjectivity of individual auditors will always be a concern, but may be reduced by better training and detailed written policies.

When determining a carrier's accident ratio, non-preventable accidents should not be considered.

We support the current criteria for determining a recordable accident, including the tow-away.

The current criteria for determining recordable accidents, including the tow-away criterion, is acceptable as a measure of accident recordability.

3. Audits

To determine compliance, FHWA should sample a carrier's logs by random samples only.

The dismissal of a driver who had built up several log violations should be used to mitigate any violations.

Complaints by employees should be detailed and should not be used for a full-blown compliance audit.

Complaints by former employees should also include the identity of the complainant.

Drivers should be assessed personal penalties for log book violations.

FHWA should establish an educational program to help carriers improve their operations in order to improve their rating.

Finally, the addition of an "ombudsman" to the appeal process would be welcome.

We submit these comments in the sincere hope they will receive your serious consideration and evaluation.

For additional comments or clarifications, please contact the undersigned. Thank you for the opportunity to present these comments and suggestions.

Very truly yours,


W. W. (Bill) Gaskil
Safety Manager

WWG/sm

cc: Mr. Richard Schaefer
President, Victory Express

Ms. Lana Batts, ITCC

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