

QA-21516  
FHWA-97-2350-54

FEDERAL  
ADMINISTRATION

February 11, 1997 97 FEB 10 A8:28

LEGS./REGS. DIV.

B.S.B. Transport, Inc.  
P.O. Box 622  
Grandview, Wa 98930

To the Federal Highway Administration:

This is in regards to your proposed rulemaking for Hours of Service regulations that have been in place since 1939. This is long overdue - since technology, equipment, and our highways and freeways have changed many times since 1939.

After being in the trucking industry for ten years I wish I could be in an area to not only lobby but serve on some of the rule making committees. Unfortunately, since I am prohibited by the area I work and live in I can only make these comments to your proposed rulemaking.

1. For some time now there has been a great need for a restart provision. A driver who has been off duty for 24 hours but may still not be able to drive because of the 70 hour rule should be allowed to restart.
  - a. He has had plenty of time to rest and sleep.
  - b. By doing this you eliminate much of the fraudulent logging as companies unfortunately give you deadlines that are nearly impossible to keep under the best of circumstances.
  - c. Delays are especially apparent in the refer industry and I believe this could be of great help to that faction of the industry.
  
2. If the new HOS regulations are going to get involved with pay issues for drivers then they need to also get involved with the LUMPERS, SCALE HOUSES, BRIDGE TOLLS, AND FREIGHT RATES! Deregulation may need to become regulated again. Bureaucrats say "oh there are rules and laws to protect the abuse" - my answer to that is visit any loading dock and see who is making the money. An outrageous abuse of the system is in the refer industry - example: Sate of California in the City of San Francisco.

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- a. Trucker must pay the City of San Fran to enter into the market where produce is delivered to several receiving houses.
- b. Once they have entered the market - trucker may have several drops. Each drop will need to pay a lumper to remove that pallet. This may amount to \$10.00 to \$20.00 a pallet. The other circumstance is the warehouse may expect the trucker to unload the pallets himself. Of course, the trucking company absorbs all the above costs, not the buyer. However, the above costs are not usually figured into the freight rate! Note if you choose not to pay the above which is your right - you may sit forever, the trucker may be blamed for not delivering the load on time, and the trucker may not make his next drop or pick up time.

Note delays here - cause delays for reload. Driver may spend all day unloading and reloading. He may drive 30 miles and he gets paid by the mile. The trucker reloads then has to drive 2000 in three days to make his delivery! See how logging fraudulence occurs!

The abuse is also making drivers unload their own loads. Customer has ordered it - they should unload it. Driver has driven many miles to deliver load. You want to regulate something - should be the CUSTOMER!

3. Agree that drivers should have mandatory rest periods after a certain number of hours driving.
4. FHWA needs to be careful on how they determine maximum continuous on duty driving time based on scientific data. This can only be a generalization and you should definitely have some input from the actual people that drive the trucks!
5. Important to actually get **out** in the field and adapt yourself to the truck drivers job before making bureauratic rules. This means to gain knowledge from all parts of the country and all types of trucking. "PRACTICE WHAT YOU PREACH!"
6. Please provide some means to regulate your drivers in both the passenger car and RV vehicles. Continuous harassment by the DOT occurs on a daily basis ( I agree some truckers need it) but would also like you to utilize our tax money to bring in cars to the scales and check their vehicles.

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Thankyou for your consideration in this matter.

Sincerely,



Sandi Buchmann  
B.S.B. Transport, Inc.

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