

QA-21401

FHWA-97-2350-10

Michael R. Phipps  
R. 5, Box 314  
Greencastle, Indiana  
46135

12 December 1996  
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ADMINISTRATION

Federal Highway Administration  
Department of Transportation  
400 Seventh St. SW, Room 4232  
Washington, DC 20590

Ref: FHWA Docket No. MC-96-28

To whom it may concern:

First of all, why does every one jump on the bandwagon about killing the man or woman who is making where living for them. Like the BIG trucking companies. The present heure-of-service is still working for the driver. I don't care if it is fifty seven (57) years old.

If you people want to make it better for the driver, lets start with more money. I am making less money than I was twenty (20) years. --money per mile-- Fuel, insurance, repairs and the cost of living on the road has went up and the wages has NOT.

The HOS now, is the only thing that save the driver from killing himself. If the companies had there way, a driver will drive thirty(30) hours a day. I have drove for twenty-four and a half(24.5) years and some of these companies don't understand why I can not work all day and pick-up a load at 4pm and be six hundred(600) miles down the road by 7am. We can only drive so far and do so much in a fifteen(15) hour working day. DO YOU GO HOME AT 5PM?? My dispatcher does, I see home one night a week, better than most, but I don't have much of a home anymore, because my wife moved out because I was never there. This is another form of what we have to put up with, what personal life we have, if any.

Some time ago I was told that the HOS was going to change to the effect that if a driver has twenty-four(24) hours off, they will go to a full seventy(70) hours of service again. This would be dumb move. This would be great for the trucking companies. Not so good for a driver. Because this would allow the trucking company to hold a driver for a very long time away from home. Would you like it if you came into work on Monday and worked seventy hours and went somewhere for twenty-four and then worked another seventy hours in a role? Week after week. Not much time to do anything with your family, NO weekends at the lake, golf course or whatever.

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Why should a driver unload there load at the delivery point? Why should a driver pay a lumpier to unload there load? I was at a delivery point a few weeks ago and the lumpier was paid by the warehouse to be there, but, still charged the driver seventy(\$70.00) to unload there load. WHY?? These trucking companies want a driver to go from point A to point B in record time and then spend four to six hours to unload the load and THEN drive another four hours to pick-up a load that has to be eight (800) miles down the road and delivered in four(4) hours. YOUR ARE RIGHT, it can not be done, but, this is what happens. So, the driver has to disregard the rules to do what the companies wants. I don't care what an over the road driver is hauling, a driver should not have to unload anything in the trailer. Everything should be on pallets or the consignee should have the help needed to receive his load of whatever. A driver job is to deliver and pick-up and to be sure the load is delivered on time, if possible. With out being in trouble with HOS.

If the FWA wants to change anything, let them tell these companies, trucking, shippers and consignees, that a driver should not load or unload there load. Food warehouse are a good place to start, a driver has a ten(10) pm appointment and has driven nine(9) hours to get there, he can not lay down to rest, he is there a nine thirty(9:30)pm, the warehouse tells him it will be a while before he can back up to a dock. At 1:30Am he is put into a dock to unload and them has to unload the entire load or hire a lumpier (at the driver expense) to unload the load..I might note, that a lumpier will make around \$80.00 per load, not bad wages \$800.00 to \$1000.00 per night, TAX FREE.

I know that I have wasted my time writing this letter to you. Because I don't have the lobbyists in Washington to help me show you people what the REAL world looks like from my point of view. Nor do I have the money the big trucking companies have to get the changes they want. As stated before, the trucking companies want that load to be delivered ASAP. They don't really care about the driver, no matter what they say. We are a number in some computer, and when that number is deleted, we are not missed.

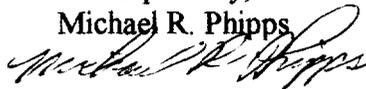
As far a Mr. Thomas J. Donohue goes, I personally feel the ATA is not looking out for the drivers interest. I know we have the interstate roads today. However you can STILL only drive ten (10) hours. Even with the interstate roads, a driver don't have to worry about all the small towns we use to. We can cover more miles in a ten(10) hours period of time than we use to, but, ten(10) hours behind the wheel is long enough without an eight (8) hour break. Don't you think six hundred(600) miles a day is enough?

Change the way the shippers and consignees force drivers to violate HOS, if you want to change anything, but, don't change the regulations.

I would like to have a copy of the thirty(37) specific questions to answer for you, if possible. Also, if possible, I would like to have a copy of the Federal Register, I am not on the Internet, I am not home long enough to access the web. Thank you for your time.

Respectfilly,

Michael R. Phipps



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HARROD  
CONCRETE AND STONE  
P.O. BOX 794, FRANKFORT, KENTUCKY 40602

96 DEC 17 AMO: 34  
LEGS./REGS. DIV.  
ADMINIS. DIV.

DOCKET CLERK, ATT: FHWA DOCKET NO. MC-96-28  
FEDERAL HIGHWAY ADMINISTRATION, DEPT. OF TRANSPORTATION  
ROOM 4232, 400 SEVENTH ST., S.W.  
WASHINGTON, D.C. 20590

WE ARE RESPONDING TO THE QUESTIONS ON HOURS OF SERVICE REGULATIONS. WE AT HARROD CONCRETE AND STONE CO. ARE WORKING VERY HARD TO COMPLY WITH THE NUMEROUS FEDERAL REGULATIONS. WE HAVE COMMENTS ON THREE OF THE QUESTIONS.

QUESTION # 4 SHOULD NON-DRIVING TIME BE COUNTED DIFFERENTLY FROM DRIVING TIME? WE FEEL THAT OUR INDUSTRY SHOULD NOT BE REGULATED ON HOURS OF SERVICE. WE ARE A SEASONAL BUSINESS AND DO MOST OF OUR WORK AT THE LOCAL LEVEL. WE NEED TO WORK AROUND HOURS OF DAYLIGHT AND WEATHER CONDITIONS. OUR DRIVERS HAVE A LOT OF NON-DRIVING TIME WAITING TO BE LOADED AND UNLOADED. WE HAVE VERY LITTLE CONTROL OF THE DOWN TIME UNLOADING.

QUESTION # 5 IS THERE A NEED OR RATIONALE TO CONTINUE THE 60/70 HOUR RULE? WE AT HARROD CONCRETE AND STONE DO NOT FEEL THIS RULE SHOULD APPLY TO OUR INDUSTRY. WE ARE ONLY DOING RUNS IN THE 100 MILE AREA AND WE DON'T FEEL DRIVING FATIGUE PLAYS INTO OUR BUSINESS. IN AN 8 HOUR DAY MANY OF OUR DRIVERS ARE ONLY ON THE ROAD FOR A COUPLE OF HOURS, THE REST OF THE TIME WE ARE LOADING AND UNLOADING.

QUESTION # 32 SHOULD THERE BE EXCEPTIONS, VARIATIONS OR CUSTOMIZATIONS OF ANY SPECIFIC PROVISIONS. WE FEEL THAT LOCAL/SHORT HAULS SHOULD NOT BE UNDER THE SAME RULES AS OVER THE ROAD DRIVERS ON HOURS OF SERVICE. WE ARE A CONSTRUCTION INDUSTRY AND OUR CUSTOMERS ARE RULED BY THE SEASON AND THE HOURS OF DAYLIGHT. WE MUST GIVE THEM GOOD SERVICE TO STAY IN BUSINESS. BEING SEASONAL WE JUST CAN NOT AFFORD TO HIRE MORE DRIVERS TO KEEP IN LINE WITH THIS LAW AND YET WE FEEL WE MUST COMPLY. WE FEE REGULATED TO DEATH WITH SOMETHING THAT IS JUST NOT AN ISSUE IN OUR BUSINESS.

PLEASE LET OUR WORD BE HEARD, AS THE CONSTRUCTION INDUSTRY WHO DO LITTLE OVER THE ROAD DRIVING AND FEEL THIS IS

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REGULATING US OUT BUSINESS. IF WE ARE NOT HERE THERE WILL BE  
NO NEED FOR REGULATIONS.

THANK YOU

*Sydney J. Good*  
SYDNEY J. GOOD, SAFETY DIRECTOR

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DEC 17  
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ADMINISTRATION

96-28

Subject: Log book + hrs of service  
Attn: FMWA

I read with fascination your question posed about Hours of Service We (truck drivers) ARE NOT a scientific study for data we ARE human.

As tragic as it is, there will always be truck + truck car accidents + deaths. As a truck driver I am appalled at this approach.

If you people would get out of your offices' and canvass this country from state to state, Highway patrol to weigh station truck stop to warehouses' to job sites. Talk to the regular people who not only try to enforce and/or interpret your regulations but also those who attempt to live and work under them.

Has anyone there in your offices drove a semi for 10 to 12 straight hours only to be told heck she must not only unload, but separate every different item? Drove endlessly in a snow storm to get a load delivered on time? A truck that broke down a then have to make this time up?

We are no a light bulb that can be turned off + on at your wishing.

I drive all over this country and listen to drivers bragging how they drove 2900 miles in three (3) day or someplace to another

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and back NON STOP. I totally disagree with this type of system to try and make a bigger paycheck.

I sleep EVERY night or day depending? and make what for me is good money. I realize that states rely on revenue from your outdated regulations to a tune of many millions of dollars a year if this is your intent then it is the same as "taxation without representation".

I would also like to say that the ATA does NOT represent the reality of the trucking industry.

Another ~~thing~~ thing I would like is, stopping brokers and trucking companies, shippers of all types and receivers to stop this madness about appointments and schedules that cannot be done legally or safely.

My biggest gripe is first this 70 hrs in 8 eight days for me and a lot of drivers we cannot leave Wis. or Ill or MI or OH and a lot of other places, go to the southwest United States reload and return you run out of time (HRS) regardless if you sleep or go without at times this is totally UNFAIR AND REDICULOUS

Second pulling on to ANY scale anywhere NOT WORRYING ABOUT WEIGHT OR AN INSPECTION BUT LOW AND BEHOLD

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the log book. When officers of state DOT can go to a rest area in the middle of the night and not only fine drivers up to \$3000<sup>00</sup> and or just harass them because some state trooper gets a hair and makes everyone leave who is not in a parking area this is WRONG.

Last but not least the only reason for my complaining is this I as many others were taught about human rights and communism.

The log book is the purest form of communism there is.

The sole purpose (today) for the log book is to generate revenue not for safety it the (log book) is by the Government for the Government and enforce by the Government with state and federal force if the Government chooses.

I as a driver am a advocate of safety I want a safe vehicle. This whole thing has to be addressed and taught. Years ago aggressive driving was reckless driving now for some reason we look on as though it doesn't mean anything. We don't need split speed limits trucks can't use left lanes. I was told driving was a privilege not a right

Do whatever you do with common sense and the human factor we are all individuals

Thank You Ray

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