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FHWA-99-2350-15

December 6, 1996

George L. Reagle
Associate Administrator for Motor Carrier
U. S. Department of Transportation
400 Seventh Street SW
HPS-30/Room 3100
Washington, D.C. 20590

Dear Mr. Reagle,

Thank you for your October 31, 1996 letter to me.

In reference to hours-of-service regulations, you invited me to submit my comments to you. I would like to do this. However, I don't feel like they will be considered for the simple reason, if all of the administrative staff are like Mr. Kennewth Copeland, you all have closed minds. I don't think anyone in the FHWA has ever driven a truck from Texas to Edmonton, Alberta, Canada then to Yakima, Washington and then back to Dallas, Texas, or from Weatherford, Texas to Portland, Oregon then to Yakima, Washington and to Dallas, Texas. I also doubt if anyone of you have ever ran a truck line that runs these routes. So how can they (you) regulate hours-of-service? By the way, I have done this many times in my 20 years of driving and then 25 years as owner of a long haul trucking company.

Anyway, I will submit my proposals. I think the best way to regulate hours-of-service is like what I've read the way Australia does. They say motor carriers are exempt from hours-of-service regulations as long as they demonstrate they are safe. If they operate without any fatigue related accidents, they can operate as they please. By the way, Mr. Copeland scoffed at this suggestion. I think as long as a motor carrier is doing things safely, he should be left alone, after all isn't this what we all want! This is the best approach I know.

If you must stop a driver after so many hours of driving, why not let him drive 15 hours every 24 hours, with no limit as to the number of hours per week on 7 days or 8 days or for that matter, 30 days. I feel like this will make most of you wring your hands. You will say that we need to conduct studies on this to see if it will work. Well, Mr. Reagle, I have lived it for 45 years. How many more studies do you need?

So this should be some of service

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ADMINISTRATION

LEGS./REGS. DIV.

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Mr. Reagle, safety is in the drivers hands. All the regulations, drug test, alcohol test, roadside inspections, audits and paperwork will not make them safe. But the government tries to take safety out of the drivers hands. They need to leave them alone, or there won't be any safe, good drivers out there. Each driver is an individual with individual waking and sleep habits. Teams are dangerous because so many cannot sleep when they should and therefore they are fatigued when it comes their time to drive. Also, on the subject of running team drivers, the most fatigued that I ever drove was running with a co-driver. Most drivers cannot sleep while the vehicle is moving or another person is driving.

It is very difficult to get two men to run together and get along. One may smoke, the other doesn't. They become irritable, cranky and will **quit on** the road or when they get home. Its impossible for them to get along **couped** up in a small truck cab for a week at a time. Sometimes they have confrontations that lead to fights, etc.

In this letter you said the FHWA must enforce the law and you must enforce it equally. Well, Mr. Reagle, you do not enforce it equally. I know of many, many carriers in this area alone that are not checked. I can name you several. So, I take exception to what you claim. I know you can't enforce it equally.

Mr. Reagle, you and Mr. Slater believe that it is not the FHWA intention to intrude on the activities of motor carriers or the professional driver. If you will only talk to me and my drivers, you will see that the FHWA does just that. A year ago I was running 16 trucks (class 8), with a good business base. Since the two safety compliance reviews, I have downsized to 11 trucks, dropped some good customers, and laid off several drivers. I only hope I can stay in business. All this because the FHWA did intrude on my business which has a good safety record.

As far as regulations goes, the FHWA (or government as I like to call it) is doing it wrong. All that is regulated in my business is safety by the government. We are left at the mercy of the shippers on rates. They don't pay enough to pay team drivers, but they expect that kind of service.

The FHWA needs to regulate the whole thing, rates and safety, or get out of it completely. I prefer the latter.

Yours truly,



James Young
President

RE: HFO-1/HPS-10

CC: President Clinton
U.S. Sen. Kay Bailey Hutchison
U.S. Sen. Phil Gramm
U.S. Rep. Kay Granger
U.S. Rep. Joe Barton

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