

DA-21448



REGISTRATION  
97 JAN 3 1:32  
LEGS./REGS. DIV.

ACT. DOCKET CHECK

G. #33 SHIPPERS HONOR GENS' SPOONS

DO NOT HAVE THE RIGHT TO VIOLATE  
MY RIGHTS OR SERVICE BUT THEY DO SO  
BY TELLING THE COMPANY THAT LAWRENCE  
THAT THE FREIGHT BEING HANDED WILL  
START THEM DOWN AND COST THEM THOUSANDS  
OF DOLLARS IF IT DOES NOT MATERIALIZE BY A  
CERTAIN TIME, THESE SHIPPERS ARE CALLED  
JUST IN TIME SHIPPERS AND IF I RUN  
INTO BAD WEATHER THEN THE COMPANY  
WAKE SHIPPERS UP FOR IT. THIS IS WHY  
DRIVERS GO BEHIND THEIR LEGAL HOURS.

FHW A-97-2356-25

WARD L. WYLLIE  
PFL-1-KO8127  
JENNIFER CRITH, JR  
47137

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Q. A 34 FREIGHT Handling

MY JOB IS TO DELIVER FREIGHT FROM POINT A TO POINT B IN A SAFE AND PROFESSIONAL MANNER AND NOT ENDANGER OTHER PEOPLE WHILE DOING THIS. IF I GET BACK INTO A TRUCK WITH A SORE BACK AND TIRED FROM HANDLING FREIGHT, HOW AM I SUPPOSED STAY ALERT AND DRIVE TO THE NEXT POINT. DRIVERS ARE NOT USED TO PHYSICAL LABOR, WHICH IN TURN TAKES THEM MUCH QUICKEER THAN A PERSON WHO IS USED TO DOING THIS KIND WORK IF YOU TOOK ONE PERSON WHO LAYS BRICKS FOR A LIVING AND ONE WHO SORTS MAIL, WHICH ONE WOULD BE IN BETTER SHAPE, THE ANSWER TO THAT ONE I AM SURE YOU KNOW. FREIGHT HANDLING SHOULD ALWAYS BE THE SHIPPER'S & CONSIGNEE'S RESPONSIBILITY NEVER THE DRIVER'S FOR ANY REASON.

## Q. 35 DELAYS

SHIPPERS AND CONSIGNEES DO NOT SEEM TO UNDERSTAND THAT LONG DELAYS COST DRIVER GOOD SOUND SLEEP TIME, WHICH WE ALL NEED, MOST DO NOT EVEN CARE, ALL THEY SAY IS IT MUST BE THERE ON TIME, DELAYS AT EITHER END SHOULD COST THE SHIPPER OR CONSIGNEE AT A RATE WHICH WOULD HURT THEIR PROFITS AND IT SHOULD BE PAID TO THE DRIVER NOT THE COMPANY THEY WORK FOR OR ARE LEASED TO, TRUCKING COMPANIES MANY TIMES GET LATE FEES WHICH THE DRIVER NEVER SEES, SO THE DRIVER THEN IN TURN DRIVES MORE HOURS IN ORDER TO PAY HIS OR HER BILLS, ONCE AGAIN SHIPPER FOR THE MOST PART ARE PUTTING THE DRIVER BEHIND AND THIS BRINGS ON MORE PROBLEMS FOR THE DRIVER.

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Q # 35 REGULATING SHIPPER

I ALMOST BELIEVE THIS WOULD BE IMPOSSIBLE TO DO AS IT WOULD TAKE MILLIONS OF WATCH DOGS ACROSS THE COUNTRY AND COST BILLIONS TO ENFORCE SUCH RULES. I THINK A BETTER ROAD TO TRAVEL ON THIS WOULD BE TO HAVE DISTRICT OFFICES DRIVERS COULD CALL AND REPORT THE PROBLEM TO AND THEN CHECK OUT BOTH THE SHIPPER AND THE COMPANY HE OR SHE ARE WORKING FOR. OVER THE YEARS I HAVE FOUND MORE OFTEN THAN NOT IT IS THE TRUCKING FIRM THAT IS OUT OF LINE.

JUST MY PERSONAL OPINION

BUT TAKE A LOOK AT ROAD SIDE INSPECTION AND THE DEATH RATE THAT OCCURS WITH THEM. I HAVE BEEN DRIVING SINCE 1960 AND ROAD SIDE INSPECTION ARE THE BIGGEST HAZARDS TO COME ALONG I HAVE EVER SEEN.

~~REPORT~~ MC 96-28-71  
4 4



FHWA  
 DOCKET ~~C. LARK~~ # 96-28  
 ATTN: FHWA DOCKET  
 FHWA 400 ROOM 4232 WASHINGTON DC  
 7TH ST SW 28590

Question

- #2 maximum weekly hours 60  
36 hours ~~per week~~ <sup>per week</sup>
- #31 DUTY TOUR LIMIT 12 HOURS  
0-4 hours on / 8 hours off  
4-12 " on / 12 hours off
- #4 ~~Necessary~~ NON DRIVING ~~time~~ duty time  
COUNTED SEPARATELY
- #5 70 hours in 8 day period, ~~with off~~ NO  
They should be all in one category.
- #6 24 hour reset should be allowed  
for persons that own the truck they  
are driving. A hired driver would  
not be allowed to use this provision.
- #7 off duty time should be 12 hours  
each 24 hour period regardless of  
how many on duty hours are  
~~worked~~ worked each day.
- #8 Circadian cycle should be 12/12  
to make it possible for the plan to  
work for various individuals.
- #9 Split Sleep should be outlawed in toto.
- #10 Rest breaks should be mandatory  
with the provision that the driver  
declares the time the period is to be.

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- # 11. Performance based regulations should be outlawed
- # 12. Drivers should be paid at the prevailing wages for their industry Plus all hours on or off duty should be paid on the prevailing wage standard
- # 13. HOS should be regulated by US DOT. HOS ~~should be~~ compliance should be verified by AUDITS of logs and other company records at the company being monitored by US DOT personnel.
- # 14. ON BOARD MONITORING should be an option for trucking companies
- # 15. Log books should be required for all vehicles if they are over 200 miles from their home base.
- # 16. Off duty driving should be limited to 30 miles or 1 hour whichever ever is the greatest
- # 33. The shipper should be given TAIL TIME
- # 34. The shipper should do the loading and the receiver should do the unloading. Just as the rail road does it customers.
36. FHWA should be all powerful in regulating shippers and consignees. This is where truckers get 80% of their HOS problems.

January 13, 1997

97 JAN 3 P 1:32  
ADMINISTRATION  
LEGS./REGS. DIV.

FHWA Docket No. MC-96-28  
Federal Highway Administration  
Department of Transportation  
400 Seventh Street, SW Room 4232  
Washington, D.C. 20590

Dear Sirs:

I have nearly 1 1/2 million miles of safe driving experience. The paid miles are at least 10% less, and that in itself is a problem that safety minded people should be looking at. The hours of service rules are a big problem. Almost every day I am forced to choose between safe driving and a legal log book. **I cannot do both!**

Examples:

1. I am an early morning person, so I often run out of hours in early afternoon. According to D.O.T. rules, I should waste several good daylight hours when I am wide awake, and then start at midnight when I am tired and drive through the most dangerous time of day, right before sunrise. I cannot refuse, because the computer shows that I can legally be there for my appointment. If I had actually driven this way as often as my log book says I did, I doubt if I would have this kind of safety record.
2. Traffic. When I must drive through a congested area, I listen for traffic reports. Many times when the roads are clear, I am out of hours, and if I wait until I'm legal, the roads will be a mess. Many times I am out of hours when I get done at the customer, and it would be unsafe, if not impossible or illegal to stay there. I must break the law in order to be safe.
3. Parking or lack thereof. I carefully plan my day only to find that the truck stop or rest area I planned to sleep at is full or the rest area might be closed or have a sign that says no overnight parking. Then, I must either park illegally or drive illegally. Also, traffic, weather, construction delays, etc. can cause a driver to run out of hours some distance from his planned stop. Once again the driver has to make a choice between a legal log book or driving to a safe and comfortable place.
4. Weather. Many, many times I run out of hours when the sun is shining, the roads are dry, I am wide awake and a storm is moving in. I firmly believe that if I followed D.O.T. rules in these situations I might not be alive today.
5. The actual act of filling out the log book, as required, can be dangerous. Many times the truck blocks traffic while I load or unload. I will get out of the way ASAP and refuse to waste time with a log book while I am blocking traffic.

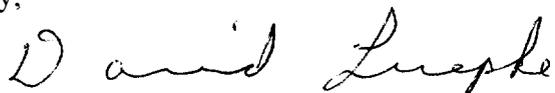
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6. Unfunded mandates. I am paid by the mile, plus a small amount for time spent at the customer. Everything else is on my own time, such as waiting for dispatch, trip planning, detours, paperwork, phone calls, traffic delays, weather delays, truck washing, trailer sweeping, truck inspections, mandatory safety meetings, drug tests, CDL tests and anything else that the company or the D.O.T. decides that I should do as part of my "Driving" pay.
7. Penalties. The government has seen fit to protect other workers from this kind of abuse with overtime and minimum wage laws, while the long haul trucker consistently gives his job 140 hours a week. Over half of that time is spent actually working and even while eating and sleeping the driver is still responsible for truck and cargo. Instead of overtime pay and a guaranteed minimum we get fines and penalties, some quite severe.

As long as non-driving personnel continue to make rules for a game they never play, there will be few problems solved, so I suggest that some of the rule makers ride along for 2 or 3 weeks and actually do the trip planning and paperwork.

Anyone who really wants to learn about truck safety is certainly welcome to ride with me.

Sincerely,



David Luepke  
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Edgar, WI 54426  
Phone: 800-865-3624 Voice Mail 7 11225 1  
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you asked for scientific  
data, but how many scientists  
have safely driven a truck  
for over a million miles?

Please consider experience  
when you make your decisions.

Thank you

David Lueck

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01/21/97

To: Docket Clerk:  
Attention: FHWA Docket # MC - 96 - 28  
Federal Highway Administration  
Department of Transportation, Rm. 4232  
400 7th St. SW,  
Washington DC. 20590

97 JAN 3 P 1:30  
ADMINISTRATION  
LEGS./REGS. DIV.

To whom it may concern;

I understand that this committee is looking for professional drivers comments on creating new regulations on hours of service, I have 17 years as a professional driver.

My suggestions would be;

- 1) 12 Hours on duty, 12 Hours off duty
- 2) The 12 hours on duty could be driving and / or on duty combination
- 3) The only drivers allowed to split breaks would be team drivers, 6 hour minimum break
- 4) Eliminate the 60 hour log or the 70 hour log, go with 1 time.
- 5) After 24 consecutive hours off duty, reset total hours; ie: 60 hours.

Above all keep it simple.

I would also like to see changes in the future on loading and unloading, that this become the shippers and consignees responsibility, There is **alot** of abuse by both.

Thank You:

Regards;

Mark A. Seibel  
3 Carpenter St.  
Springvale Me. 04083

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