

MC-96-28



FEDERAL MOTOR CARRIER SAFETY
ADMINISTRATION

Re: Hours of Service Regulations
for trucking

97 JAN 31 10:11

LEGS./REGS. DIV.

I am a trucker Lic # 594519 DE and have been since 1982.

Currently technology exists to monitor hours of service compliance. My recommendation is to mandate this equipment on all trucks above 26,000#, then change the hours of service regulations.

My idea is as follows: Allow 15 hours of service each day whether driving or on duty or combination of both. The duty period would start whenever the pre trip was logged and would expire 15 hours later regardless of dock time, meal breaks, or whatever. Since a driver is awake, he or she becomes gradually more fatigued. If you then follow with a 9 hour rest period, it allows a driver to establish circadian ~~hythms~~ rhythms. Raise the hours allowed to 90 in 8 days. This is more along the lines of what really goes on, yet protects the driver.

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from having to keep outrageous schedules due to shipper delays or dispatch mistakes. I currently drive a truck with electronic logging and I find that with loading, unloading, etc. my normal workday usually runs 14-15 hours. I handle between 4-5 loads per week over 6 days and find that I normally start my day about the same time each day. I would also add that I rarely am drowsy while driving. I am currently approaching 2 million safe driving miles. I would be happy to answer any questions regarding hours of service regulations.

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ADMINISTRATIVE

Question 36

37 JAN 31

AB: 11

LEGS./REGS. DIV.

SHOULD THE FHWA SEEK LEGISLATION FROM CONGRESS TO REGULATE SHIPPERS AND CONSIGNEES TO PROHIBIT THEM FROM MAKING DEMANDS ON A MOTOR CARRIER AND ITS DRIVERS THAT WOULD CAUSE A VIOLATION OF THE HOS RULES? ANSWER: YES, WHY?

ANSWER: BECAUSE OF TAX LAWS NO ONE WILL WAREHOUSE ANYMORE, SO JUST IN TIME FREIGHT HAS BECOME THE NORMAL WAY BUSINESS IS DONE.

CONSIGNEES DO NOT ORDER NEEDED PRODUCTS A HEAD OF TIME, SHIPPERS PROMISE PRODUCTS TO BE DELIVERED AT A PRESET TIME, SOMETIMES EVEN BEFORE THEY ARE MADE. WHICH LEAVES VERY LITTLE TIME TO GET THIS JOB DONE, (PROBLEMS PUT ON DRIVERS BACK) REGARDLESS OF DISTANCE, ROAD CONDITIONS, AND DRIVER FATIGUE.

SUMMARY:

I PERSONALLY THINK THE FHWA BETTER ADDRESS THEMSELVES TO A VERY BIG MOUNTING PROBLEM.

- ① PAY, CURRENTLY DRIVERS ONLY RECEIVE 50% OF WHAT THEY ARE WORTH.
- ② ATTITUDES NEED TO BE CHANGED, SHIPPER-CONSIGNEES-PUBLIC. TOO MUCH NEGATIVE PRESS
- ③ FOR A SMALL GROUP OF OUR NATIONS WORK FORCE WHO HANDLE EVERYTHING FROM FINE ART TO HAZ-MAT, FOOD TO MILITARY, ITS A SHAME WE ARE NOT CONSIDERED SKILLED WORKERS (LOW LIFE)
- ④ WITH EVERYTHING ~~CONSIDERED~~ CONSIDERED AN ELEMENT AGAINST US WE ARE THE SAFEST WORKERS IN THIS COUNTRY.

THANK YOU

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(CONT) AS FOR LUMPING, MOST COMPANIES WILL ALLOW A SMALL AMOUNT MONIES TO HIRE A LUMPER, NORMALLY 25% - 40% OF WHAT THEY (LUMPER'S) ASK.

Lumpers ARE A SURGE TO THE TRUCKING INDUSTRY

① Lumpers do NOT PAY INCOME TAXES (WORK UNDER TABLE)

② " NORMALLY PAY OFF SHIPPER/CONSIGNEE'S

③ IF you do NOT use consignee's or shippers Lumpers you AS A DRIVER ④ CAN LOSE YOUR JOB IF you don't LOAD/UNLOAD THIS FREIGHT, (PER AGREEMENT BETWEEN SHIPPER - CONSIGN - COMPANY) ⑤ FREIGHT MAY BE LEFT ON TRAILER IF you do NOT do THE ABOVE (LOST INCOME) BOTH ways.

AS TO PROVIDE DATA: THEY ARE SMART ENOUGH NOT TO LEAVE A PAPER TRAIL IE: NO SET PAY OFF FIGURE, NO TAXES, TOO SIT (WHICH COST US ALL), AMOUNTS PAID TO COMPANIES ARE NEVER SHOWN. SO you don't HAVE TO BE A ROCKET SCIENTIST TO FIGURE OUT WHAT IS GOING ON. IF PRESIDENT CLINTON NEEDS JOB'S (WELFARE) MAKE COMPANIES HIRE TAX-PAYING PEOPLE.

QUESTION 35

HOW SHOULD SITUATIONS WHERE DRIVERS ENCOUNTER DELAYS AT SHIPPERS CONSIGNEE'S BE CONSIDERED IN THE PROPOSAL?

ANSWER A SHORTER PERIOD OF TIME BEFORE DETENTION STARTS. WHEN DETENTION STARTS, PAYMENT SHOULD BE ON THE RATE EQUAL TO THE HIGHEST PAID SKILLED TRADESMAN IN THEIR OPERATION. WHEN THIS DOES OCCUR DELIVERY TIMES WILL BE CHANGED TO TIME/DISTANCE NOT TO EXCEED (HOURS) LEFT FOR THAT DRIVER. EXAMPLE: DRIVER ARRIVES TO PICK UP LOAD 6 HR DELAY (ARRIVED 13:00 HRS - LOADED 17:00 HRS) 8 HRS LEFT (HRS) 670 MILES TO CONSIGN FOR OSCOITRS DELIVERY.

Question 33

WHAT CONSEQUENCES, IF ANY, SHOULD BE IMPOSED UPON A SHIPPER OR CONSIGNEE IF A DRIVER VIOLATES THE HOURS OF SERVICE (HOS) REQUIREMENTS DUE TO ACTIONS OR DEMANDS OF THE SHIPPER OR CONSIGNEE?

ANSWER.

- ① IF FINES ARE INVOLVED, SHIPPER/CONSIGNEE ARE LIABLE.
- ② IF TOLL ROADS ARE THE SAFEST, THEY/SHIPPER/CONSIGNEE, SHOULD PAY
- ③. IF ACCIDENT IS INVOLVED DUE TO FORCED DELIVERY TIME WHICH MAKES OR RUN ILLEGAL THEY SHOULD BE LIABLE.

Question 34

HOW SHOULD THE LOADING AND UNLOADING OF FREIGHT, LAMPING, AND ENGAGING IN ACTIVITIES OTHER THAN DRIVING BE ADDRESSED? PLEASE PROVIDE DATA THAT SUPPORTS YOUR ANSWER.

ANSWER.

TO ANSWER THIS QUESTION THERE IS A QUESTION:

WHY IS IT THAT WE/US HAVE NEVER BEEN GRANTED SKILLED TRADE STATUS? ANSWER IS VERY SIMPLE, WHERE CAN THE TRANSPORTATION INDUSTRY GET SLAVE LABOR SO CHEAP. MOST OF THE HIGH SKILLED DRIVERS PAY A VERY HIGH PRICE FOR DEDICATION, CARE, AND LOYALTY.

LOADING AND UNLOADING CUT'S INTO THE ABILITY TO EARN A LIVING (DECENT), TIME LOST, PHYSICAL ENERGY NEEDED WHICH IS NEEDED TO OPERATE A MOTOR CARRIER VEHICLE SAFELY.

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