

QA/27433

State of Vermont

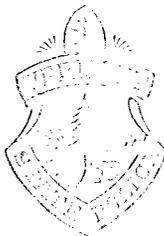
FHWA-97-2759-2

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Department of Public Safety  
DIVISION OF STATE POLICE

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September 25, 1997

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Gentlemen:

Re: Federal Register/Vol. 62, No. 165/  
Tuesday, August 26, 1997/Proposed Rule  
Docket #FHWA-97-2759

In response to the proposed revision of 49 CFR 391.11(b)(2), the Vermont State Police requests that this law stay as presently written. We are a state which adjoins the Province of Quebec, consequently we have a very high contact rate with Canadian motor carriers. A large percentage of Canadian carriers have commercial vehicle operators who speak English sufficiently well to communicate with our enforcement officers.

We do, however, routinely deal with commercial vehicle operators who speak French-Canadian. We even deal with commercial vehicle operators who refuse to speak English although capable of doing so. We feel that this is a serious issue for the trooper conducting a roadside inspection.

Our first concern while performing details, inspections and other functions is safety. When a trooper informs a driver to apply the brakes and the driver starts the vehicle up, confidence in that driver's ability to follow instructions while the trooper is beneath the vehicle is severely shaken. For the trooper, this issue is not about discrimination, it is a survival issue.

Rarely does the Vermont State Police issue a citation for this infraction. When a citation is issued, there are usually other factors involved such as the driver having to be removed and the driver functions be performed by a trooper for safety's

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