

June 11, 1998

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FHWA - Attn: Docket Clerk
U.S. DOT Dockets, Room PL-401
400 Seventh Street, SW
Washington, DC 20590-000 1

RE: Docket No. FHWA-98-3706-13

To whom it may concern,

My name is Dennis Gregory; I am the President of Palmer Gregory & Sons, Inc. Palmer Gregory & Sons, Inc. is located in Springfield, Tennessee and operates fourteen power units; we have been in business for thirty years. I am writing in response to the proposed rulemaking on Hours of Service of Drivers as it relates to supporting documents.

First of all, I would like to say that our company is absolutely committed to safety. An accident or an out of service order for us is an event, not just another occurrence that impacts our statistical standing with the DOT. Since these incidents are few, it is hard to justify the expense of a full-time safety manager to deal with these isolated situations. In managing a small trucking company I must wear many hats. When I see that even very large carriers with large and sophisticated **safety** departments have trouble staying in compliance with the rules, I wonder what chance I have. Running a safe operation and operating in compliance with the law is very **important** to our company; but the rules need to be simplified and made more clear so that compliance is possible.

I believe that all carriers should endeavor to have programs in place that ensure safe operations and compliance with the rules. As it relates to Hours of Service, however, the rules are cumbersome and this proposed rulemaking only makes this worse. We need guidance. Show us what you think an ideal program is. Which of these supporting documents would you prefer we use? If we set up our program in good faith how do we know that the auditor will agree that it is effective? How much time and energy should I focus on this issue if an auditor can come in and apply some obscure document to the logs in an effort to find me at fault with no regard to any effort expended to try to comply.

Personally, I have no problem expending the effort if I have some reasonable expectation that the program we develop will meet regulatory muster. And if such a program is developed with DOT guidance then auditors should focus on whether or not the program is working the way it should. If the program is not working as well as it should the auditor should work with us to make the program work better. The proposed rulemaking indicates that instead of trying to work with carriers to improve compliance, regulators will apply punitive measure by throwing out our program and require us to develop a system that would require the cross referencing of over 30 documents.

I agree that every motor carrier should have some kind of program in place to ensure compliance with the hours of service regulations. This proposed rulemaking, however, fails. Simplify the proposed rule and let us know what we can expect at audit time.

Sincerely,



Dennis Gregory
Palmer Gregory & Sons, Inc.