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U. S. Department of Transportation  
Dockets Management Facility, RM PL-401  
400 Seventh Str., SW  
Washington, DC 20590-0001

FMCSA-2002-13295-34

January 21, 2003

Dear Sirs:

On our Farm Plated Truck, we put less than 100 miles per year. We oppose the double scrutiny, as per attached letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Kerivan', is written over the word 'Sincerely,'.

Robert Kerivan  
President  
Bridgeview Vineyards Inc



- US Dept of Transportation Secretary Norm Mineta suggested in a 4/17/01 letter to Oregon Senator Ron Wyden that ODOT apply for this exemption.
- The Oregon legislature has treated its farm plated trucks the same way since 1978 with no increases in accidents. No additional inspection authority is needed.
- The ODOT already has authority to inspect all trucks, including farm plated trucks, for compliance with Oregon's DMV laws that cover basic parts and accessories (brakes, lights, tires, emissions and exhaust, etc.). No additional inspection authority is needed for compliance with duplicative federal standards.
- Oregon's farm trucks hold an exceptional safety record, and account for less than 1% of truck accidents (Of 11,767 truck accidents from 1995-2001, only 89 involved farm plated trucks). Even ODOT contends that no additional scrutiny is necessary.
- According to ODOT, the vast majority of truck accidents are caused by driver behavior rather than mechanical failure, and Oregon already has a comprehensive and aggressive traffic enforcement program that applies to farm truck drivers and goes above and beyond the federal requirements. Again, no additional scrutiny over farm trucks is necessary.
- According to ODOT, Oregon's farm truck accident record is so low that ODOT would not spend additional resources inspecting farm trucks anyway.
- According to ODOT, granting the exemption as requested by ODOT would have no negative impact on truck safety in Oregon.
- The Executive Committee of the Commercial Vehicle Safety Alliance (CVSA), national safety advisor to USDOT, voted to endorse and support Oregon's request for this exemption.
- The whole thrust of the Motor Carrier Safety Assistance Program (MCSAP) is that it is performance-based. That is to say that we are not all about simply racking up impressive numbers of actions, i.e., truck inspections; rather, the program is intended to expend scarce resources prudently to bring about safety improvements where trend data clearly indicates enhancements can be obtained. Farm operations in Oregon do not even come up on the safety radar screen by that measure.



- It would be counter-intuitive to reject Oregon's reasonable request for exemption. Approval would mean that the exemption is valid for two years and automatically reviewed. Denial means that perhaps one of the best state MCSAP programs in the nation will cease to receive federal grant funds. How can that result possibly be construed to be a positive development in the national quest to improve safety?
- If the request is not approved, Oregon will lose approximately 25,000 truck inspections conducted annually by local law enforcement MCSAP subcontractors. All inspections performed as a result of probable cause traffic stops on highway will cease. Special operations like hours of service checks and OSP's Operation Trucker Check will require alternate funding sources. Education and public outreach programs will need alternate sources of funding. Current examples include Respect the Hill outreach (Emigrant Hill) and a Judicial Outreach program.
- Prior federal review of Oregon statutes and administrative rules did not find the current issue to be a basis for non-compliance. What is the reason for all the fuss now? Are egos getting in the way of national truck safety issues?

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Kerivan', with a long horizontal line extending to the right.

Robert Kerivan  
President  
Bridgeview Vineyard Inc