

264668

DEPT. OF TRANSPORTATION
DOCKETS
03 JAN -9 AM 11:34



January 5, 2004

Docket Clerk
U.S. DOT Dockets,
Room PL-401
400 Seventh Street S.W.
Washington, D.C. 20590-0001

Docket No. FMCSA-2003-15818 - 7

Dear Sir or Madam:

This correspondence is a comment to the Federal Register December 11, 2003, "Exemption to Allow Werner Enterprises, Inc. to Use Global Positioning System (GPS) Technology to Monitor and Record Drivers' Hours of Service, Docket No. FMCSA-2003-15818."

J.B. Hunt has been tracking the pilot program that Werner has been participating in since the beginning of the program. We have also invested significant programming resources attempting to develop a comparable system and have a good understanding of the complexities and challenges Werner overcame in developing their system.

J.B. Hunt and other motor carriers are reluctant to join Werner in the pilot program because of some of the issues contained in this docket. These concerns were addressed personally with Joseph Clapp, former Director of the Federal Motor Carrier Safety Administration (FMCSA), with great hope that some of the obstacles would be removed. One significant concern is the temporary nature of a pilot program and/or exemption. J.B. Hunt believes more carriers would be likely to deploy Global Positioning System Technology to Monitor and Record Drivers' Hours of Service if FMCSA would incorporate satellite based electronic hours of service monitoring in the regulations as an acceptable alternative to paper records of duty status or automatic on-board recording devices currently permitted under the regulations. With such incorporation would come standard system requirements and protocols that would legitimize this technology and remove the fear that a company would invest hundreds of thousands of dollars in a system that would face denial of renewal annually or biannually. Even if renewed, the prospects that the FMCSA could change the system requirements, which would result in expense and effort to reprogram is a deterrent to participation under an exemption. It is interesting to note that in the Notice of Intent FMCSA did not think it appropriate to make this technology part of a permanent regulation because only one carrier was using it when a primary reason only one carrier is using it is that it is not part of the permanent regulations.

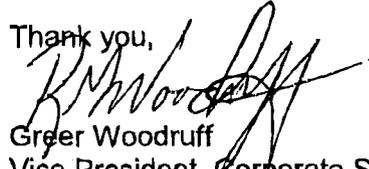
Another obstacle to increasing the number of carriers using this type of technology is the additional reporting requirements that are not required by other carriers. If Werner's use of GPS technology has been determined by the agency to achieve a level of safety equivalent to, or greater than, that provided by complying with the current records of duty status requirements, then additional reporting should not be required. Quarterly Reports, Reporting of Violations of Hours-of-Service Rules by driver including disciplinary and/or remedial action taken, and

Docket No. FMCSA-2003-15818
Page 2

Reporting of Corrections or Amendments to Records results in motor carriers deploying technologies being held to a higher standard than the rest of the industry. This tends to halt or slow deployment of emerging technologies.

If this system is better than paper logs, please reconsider making this a regulation with system requirements standardized rather than an exemption and eliminate additional reporting requirements that deter deployment of emerging technologies. These changes would make the system a viable alternative for other carriers with clear requirements on which to base decisions requiring considerable system development and a commitment of resources.

Thank you,



Greer Woodruff
Vice President, Corporate Safety