

To whom it may concern:

These are comments from truck drivers concerning the hours of service regulations.

Any questions please call Emily Roberts at The Trucker 800-666-2770.

Thank you/.

Emily Roberts
Managing Editor

QA - 21702
FHWA - 97 - 2350 - 125

97 MAR 31 P12 : 48
LEGS./REGS. DIV.

EDWARD
ADMINISTRATION

America's Trucking Newspaper

The Trucker

where the news comes first.

EMILY BURGIN ROBERTS

Road News @aol.com

2701 Kavanaugh • Suite 208

P.O. Box 3413

Little Rock, Arkansas 72203

800-666-2770 • 501-666-0500 • FAX 501-666-0700

9 COMMENTS FROM VARIOUS TRUCKERS

DOCKET MC-96-28-223
PAGE 1 OF 12

James E Allen
115548th Ave East Moline, IL 61244
Phone: None

I have been a professional driver for 5 years.

Dear trucker,

First of all I would like to tell you I really enjoy reading your paper. I tell people about it & that I think it is the next best thing to reading the U.S.A. Today paper!

Secondly the reason I am writing this letter is to give you some of my comments on your 1/ 6-19/ 97 issue on hours of service regs.. I know it is a problem to try to get everybody to run legal. So the following are some comments on somethings I think might help.

I think it should be mandatory that we get paid for all the time we put in on the job. It is such a cut-throat business out here any more & the driver is expected to take up the slack no questions asked. So the Co. can try to make ends meet. I mean by this we can be on time for an appointment but still have to wait 8 hours or more to be unloaded. The Co.won't call to try to speed things up because they don't want to make waves & loose the customer. So we have sat there all day & made nothing. This should really be all logged on line 4 but they tell us no 15 or 30 minutes is enough for the Co. So then we have to run all night to try to make some money. So this means we have been up all day & all night 8 then everybody wonders why drivers are going to sleep so I think if our APPT. time is a regional time to make & we're on time we should start getting paid after 1 hour & until we leave. Customer signs us in when we get there & signs us out when we leave.

I also don't think we should be required to unload or hassle with Lumpers (by the way probably only report a fraction of there income & use fake S.S. #) after driving all day or night to get there. I also think we should get paid for all miles from point A to B & not miles run minus 10% I will have driven 125,000 this year & only get paid for 112,500 miles for a loss of \$3625 on miles not paid for.

The truck driver is probably the most under-paid person of anybody working for the amount of time he spends on the job. So im my opinion I think my above comments would go a long ways in making most drivers feel they wouldn't need to push themselves so hard. Thank you for your time and effort in this matter.

DOCKET mc-96.28-223
PAGE 2 **OF** 12

P.S. I could live with the regs.the way they are now. We just need to get paid for all the time we spend on the job.

DOCKET mc-96-28-223
PAGE 3 **OF** 12

David Luepke
504 Deer Bush Road
Edgar, WI 54426
Phone: 800-865-3624, voice mail 7112251
home 715-687-4251

Dear Sirs: I have nearly 1 1/2 million miles of safe driving experience. The paid miles are at least 10% less, and that in itself is a problem that safety minded had people should be looking at. The hours of service rules are a big problem. Almost every day I am forced to choose between safe driving and a legal log book. I can not do both! Examples: 1. I am an early morning person, so I often run out of hours in early afternoon. According to D.O.T. rules, I should waste several good daylight hours when I am wide awake, and then start at midnight when I am tired and drive through the most dangerous time of day, right before sunrise. I can not refuse, because the computer shows that I can legally be there for my appointment. If I had actually driven this way as often as my log book says I did, I doubt if I would have this kind of safety record.

2. Traffic. When I must drive through a congested area, I Listen for traffic reports. Many times when the roads are clear, I am out of hours, and if I wait until I'm legal, the roads will be a mess. Many times I am out of hours when I get done at the customer, and it would be unsafe, if not impossible or illegal to stay there. I must break the law in order to be safe.

3. Parking or lack thereof. I careful plan my day only to find that the truck stop or rest area I planned to sleep at is full or the rest area might be closed or have a sign that says no over night parking. Then, I must either park illegally or drive illegally. Also, traffic, weather, construction delays, etc. can cause a driver to run out of hours some distance from his planned stop. Once again the driver has to make a choice between a legal log book or driving to a safe and comfortable place.

4. Weather. Many, many times I run out of hours when the sun is shining, the roads are dry, I am wide awake and a storm is moving in. I firmly believe that if I followed D.O.T. rules in these situations I might not be alive today.

5. The actual act of filling out the log book, as required, can be dangerous.

DOCKET MC-96-28-223
PAGE 4 **OF** 12

Many times the truck blocks traffic while I load or unload. I will get out of the way A.S.A.P. and refuse to waste time with a log book while I am blocking traffic.

6. Unfunded mandates. I am paid by the mile, plus a small amount for time spent at the customer. Everything else is on my own time, such as waiting for dispatch, trip planning, detours, paperwork, phone calls, traffic delays, weather delays, truck washing, trailer sweeping, truck inspections, mandatory safety meetings, drug tests, C.D.L. tests and anything else that the company or the D.O.T. decides that I should do as part of my "driving" pay.

6. Penalties. The government has seen fit to protect other workers from this kind of abused with overtime and minimum wage laws, while the long haul trucker consistently gives his job 140 hours a week. Over half of that time is spent actually working and even while eating and sleeping the driver is still responsible for truck and cargo. Instead of overtime pay and a guaranteed minimum we get fines and penalties, some quite severe.

As long as non-driving personnel continue to make rules for a game they never play, there will be few problems solved, so I suggest that some of the rule makers ride along for two or three weeks and actually do the trip planning and paperwork.

Anyone who really wants to learn about truck safety is certainly welcome to ride with me.

Sincerely,

DOCKET MC-96-28-223
PAGE 5 OF 12

Wayne F Haymore Jr. (Frank)

317 Hill Crest Dr.

King NC 27021

Phone: 91 O-983-6612 or 91 O-661-1594 317

I have been a professional driver for 15 years.

I feel the 70 hour 8 day deal is behind the time you got more traffic longer waiting periods to load and unload this law was passed in the 1430s This is the 1990s everything else has changed with the times but form what I can see trucking has not changed for the driver.

All these company prome you the world but not coming through I think there should be a federal law set for non union companies for loading and unloading freight. On the drivers part.

Every also in the last 15 years have got regular pay raises but not in the trucking industry or O/T driver part. Something need to done on this. Also company driver don't get paid for miles they run sometimes its 100 & 200 miles they don't get paid for in over the road drivers.

I think they all to make it a federal law all non union over the road get paid hub or sleep meters not freight miles this is behind the times I hope you look these over and write me back to see what you can do on there meter I know I am asking 4 a

lot but these things are behind the times Thank you

DOCKET mc-96-28-223
PAGE 6 OF 12

Sherman Lamere

P. O. 8127

Dranite City IL 62040

Phone: 618-659-0082

I have been a professional driver for 34 years. Dear sir, we truck drivers don't have access to scientific data. At least not very quick. Only the big truck lines - have access to (so called scientific data) this data - provided by trucking companies, whose interests are served by more lenient hours of service regulations, will provide only the data which will support more hours to force or attempt to force a driver to work. The federal government has exempted - incorrectly but at the request of big business, all truck drivers and truck company employees from federal and state overtime regulations. This rule should be reversed! Safety and hours of service go together. Free from paying overtime - the companies pile the hours of work on trucking company personnel with no overtime pay. Too many hours breeds accidents. Bottom line - all Americans should be paid overtime for hours in excess of 8 hours per day and 40 hours per week. Safety improves when this happens. The total time on duty should be reduced from 15 hours to 12 hours. 8 hours driving and four hours on duty not driving. Nondriving duty time produces more stress and physical wear and tear than driving and should be counted the same. Remember the federal government in its wisdom caused the terrible conditions of the roads today by allowing 80,000 loads. There is a correlation between over stressed highways and over stressed human beings. A truck driver has to recharge his physical battery. Scientific data is not needed to support the claim that rest and days off trigger a stronger safer truck driver or mechanic. Rest breaks would be automatic if the 8 hour driving - four hr non driving rule would insure a decent pay schedule so the personnel wouldn't have to run 20 hours a day to survive. I do not have any faith in the federal highway administration. Big business has you! I am submitting on 8 hrs (EMILY, check this, I'm not sure.) Only because I have never quit. I started trucking in 1963 and have never done any thing else. I have been a tire changer, apprentice diesel mechanic, journeyman diesel mechanic, truck owner, truck line owner, agent, sales V. P. I am now 60 years old and tired. In spite of my lack of faith in F.H.A. I am still submitting these answers.

DOCKET MC-96.28-223
PAGE 7 OF 12

David Mays
Rt 2 Box 2547
Elkhart TX 75839
Phone: 903-478-3692 75839

I have been a professional driver for 30 years.
Road side rest area I-79
South of Erie Pennsylvania
January 14, 1997

To Whom It May Concern:

I know that driver fatigue is certainly a problem and that any effort to combat this will certainly be cause for debate and re-debate. No doubt some companies will not quit pushing their drivers if it were not for some guidelines. Also with so many new drivers they simply do not know what is "critically tired" and what is not. This is what irks me. I've been out here since 1967 & owner-operator since '81 and I'm lumped up with the same rules as the new drivers. To have someone tell me when I'm tired and when I'm not - because I don't have enough sense to know just gets all over me. I bought my truck sleeper and all so now someone is actually gonna tell me when and how many times I can get in the sleeper. The federal safety people, as I understand it, have all carriers rated on some kind of safety scale, rating or whatever so why can't they rate owner operators on whether or not they have ever had accidents, that directly related to fatigue. Of course this would also require the O-O to be out there for a number of years. If they've been out here for years and no problems then my friends they got it figured out and your log book is just one way of somebody else to get in their much abused wallet. When I'm tired I rest, no matter what I've done 7 days ago or 7 minutes ago. And when I'm not tired I truck no matter what I did a week or so ago. To do otherwise would be far most a danger to me as well as your family and the group of drivers I'm writing about have not been in the business as long as they have by doing anything else.

DOCKET mc-96-28-223
PAGE 8 OF 12

Don Fifer
P O Box 82031
Lincoln, NE 68501

Phone: 402-438-1154

I have been a professional driver for 25 years.

REGULATIONS OF SHIPPERS AND CONSIGNEES

33) Shippers and consignee's should be charged detention. Large trucking companies will not be in favor of this as they will be afraid of losing their accounts.

34) I am a transporter of freight, and a owner operator. My income is based solely on the miles I drive. I am not a lumper and should not be required to give free labor to shippers and consignees. There is no way I should have to use any part of my revenue to pay their employes to take their freight off my trailer. Shippers should load a trailer safely and securely per the direction of the driver. Consignee's responsibility to unload the trailer. It goes without saying the loading and unloading should be done in a timely manner. There is also the matter of the pallets. It should be the shippers and consignee's responsibility, do they want a palletized load or a floor load. As it is now if we have to buy pallets we pay \$7.00 if our pallets are in the way we sale them for \$2.00. The next load we play the game again. All food warehouses, Walmart grocery warehouses, cold storage (meat in particular)

35) there should be no situations. If a truck is on time for their appointments. Loading time should be two hours for a palletized load and four hours for a floor load. If this time schedule can not be met, detention time should be paid.

36) We have entirely too much legislation in our lives. The shippers and consignee's are now getting free labor and storage. They certainly aren't going to volunteer on their own to make any changes, which will affect their bottom line.

DOCKET MC-96-28-223
PAGE 9 OF 12

Comedian
P.O. Box 8531
Alexandria, Louisiana 71306- 8541

Hello, I wish to address some things y'all might want to consider in making the changes.

A. Driver fatigue. Try driving for 10 hours, then sleep for 8 hrs. One is usually awake for a few hours trying to get to sleep. But is expected to drive another 10 hours. I think we should be allowed to drive more than 10 hours at that time.

B. Something needs to be done about shipping and **recieving** tying up trucks. I went to one for a 1800 appt. They kept me waiting to 2330 and I was supposed to be 1029 miles the following morning. I did not even try to make it but when I got to the receiver, after my appt was moved back a day, they kept me waiting forever.

C. When I unload at 0700, dispatch will wait until close to 1700 and then give me a load that requires I drive all night. Every company I drove for does the same thing. I drive but light to stay awake. It takes a couple of days to recover from the loss of sleep.

D. Lumpers. I believe they should be outlawed. I've been to places where a few of us would use the same lumper and we'll all have a different name and S. S. Number on our receipts. Some places, if one does not hire a lumper, will keep a driver there for ever. I'm back to a grocery Whse and sat at the dock for 8 hours waiting for the forklift operators to bring me pallets and move them out of my way so I could unload. My company counted that 8 hours as sleep time and I was expected to drive 500 miles after that.

E. I pick up a lot of preloaded and sealed trailers and I'm expected to sign the bills verifying the number of pieces and that the freight was in good condition when loaded. I wasn't even there. Being sealed, I cannot check to see how or what was loaded. But, if the load is short or damaged, its my fault. I think that drivers should be paid for waiting time. This company doesn't. Go to Specialty Oil in Shreveport, La. And you'll find its not unusual for truckers who came in yesterday are still there today waiting to get loaded.

DOCKET MC-96-28-223
PAGE 10 **OF** 12

without being paid a penny for sitting there.

Another thing is the laws in a lot of states about truck parking. When one is tired and out of hours and finds a place off the road way, a cop will come along and wake him and tell him to move. I got a ticket once for illegal parking, then after the officer knew I had no hours wrote me up for no hours after he told me to move.

Also, I think that if one has been off duty not driving for 24-48 hours, we should be able to start out with a fresh 70 hours. As it is now we have to sit for a few days to start over again. If a driver can't get rested enough after 1 or 2 days out of the truck, he never will.

Thank you

DOCKET mc-96-28-223
PAGE 11 OF 12

Duane Domke
3200 Water St. # 61
Stevenspoint Wisconsin, 54481
Phone: 715-342-4845

I have been a professional driver for 32 years.

Response to number number #5: Any time a driver has 24 hours off duty he should go back to 70 hours. There would be less violations on the log book, leave all the rest the same with it is (10 hours driving or 15 hours total) then an eight hour break.

Response to number number 33:

My opinion of this is the shipper should be responsible for unloading and counting their product. If the driver gets the product from point A to point B this is his responsibility. Right now the consignee wants the driver to unload the load, this is not right, so many drivers are violating the log because they have to unload and they log this as off duty time. This is a violation this is the shoppers and consignee's product they should be responsible for their product not the driver or carrier.

NOTE: To home it may concern:

I would like to say that the D.O.T. Has to back off! This D.O.T. Specifics at the rest area's or along side of the roads should not be aloud, it is unsafe, the D.O.T. should do this at weigh stations or go to the carriers home base. They also should quit harassing the truck drivers so much, if they keep doing what they are doing they are going to ruin the trucking industry. Companies are having trouble finding drivers now because of all the harassment ment from the D.O.T.

I have one year and 1 month before I retire and I don't know if I will make it or not because of all the harassment for the D.O.T. It is sad when you are going down road, or go to a scale and are afraid that for some little thing you are going to be fined. Thanks

DOCKET MC-96-28-223
PAGE 12 OF 12