

- LOCAL UNION 1574 -

1153 Chess Drive, Suite 203 • Foster City, CA 94404 Office: (650) 573-7933 • Fax: (650) 573-0853

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The Honorable Norman Mineta Secretary, U.S. Department of Transportation 500 Seventh Street, SW Washington, D. C. 20590

Re: Docket Nos. FMCSA-2001-9709 and FMCSA-2000-7382-

Dear Secretary Mineta:

As a transit worker, and a member of the Amalgamated Transit Union (ATU), I strongly urge you to **reconsider the new rule** recently issued by the Federal Motor Carrier Safety Administration (FMCSA) (67 FR 49742), requiring States to disqualify a commercial drivers' license (CDL) holder from driving a commercial motor vehicle (CMV) if they are convicted of certain serious traffic violations committed while operating a non-CMV.

Under this new rule, I could lose my CDL, and thus my job, if I receive more than one speeding ticket within a three year period while operating my own personal vehicle, regardless of whether my State revokes my personal drivers' license. This was <u>clearly</u> not the intent of Congress, which authorized the FMCSA to require the disqualification of a CDL holder's CMV driving privileges **only** after the person has been <u>both</u> convicted <u>and</u> has had his/her non-commercial drivers' license revoked, cancelled or suspended by the state

Please reconsider this rule and amend its provisions to conform with the requirements set forth by Congress. **My job could be at stake!**

Sincerely,

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