202080

Re:



Amalgamated Transit Union

- LOCAL UNION 1574

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

Fax: (650)573-0853

DEPT. OF

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

FMCSA-2001-9709-168 Docket Nos. FMCSA-2001-9709 and FMCSA-2000-7382-205

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 disgualify 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 clearly not the intent of Congress, which authorized the FMCSA to require the disgualification of a CDL holder's CMV driving privileges **only** after the person has been **both** convicted and has had hislher 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,

Member, ATU Local 1574

11/3/02

Date



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