

Congress of the United States
House of Representatives
Washington, DC 20515-4605

DEPT. OF TRANSPORTATION
DOCKETS
00 JUN -8 PM 2:45

June 1, 2000

62988

Docket Clerk
U. S. DOT Dockets, Room PL-401
400 Seventh Street, SW
Washington, DC 20590-0001

Dear Sir:

This letter concerns Docket Number FMCSA-97-2350¹⁷⁶⁶. I want to share with you a copy of a letter that I received from Mr. Richard A. Shelton, Secretary-Treasurer of R. L. Shelton, Inc. R. L. Shelton, Inc. is a small trucking firm with headquarters in Patrick County, Virginia. They have a number of drivers and they are very concerned about the proposals of the FMCSA and the increase on freight rates that would be necessitated if the proposals were enacted. I wanted to share with you the comments that Mr. Shelton shared with me. I hope you will show these concerns every consideration before adopting any final rule.

Thank you for your consideration.

Sincerely yours,


Virgil Goode, Jr.

VGJr/mm

cc: Mr. Richard A. Shelton
R. L. Shelton, Inc.
2724 Shingle Shop Road
Stuart, VA 24171

R. L. SHELTON, INC.

**2724 Shingle Shop Rd.
Stuart, VA 24171**

**540-694-7146
540-694-6420 (fax)**

Re: Regulatory Alert

Dear Valued Customer:

The FMCSA has issued proposed rules which will radically change the hours of service regulations imposed upon motor carriers. If passed, these rules will have a major impact on the service we can provide and the rates we must charge you. Under current regulations, we have flexibility in arranging our schedules and services to meet your needs. Although our drivers are required to drive no more than 10 hours without having 8 hours off duty, we can use sleeper berth time and off-duty time while waiting to maximize productivity and provide next day service over distances of up to 700 miles.

The new proposed rules would cut our productivity by 25% to 30% and require that we hire an equal number of new drivers, if we could find them. Sleeper berth time for solo drivers would be lost and all waiting time would be counted against available hours. Our drivers would be required to take 10 consecutive hours off during each 24 hour day and their time off could not be interrupted to make a pickup, a delivery, or even receive a telephone dispatch.

Currently, our customers ship and receive during defined hours and many set appointments for pickups and deliveries. Under the proposed rules, if we are unable to make immediate, upon demand pickups and deliveries 24 hours a day, our work schedules will be hopelessly interrupted.

We estimated that we will be forced to increase our freight rates by 30% or to bill our customer a minimum of \$50 per hour for all time consumed between the arrival of the truck and the time loading or unloading is completed.

Moreover, any service time commitments that we have made to you will have to be revised if the proposed rules become law. The "weekend" requirements in the proposed legislation would require solo drivers to be off duty from 11 p.m. Friday until, in some cases, 7 a.m. Monday. Thus, weekend delivery schedules could be hopelessly interrupted.

Please realize that we believe the proposed rules are impractical, unnecessary, and ill advised. We urge your support in opposing these regulations by submitting your comments to the FMCSA and your elected Congressmen.

Sincerely yours



Richard A. Shelton
Secretary Treasurer