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Department of Transportation
Federal Motor Carrier Safety Administration

Docket No. FMCSA – 1997 – 2210 – 156

Medical Certification Requirements as Part of the CDL

Comments Of UniGroup, Inc.
Parent Company of
United Van Lines, LLC, and
Mayflower Transit, LLC

Background

UniGroup, Inc., with Headquarters in St. Louis, Missouri, owns two of the nation's largest household goods movers, United Van Lines, LLC, and Mayflower Transit, LLC, as well as other subsidiaries providing goods and services to the professional mover.

Approximately 1,300 people are employed in UniGroup's Headquarters offices. United and Mayflower collectively have approximately 840 full service agent affiliates nationwide and approximately 8,500 qualified van operators (comprised of both independent owner-operators and agent or van line employees).

Comments on Proposed Rule

United Van Lines and Mayflower Transit have a concern regarding the actual time it would take for the State Drivers Licensing Agency (SDLA) to update a CDL once the information has been received. Of particular concern was SDLA's flexibility for receiving medical examination certificates for update. The proposed regulation leaves this up to the discretion of SDLA. Currently many states require that licensing transactions take place at a physical location within the state of domicile. This would be burdensome for drivers who may not always have the opportunity to visit a SDLA to comply with the regulations set forth in this proposal. An example of this would be a driver who is domiciled in one of the Northeastern United States but primarily operates from Florida to California and points in between. This type of operation may be commonplace during "peak season" summer months for a household goods mover, thus precluding the driver from reaching his state of domicile within a 30-day period. Additional language needs to be added to the proposed regulation indicating that an "electronic" means of submission, such as a fax or email, be allowed by each state to ensure timely submission and compliance with the regulation.

If the State Agencies can update the medical certification information within two days as indicated in the proposed regulations and the information would then be available to motor carriers through a CDLIS MVR, we would find this an acceptable

response time by SDLA. We feel that motor carriers could accommodate this change as a routine course of business by reminding drivers at least 30 days in advance that their physical examinations are due to expire. This notification would allow drivers to schedule appointments with a medical practitioner in an ample amount of time to avoid disqualification.

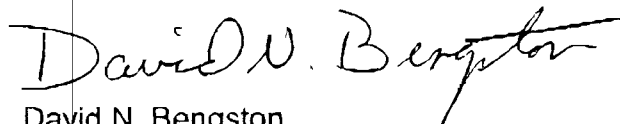
It is further our understanding that the motor carrier would be required to take appropriate action and disqualify a driver from operating a CMV if the motor carrier had knowledge of a "not qualified" status having been placed on a driver's CDL even if the CDL had not been downgraded by the state during the 60-day period allowed in the proposed regulation. The two-day period allowed to update the CDL record by SDLA is contradicting to the 60-day CDL downgrade period allowed in the proposed regulation. It would not be prudent to allow a driver to drive for 60 days if they are no longer medically qualified to do so.

The six-month retention period of the medical certification data by SDLA would seem to be an inappropriate length of time. The medical certification data should rather be kept for at least until the expiration date as indicated by the medical practitioner for reference purposes to enable enforcement officials to trace the medical certification back to the appropriate medical examiner should the need arise.

Conclusion

United Van Lines and Mayflower Transit have a vital interest in the development of regulations that fairly meet the needs of consumers seeking quality affordable household goods moving services provided in a manner that does not endanger the motoring public. Consequently, we believe that the above proposal is one that takes into consideration the interests of the moving industry, consumers, and the motoring public.

Respectfully submitted,



David N. Bengston
Director, Safety & Loss Control
UniGroup, Inc.