February 26, 2002

Mr. Joseph M. Clapp
Administrator
Federal Motor Carrier Safety Administration
400 Seventh Street S.W.
Washington, D.C. 20590

Agency Information Collection: Driver’s Record of Duty Status
OMB Control No. 2126-0001

Dear Mr. Clapp:

Attached is a letter sent to the Office of Management and Budget (OMB) concerning the Federal Motor Carrier Safety Administration’s (FMCSA) estimate of the paperwork burden of the requirement for drivers maintaining records of their duty status. Our letter to OMB points out that FMCSA incorrectly stated "it is not economically feasible for medium and small sized carriers" to use electronic onboard recorders (67 Federal Register 1397). In refutation of this statement, our letter includes a table listing three onboard recorders costing $500 or less. All three of these recorders would meet the requirements for automated tamper-resistant recorders that were specified in FMCSA’s proposed revision of the hours-of-service rules published during 2000.

The basis for FMCSA’s statement was that only large motor carriers currently use electronic onboard recorders in lieu of logbooks; however, FMCSA should judge economic feasibility based on actual costs of basic recorders rather than by who uses them. Whether motor carriers have chosen to use tamper-resistant electronic recorders to record driving and work hours is influenced by factors in addition to their costs. For example, an increasing number of motor carriers have sophisticated systems to track the movement of shipments and monitor the functional status of tractor equipment; however, these motor carriers do not use these systems to substitute for logbooks although the costs of adding this function would be minimal. To our knowledge, Werner Enterprises is the only motor carrier that signed up for an FMCSA pilot program to use global positioning systems to supervise driving hours despite the widespread use of these systems in response to shipper and receiver demand for just-in-time deliveries.

Although some motor carriers simply may be reluctant to change existing methods for recording driving hours, other motor carriers and drivers may prefer logbooks because avoiding detection of hours-of-service violations is easier when handwritten logbooks are used. There is ample documentation that such violations and falsified logbooks, including multiple logbooks, are common (Braver et al., 1992; Campbell and Belzer, 2000; McCartt et al., 2000; McKane, 1994).
As FMCSA determines the best options for revising the hours-of-service rules for commercial motor vehicle drivers, the agency must consider the totality of evidence concerning automated tamper-resistant recorders—the costs of new recorders meeting basic requirements, the potential for existing technology installed for other purposes to track driving hours, and the experience of motor carriers who have successfully substituted automated recorders for logbooks, which has been permissible since 1988. Revising hours-of-service limits on driving and rest time would have limited safety benefits if the methods of enforcement continue to be the antiquated handwritten logbooks. Moreover, FMCSA’s higher estimates, in response to comments from the trucking industry, of the time necessary for drivers to fill out handwritten logbooks and for carriers to review data from logbooks has the effect of making automated recorders more cost-effective because automated recorders save both drivers and carriers considerable time.

Sincerely,

Elisa R. Braver, Ph.D.
Senior Epidemiologist

cc: Docket Clerk, Docket No. FMCSA-2001-9688
    Docket Clerk, Docket No. FMCSA-1997-2350

Attachment

References


### Vendors of Tamper-Resistant Onboard Recording Devices Costing $500 or Less

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Minimum Cost for New Truck</th>
<th>Minimum Cost to Retrofit Truck</th>
<th>Minimum Software Costs</th>
<th>Comments</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Siemens VDO Automotive</td>
<td>$500</td>
<td>$500</td>
<td>None</td>
<td>Known as digital tachograph. Meets future European standards, including smart cards and a printer. Software packages are optional but not required for base model.</td>
<td>540-723-8015</td>
</tr>
<tr>
<td>Actia</td>
<td>$500</td>
<td>$500</td>
<td>None</td>
<td>Unit meets European standards. If a trucking company purchases a large volume, there will be a discount.</td>
<td>219-293-7505</td>
</tr>
<tr>
<td>Stoneridge</td>
<td>$300</td>
<td>$300</td>
<td>None</td>
<td>Unit meets European standards. Stoneridge usually sells electronic tachographs to original equipment manufacturers such as Freightliner but may sell it as aftermarket product in future.</td>
<td>915-592-5700</td>
</tr>
</tbody>
</table>
February 22, 2002

Office of Information and Regulatory Affairs
Office of Management and Budget
725 Seventeenth St., NW
Washington, DC 20503

Attention: DOT Desk Officer

Agency Information Collection: Driver’s Record of Duty Status
OMB Control No. 2126-0001

To the DOT Desk Officer:

The Insurance Institute for Highway Safety is responding to a request for comments on requiring drivers and motor carriers to maintain records of driving and work hours. Numerous scientific studies have observed an increased crash risk among drivers operating large trucks for more than 8-10 hours (Campbell, 1988; Frith, 1994; Harris, 1978; Jones and Stein, 1987, 1989; Kaneko and Jovanis, 1992; Lin et al., 1993, 1994; Mackie and Miller, 1978; National Transportation Safety Board, 1995; Saccomanno et al., 1995, 1996; Summala and Mikkola, 1994), even after controlling for the effects of time of day (Frith, 1994; Jones and Stein, 1987, 1989; Lin et al., 1993, 1994; Saccomanno et al., 1995, 1996). Accordingly, continuation of the rules to limit driving hours of commercial drivers and to provide the means to enforce those rules is essential to protecting commercial drivers and those who share the road with them.

We wish to draw your attention to an erroneous statement made in the Federal Motor Carrier Safety Administration’s (FMCSA) notice of its estimate of the paperwork burden of the requirement for drivers maintaining records of their duty status. FMCSA incorrectly stated "it is not economically feasible for medium and small sized carriers" to use electronic onboard recorders (67 Federal Register 1397). In refutation of this statement, our letter includes a table listing three onboard recorders costing $500 or less. All three of these recorders would meet the requirements for automated tamper-resistant recorders that were specified in FMCSA’s proposed revision of the hours-of-service rules published during 2000.

The basis for FMCSA’s statement was that only large motor carriers currently use electronic onboard recorders in lieu of logbooks; however, FMCSA should judge economic feasibility based on actual costs of basic recorders rather than by who uses them. Whether motor
carriers have chosen to use tamper-resistant electronic recorders to record driving and work hours is influenced by factors in addition to their costs. For example, an increasing number of motor carriers have sophisticated systems to track the movement of shipments and monitor the functional status of tractor equipment; however, these motor carriers do not use these systems to substitute for logbooks although the costs of adding this function would be minimal. To our knowledge, Werner Enterprises is the only motor carrier that signed up for an FMCSA pilot program to use global positioning systems to supervise driving hours despite the widespread use of these systems in response to shipper and receiver demand for just-in-time deliveries.

Although some motor carriers simply may be reluctant to change existing methods for recording driving hours, other motor carriers and drivers may prefer logbooks because avoiding detection of hours-of-service violations is easier when handwritten logbooks are used. There is ample documentation that such violations and falsified logbooks, including multiple logbooks, are common (Braver et al., 1992; Campbell and Belzer, 2000; McCartt et al., 2000; McKane, 1994).

We anticipate that the Office of Management and Budget will be reviewing future revisions to the proposed hours-of-service rules for commercial motor vehicle drivers. Promulgating new hours-of-service limits on driving and rest time will have limited safety benefits if the methods of enforcement continue to be the antiquated handwritten logbooks. Moreover, FMCSA’s higher estimates, in response to comments from the trucking industry, of the time necessary for drivers to fill out handwritten logbooks and for carriers to review data from logbooks has the effect of making automated recorders more cost-effective because automated recorders save both drivers and carriers considerable time.

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