

Behind The Wheel

Newsletter of the Maine Professional Drivers Association



Volume XII, No. 2

"Committed to Safety, Courtesy, and Professionalism"

March 2002

OUR NEXT MEETING

- April 13 **MPDA Officers Get-together** – Dysart's Truck Stop, Hermon 7:30am - contact Dick Brown at <rbrown9@maine.rr.com> or 799-1030
- April 13 **MPDA General Meeting** – Howard Johnson's, Bangor - 9:00am - contact Dick Brown at <rbrown9@maine.rr.com> or 799-1030

PRESIDENT'S REPORT



Hello MPDA members,

Well I am starting to get into the swing of things with this new job you have given me. Being President of such a active association can really fill in the slack time I used to have. On March 16th the MPDA held a general meeting at the MMTA office in Augusta. I was pleased to see a good turn out. Of course the main item discussed was the OT pay for drivers. We were given a full report on what had

taken place up to that time by, MPDA Legislative Officer, **Roger Sproul**. After hearing Rogers report all Officers, passed Presidents and members that were at the meeting agreed that the MPDA must continue to stay neutral. It is our job to inform the membership of this proposal. I understand this will probably upset some of our members but we have to do what is best for the majority. **DRIVE SAFELY!**

*MPDA President,
Dick Brown*

LEGISLATIVE REPORT



As we noted in our last newsletter, Governor King recently introduced a bill (L.D.2108) to "coordinate the Maine Overtime Pay Provisions with the Federal Fair Labor Standards Act regarding exceptions for businesses involved in the transportation of persons or goods." The Legislature's own summary says "this bill clarifies that the federal practice of exempting most common carriers from the payment of overtime to their employees also applies to the Maine overtime law. It makes this clarification retroactive to January 1, 1995."

The official Public Hearing for the bill was held Tuesday, March 5. Proponents argued that the bill merely codifies existing practice which has for many years been approved by the Maine Department of Labor. They further claimed the bill only applies to interstate drivers, not intrastate drivers or other employees of trucking companies such as office workers and mechanics. Needless to say, opponents of the bill disputed both of these claims. They said the current practice of not paying time and a half overtime to drivers is and always was illegal. They also contend the bill as written might be construed to apply to all employees of trucking companies, not just the drivers (note the summary says "employees of trucking companies" rather than "drivers" although the bill itself refers by citation to "any employee with respect to whom the Secretary of Transportation has power to establish qualifications and maximum hours of service", which proponents say means drivers). Several opponents stated being paid by the mile would reduce log book falsification and thus fatigue, making this a safety issue. Proponents argued just the oppo-

site, saying the driver has less freedom to take rest breaks if he is "on company time". Former Public Safety Commissioner Al Scofield, who is now the Safety Manager at **Pottle's Transportation**, said neither of those positions is correct. Since Pottle's has some hourly and some mileage drivers, he has studied their accident rates and found them to be the same. According to him, neither method of payment can be shown to increase safety.

The hearing lasted four and a half hours and had over 40 witnesses nearly evenly divided between those for and those against. With so many diverse opinions given, the committee has its hands full to sort it all out. It will take several work sessions, the first of which will be next week. The public is not permitted to make speeches at the work sessions unless asked a specific question by the committee. Eventually the committee will report the bill out to the full Legislature with its recommendation to pass or not to pass. It then gets debated and voted on in each chamber (Senate and House of Representatives). Both must pass the bill for it to pass. I will try to monitor the progress of the bill for MPDA to the extent I am able and still keep my job.

MPDA did not take a position, although I did make a brief presentation on our association and raised a couple issues for the committee to consider without promoting either side. As the Legislative Officer, though, I was very pleased to see several of our members speak on their own behalf – some for and some against. Among them were former Presidents **Doug Pickard** (who was unable to attend, but had a friend read his comments into the record for him) and **Denis Litalien** as well as drivers **Paul Barnes** and **Tim Estabrook**. Scott Harris,

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although not a member, drives for supporting member **Hutchins Trucking** and should be given an application for membership as soon as possible. Marcie Rae Yoob (hope I spelled that right!) drives for **Portland Air Freight** and said she would like an application. Her boss, John Austin, was one of several owners or managers of supporting member companies who spoke. Others included Pieter Van Voorst, of **Clifford Perham Inc. (Shaws)**, John Sawyer (Poland Spring), and Al Scofield (Pottles). If I have missed anyone, I am really sorry. It was just very encouraging to see so many of our members being interested enough to speak up and present themselves as true professionals. I think the committee was deeply impressed by the caliber of people driving trucks today.

As of Monday, March 18, no votes had been taken by the Committee. Negotiators from MMTA, the Teamsters, and AFL-CIO have been working on revised language to present in place of or as amendment to the original bill. Several points have been announced by the negotiators as having been agreed on. Among them are: an overtime compliance formula similar to Washington's (rather than exemption from overtime calculations) phased in over an amount of time yet to be determined; inclusion of certain "drivers" and "helpers" yet to be determined; exemption for collective bargaining agreements; and exemption for contractors with the U.S. government (for example mail carriers). Not agreed on is how long the door will be left open for additional lawsuits and the drop dead date (2003 or 2004) by which companies must complete the phase in of their formulas. It is noted that, in Washington, companies do not all use the same formulas. There is a suggested formula. However, companies can get different formulas approved by their Department of Labor, if they show they meet a standard of "reasonable equivalence" to time and a half overtime.

*Roger Sproul
Legislative Officer*

MPDA ROADTEAM REPORT



I apologize to you, the membership, for not including a Roadteam report in the last issue of our newsletter. This report will cover what has been happening with the Roadteam since last December.

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Dave Stuart did a cable TV Public Access channel broadcast with the Maine State Police back in December. The topic was winter driving. Dave did a great job of informing the public of some of the dangers and safety issues involved when driving around large trucks in wintertime weather. The program was a live call in format. Out of that program the MPDA received an invitation to three driver education schools in southern Maine, to give our How to Share the Road with Large Trucks program. **Ron Hutchins** followed up and will be taking the MMTA mobile training unit down there and doing the program. He will be accompanied by some of our other Roadteam members if they are available. Speaking of Ron, he is just getting back from surgery and is looking at a busy summer.

We really appreciate the offer from MMTA and Ron to bring the mobile training unit to classes and events that we are involved in.

It's a good relationship that MMTA and MPDA have working together to promote highway safety. As Roadteam captain I really appreciate the support of the MMTA as a resource for safety materials, handouts for driver ed classes, and information on all truck related issues. Dale, Cliff, Ron, Bill, and the entire staff are always available for answers to any questions I might have or resources I might need. Thank You MMTA.

Dick Brown did a presentation on truck safety and sharing the road with large trucks at the Kiwanas club in South Portland in February. Dick also was involved in a focus group for the state that was looking for ideas on what is needed in construction of new rest areas along Maine highways.

Jim Costa, Dave Stuart and **Mona Lowell** are getting geared up for the Boston Truck Show and are signing up volunteers to work our booth at the show. If you are interested call Jim and he will give you the low down on what takes place there and what he needs. Jim is also the MPDA contact person for the Southern Convoy for Kids, which will be held in October.

Ed and **Rob Fernald** are looking forward to a busy summer doing company championships, the Boston Truck Show, the State TDC, and possibly doing some driver ed classes.

Roger Sproul is getting back into the classroom helping out with driver ed classes, which we will be doing in Rockland very soon.

Mike Conroy and myself just completed the Instructors class for the Maine Driving Dynamics Program. We hope to become certified by the state to teach this program within the next couple of months. Mike Conroy is still going to two schools with the Share the Road program.

Mike Frith has been working with me and is teaching the Share the Road program in the Augusta/Gardiner area.

I recently attended the Maine Transportation Safety Coalition Tri State Conference and spoke at a workshop on the Needs and Requirements of Emergency and Commercial Vehicles in Road Design. Thank you to the MTSC for the opportunity to be a part of this conference, and your hospitality while I was there.

In this newsletter you will find a postcard for registering for an upcoming Professional Driver Training Seminar, which will be held April 27th. The details for this seminar are below. Don't delay in sending back your registration postcard, as we are limited to 30 applicants.

As you can see your Roadteam has been, and is very very busy promoting truck and highway safety.

So that's it for now. I'll see you on the Boulevard.

*Fred Thompson,
Roadteam Captain.*

Membership Training

The MPDA ROADTEAM will be holding another Professional Driver Training Seminar on Saturday April 27 2002, at the MMTA building in Augusta.

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This seminar will consist of three different topics.

- 1 Construction Zone Safety,
- 2 What to do at the scene of an accident,
- 3 Safety at Railroad Grade Crossings.

ROADTEAM member **Rob Fernald**, will be teaching the *Construction Zone Safety* portion. Former ROADTEAM Captain and current ROADTEAM member **Ron Hutchins** will do the *Safety at Railroad Grade Crossings*. Roadteam captain **Fred Thompson** will be doing the *What to do at the scene of an accident* portion.

This training seminar will last approximately 3 to 4 hours. We should be able to have it wrapped up by noon.

Training is limited to the first 30 registrations. So please don't delay in sending the included postcard back.

Registration is at 7:30AM and the Seminar starts at 8:00AM sharp.

I look forward to seeing you there.

*ROADTEAM Captain,
Fred Thompson*

EXECUTIVE DIRECTOR'S REPORT

Dear Members,

As of February 1, 2002 I was elected to become you're Executive Director for the Maine Professional Drivers Association. Hello, my name is **Rhonda Nicholson**. I have lived in Gorham for 18 years with my husband Glynn and two sons, Shawn (21) and Cory (18). I have been happily married for almost 24 years. I have worked as a Customer Service Supervisor for The Maine Mall for nine years. I have a short but enjoyable 5-year relationship with MPDA as a committee member of the Trucking for Kids Convoy. As we make some changes with the new Executive Director position, please make the following changes in your address and e-mail address books. I will be the person handling all of the MPDA e-mail and regular mail. The mail will be forwarded to me from the Augusta address. I will also be answering all the telephone calls to MPDA. If I'm not available to answer incoming calls, there will be voice mail to leave a message and I will return your call as soon as possible. Please note the following changes:

For any MPDA business:

- Maine Professional Drivers Association
E-mail address: mpda@mpda.maine.org or
• RhondaMPDA@aol.com Addresses: P O Box 5672,
Augusta, ME 04332-5672 (same as now)

Or

- 364 Maine Mall Road Box 814, South Portland, Maine 04106 (me directly)
- Shipping address:
• 142 Whitten RD, Augusta, ME 04330 (same as now)

Or me personally;

- 364 Maine Mall Road Box 814, South Portland, Maine 04106 (me directly)
- MPDA telephone number: 207-318-7395

To contact the following people:

- Denis Litalien: dentruck@hotmail.com or 207-282-6346
- Dave Stuart: willbur@adelphia.net or 207-727-3704
- Ron Hutchins: ronh@mmta.com or 207-623-4128
- Rhonda Nicholson: RhondaMPDA@aol.com or 207-318-7395

If any officer has a message they want sent through the MPDA e-mail address, send it to me and I will forward to all the members or whoever it needs to go to. Remember, by doing it that way, anyone who receives it will get a message that says it is from the Maine Professional Drivers Assn. I will be maintaining an ongoing list of members' e-mail addresses in coordination with the Membership Officer for this purpose.

Any correspondence that has anything to do with MPDA should have a copy sent to me for the files, whether it is e-mail or regular mail, as I will be responsible to answering for activities to anyone who contacts us. I must be kept up to date on what is going on if I am do be able to my job well and help you with your activities.

We hope this will eliminate any confusion there might be about who gets what mail and who has access to our correspondence and calls.

Lastly, I want to thank everyone for making me feel so welcomed.

*Executive Director,
Rhonda Nicholson*

Behind the Wheel

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MPDA Newsletter Staff & Contributors

<i>Editor & Layout</i>	Dave Stuart
<i>Design</i>	Wendy Wyman
	Dave Stuart
<i>Mailing</i>	Dave Stuart
	Terry Stuart
<i>Contributors</i>	Denis Litalien
	Roger Sproul
	Dick Brown
	Dave Stuart

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<i>WebMaster</i>	Dave Stuart

Articles of interest to members, advertising copies, inquires, payments, change of address, comments, and newsletter submissions should be mailed to:

Maine Professional Drivers Association, Inc.
P.O. Box 5672
Augusta, Maine
04332-5672
Tel – (207)-623-1396
Email – mpda@mpda.maine.org
Website - <http://mpda.maine.org>

An affiliate of Maine Motor Transport Association

MPDA is a nonprofit organization dedicated to promoting courtesy, safety and professionalism in the field of commercial driving.

2002 BOSTON TRUCK SHOW

The Boston Truck Show is just around the corner. We are gearing up so we will be ready to go. I am gathering some good and or interesting safety materials. If you see something you feel we might like let me know. E-mail it to me or mail it or fax it. My numbers and information are available at the end of this article.

If you are available to give us a hand manning the MPDA Booth please let me know as soon as possible. We have a fun time working together while promoting safety at a great truck show. Most of us are going to get some denim shirts so we can have them monogrammed with the MPDA Logo and our company name. If you are interested we need to know as soon as possible.

We do have a dress code this year for our booth. It will be a company shirt with dress type pants or the denim shirt with black or khaki dress style pants. Only MPDA & NHPDA members will be allowed in the booth with spouses.

We will have the booth Thursday May 2nd Friday May 3rd and Saturday May 4th. This year we will have a US Flag in our booth along with our MPDA Banner and the ROAD-TEAM Banner.

I know we will have a great time again this year. See you at the show.

Jim Costa,
MPDA Boston Truck Show Chairperson
Tel. 207-727-5349
Fax 207-727-4884
33 Costa Road, Hollis Me. 04042
E-mail jim-mona@cybertours.com

A MESSAGE FROM OUR PRESIDENT...

As you all know by this time, on February 16th Ann Marie Paradis passed away. I would like to tell you how I first happened to get to know Ann Marie.

When I first got involved with the MPDA I would go to the State Truck Driving Championships and run the food booth with the very much appreciated help of some of the wives of the MPDA members that were out on the course competing. Ann Marie was one of the first wives to start helping out serving food all day or selling T-Shirts.

After a few years of having fun and getting the work done, her husband Alan informed us that Ann Marie was not able to give us a hand anymore because she had Leukemia. Even though she could not help, she still would attend the championships and sit in the car while Alan and A.J. put the course together. And every year her son A.J. would come over to the food booth and get me to go see his Mom in the car. Ann Marie and I would have a nice little chat about yesteryear.

Ann Marie will be missed by everyone and I will never go to a Driving Championship without thinking of her.

GOD BLESS ANN MARIE.

NOMINATIONS BEING ACCEPTED FOR 2003 AMERICA'S ROAD TEAM CAPTAINS

America's Road Team is a national public outreach program led by a small group of professional truck drivers who have superior driving skills, remarkable safety records and a strong desire to spread the word about safety on the highway. The name America's Road Team is meant to symbolize America's more than three million professional truck drivers and to serve as a rallying point for the spirit of professional dedication and teamwork needed to deliver America's freight safely and on time. Every year, a small group of professional drivers is selected to be Road Team Captains, representing their peers.

Joining the Team

Anyone who is committed to safety can join. In fact, all safe and courteous truck drivers are members of America's Road Team.

To be nominated to serve as a Road Team Captain, you must be currently employed as a full-time truck driver (either a company driver or an independent owner-operator) by an ATA member in good standing. Each nominee should have an excellent safety record and should demonstrate an ability to communicate his or her commitment to safety, professionalism and courtesy.

America's Road Team Captains are available to meet with industry and non-industry groups to promote the trucking industry's image and provide insight on safety and other trucking issues. While sharing the common trait of being among the best our industry has to offer, each Road Team Captain has a unique story to tell.

2003 Nomination Schedule

- * Nominations are being accepted from now until Jan. 17, 2003
- * Top 30 candidates will be selected on Jan. 31, 2003
- * Semi-finalists will be selected on Feb. 14, 2003
- * Judging of semi-finalists will take place March 15-20, 2003
- * The 2003 America's Road Team will be announced on March 20, 2003
- * The 2003 America's Road Team will begin its term on June 1, 2003

For additional Information Contact

Rowenna Martin
Manager, America's Road Team
American Trucking Associations
2200 Mill Road
Alexandria, Va. 22314
Phone: 703-838-1962
Fax: 703-838-8468
E-mail: rmartin@trucking.org

from Transport Topics

2002 MPDA CALENDAR OF EVENTS

MARCH

- 19 **So. Convoy Committee Meeting** – Old Country Buffet Rest., Maine Mall- 6:30pm - contact Jim Costa <jim-mona@cybertours.com> or 207 727-5349

APRIL

- 7 **MPDA/Maine State Police Blind Spot Demo** - Hollis, Me Town Hall – 10:00AM to 2:00PM (rain date will be 4/14/02) - contact Dave Stuart at <willbur@adelphia.net> or 207-727-3704.
- 13 **MPDA Officers Get-together** – Dysart's Truck Stop, Hermon 7:30am - contact Dick Brown at <rbrown9@maine.rr.com> or 207 799-1030
- 13 **MPDA General Meeting** – Howard Johnson's, Bangor - 9:00am - contact Dick Brown at <rbrown9@maine.rr.com> or 207 799-1030
- 27 **MPDA Training Seminar** – MMTA Office, Augusta – 8:00am (register at 7:30am) - Contact Fred Thompson at <Tfthomp5349@aol.com> or 207 582-1343
- 28 **Great Grocery Grudge VII** – Hannaford/Shaws/Hutchins Driving Competition – Shows truck terminal, Scarborough – 8:00AM – Contact John Waisanen at <john.waisanen@shaws.com> or 1-800-667-4297
- 30 **So. Convoy Committee Meeting** – Old Country Buffet Rest., Maine Mall-6:30pm - contact Jim Costa <jim-mona@cybertours.com> or 207 727-5349

MAY

- 2-4 **North American Truck Show** - Bayside Auditorium, Boston – contact Jim Costa <jim-mona@cybertours.com> or 207 727-5349
- 17 **Hanscom's Truck Stop Driver Appreciation Day** – Portsmouth, NH
- 17 **TDC Set-up Day** – Dysart's Truck Terminal, Hermon, Me. – Noon - contact Cliff Gray at <grayc@mmta.com> or 207 623-4128
- 17 **Championships Hospitality Get-Together** – Bangor Motor Inn – 6:00pm – contact Denis Litalien at <dentruck@hotmail.com> or 207 282-6346
- 18 **Maine State Truck Driving Championships** – Dysart's/Bangor Motor Inn – 5:30am - contact Cliff Gray at <grayc@mmta.com> or 623-4128
- 18 **New Hampshire Motor Transport Assn. State Driving Championship and Truck Inspector Competition** (non-ATA) – Concord - Contact - (603) 224-7337 or <nhmta@chi.tds.net>

JUNE

- 1 **Northcenter Foods Driving Competition** - Gardiner - 8:00am - contact Mike Coulombe at <cfrickels@aol.com> or 207 547-3964
- 1 **New Hampshire Freight Carriers Assn. State Driving Championships** – NHIS, Loudon, NH (ATA sanctioned)- contact David Carney at (603) 525-3500 or <nhfca@norwayhill.com>
- 15 **Massachusetts State Driving Championships** – Holiday Inn, Worcester, Mass. - contact Fred Schenk at <fschenk@attbi.com> or 508-453-3632

AUGUST

- 13-17 **ATA National Truck Driving Championships** – Milwaukee, Wisconsin

SEPTEMBER

- 13 **Set-Up Day for Charity Challenge** – Devens, Mass.
- 14 **6th Annual Northeast Professional Truck Drivers Charity Challenge** - Devens, Mass - contact Fred Schenk at <StJudeRoadeo4kids@excite.com> or 508-453-3632
- 25-29 **U.S Professional Truck Driver Championships** – Tampa, Florida - contact Dave Borngesser at 800-772-3673 (Ext.2430)

OCTOBER

- 5 **Associated Grocers Driving Competition** – Gardiner – contact Laurie Pelletier at <lpelletier@agofme.com> or 207 588-3104
- 13 **Maine Trucking for Kids Convoy**, Portland/South Portland, Me. - contact Jim Costa <jim-mona@cybertours.com> or 207 727-5349

(Please send any additions or changes to: Denis Litalien at 282-6346 or e-mail at mpda@mpda.maine.org)

MPDA LOGBOOK



As a lot of you know, I did a live call in show on our local cable TV Public Access channel here in Hollis with the Maine State Police this past December. It went so good, we planned that evening after the show, to do another show about warm weather/summer driving, featuring a blind spot demo.

While this sounded good, we had a problem. We couldn't arrange a "live" blind spot on the show. So, in order to get the blind spot shown on the broadcast next month, we will have to actually do the blind spot and video tape it.

So, hopping to *kill a few birds with a single stone* so to speak. On April 7th, (with a rain date of April 14th – same time/same place), we will be working with the Maine State Police, some of people from the Commercial Traffic Division (tentatively) will also be there, to do this blind spot. At the same time, we will be promoting this as a public event featuring MPDA, Maine State Police, and the Maine State Police, Commercial Traffic Division. Welcoming the public to stop in, ask questions, observe, and participate.

If you would like to help with the setup, the demonstration, or anything else, please let me know as soon as you can. If you are an MPDA Supporting member, and would like to have a truck from your company, please let me know as soon as you can as well. If you need directions, either give me a call at 207-727-3704 or drop me an email at willbur@adelphia.net.

All in all, we would like to make the a fun and informative event for us, as well as the public. So stop by and say if your in the area.

*MPDA PR Officer / BTW Editor,
Dave Stuart*



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Hollis, Maine
04042

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MAINE PROFESSIONAL DRIVERS ASSOCIATION

