

# Behind The Wheel

Newsletter of the Maine Professional Drivers Association



Volume XIV, No. 8

“Committed to Safety, Courtesy, and Professionalism”

August 2004

## HERE WE GO AGAIN

### U.S. COURT THROWS OUT “NEW” HOS

As of July 16, 2004, the U.S. Court of Appeals for the District of Columbia threw out the new hours-of-service (HOS) regulation for professional truck drivers. The Federal Motor Carrier Safety Administration (FMCSA) administers the rule, which went into effect in January 2004. The last major rewrite of the HOS regulation had been completed more than 60 years ago.



Under the court's rules of procedure, FMCSA has 52 days to review the decision and decide whether to seek a rehearing. In the meantime, the current rule remains in effect. FMCSA may ask the court to issue a stay of the final date of its decision for 90 days or more.

"FMCSA will advise Federal authorities and State law enforcement partners of their responsibility to continue compliance with the current rule," said FMCSA Administrator Annette Sandberg. "FMCSA will advise major industry associations to educate motor carriers and drivers of the continued need for HOS compliance." Her

statement suggests that motor carriers that fail to comply with the rule could face citations, fines and delays from law enforcement officials.

The three-judge panel found the new HOS rule to be "arbitrary and capricious" and failed to consider "the impact of the rule on the health of the drivers." The court further noted that several aspects of the case "raise troubling concerns about the decision making process" at FMCSA. The court raised concerns about the reasoning, justification or scientific support for provisions regarding the increase of driving time from 10 to 11 hours, retention of the sleeper-berth exception to uninterrupted rest periods, the failure to mandate electronic onboard recorders and the 34-hour restart provision.

The U.S. Court of Appeals 22 page decision in *Public Citizen V. FMCSA et al.* is available on their website. The web page address is -

<http://pacer.cadc.uscourts.gov/docs/common/opinions/200407/03-1165a.pdf>

Many questions still remain and will not be answered until the FMCSA decides how to proceed from here. Please see future issues of this newsletter and the MPDA website for more information as it develops.

*(See Feds continued on page 2)*



## National Truck Driver Appreciation Week

August 22 - 28

**HAVE YOU THANKED A  
PROFESSIONAL TRUCK DRIVER TODAY ??**

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*(Feds continued from page 1)*

## FMCSA ADMINISTRATOR RESPONDS TO HOS RULING

Friday, July 16, 2004

STATEMENT OF ANNETTE M.  
SANDBERG,

ADMINISTRATOR FEDERAL MOTOR  
CARRIER SAFETY ADMINISTRATION  
REGARDING A DECISION BY THE U.S.  
COURT OF APPEALS FOR THE DISTRICT  
OF COLUMBIA CIRCUIT

The Department of Transportation and the Federal Motor Carrier Safety Administration (FMCSA) have received the court's decision. With assistance from the Department of Justice, we are currently reviewing the opinion to determine possible next steps.

Under the court's rules of procedure, the Department has 45 days to review the decision and decide whether to seek other legal remedies. During that period of time, the current hours of service rule, announced in April, 2003, remains in effect.

FMCSA will advise Federal authorities and State law enforcement partners of their responsibility to continue compliance with the current rule. FMCSA will advise major industry associations to educate motor carriers and drivers of the continued need for HOS compliance.

The Hours of Service rule is important to commercial vehicle safety and is the first major re-write of the HOS rules in more than 60 years.

Questions relating to the litigation should be referred to the Department of Justice.

### NEW BLOOD PRESSURE GUIDELINES KICK IN SEPT. 30



Recommended criteria for judging acceptable blood pressure levels for truck drivers are about to get tougher. In October 2002, the Federal Motor Carrier Safety Administration's Cardiovascular Medical Advisory Panel adopted new guidelines, which

were barely noticed by the industry until early this year. Medical examiners can use the new cardiovascular guidelines now, but they will not appear on the medical form until its Sept. 30 revision.

After Sept. 30, an examiner may use other guidelines to determine whether a driver's blood pressure makes him unfit to drive. But if the new criteria are not applied, "the medical examiner should document other best practice guidelines and/or data to support his or her decision," says FMCSA spokesman David Longo.

Instead of the current two stages, the new guidelines address three stages of hypertension that can trigger disqualifications:

Stage 1 covers 140/90 mmHG through 159/99 mmHG, which is a 20-point change in the systolic pressure from the current threshold of 160. If a driver tests at this level, a driver can be certified for only one year. After that, if readings stay within that scope, the driver will be issued a one-time, three-month recertification, during which the hypertension must be treated so that it remains at or below 140/90 mmHG.

In Stage 2, if a driver's blood pressure is 160/100 mmHG to 179/109 mmHG, the driver will be issued a one-time, three-month certification. Once the hypertension is under control — at 140/90 mmHG or less — a driver will be issued a one-year certification from the date of the initial exam, and thereafter be recertified on an annual basis as long as blood pressure remains at or below 140/90 mmHG.

In Stage 3, if blood pressure is above 180/110 mmHG, a driver will be disqualified until he is treated and his blood pressure remains at 140/90 mmHG or less. He will then be given a six-month certification from the date of the initial examination and recertified every six months.

A copy of the 164-page report, "Cardiovascular Advisory Panel Guidelines for the Medical Examination of Commercial Motor Vehicle Drivers," is available in PDF format at this site -

<http://www.fmcsa.dot.gov/Pdfs/cardio.pdf>



## UPCOMING MPDA MEETINGS

**MPDA OFFICERS MEETING – AUGUST 27<sup>TH</sup>**

**AT YARMOUTH LUMBER, GRAY – 6:00PM**

**CONTACT RON HUTCHINS AT 622-1118 OR <HUTCHTRUC@AOL.COM>**

**MPDA GENERAL MEETING – SEPT 25<sup>TH</sup>**

**AT 9:00AM - LOCATION TBA**

**CONTACT RON HUTCHINS AT 622-1118 OR <HUTCHTRUC@AOL.COM>**

## COMPETITION UPDATES

### NATIONAL TDC COMPETITIONS

The ATA National Truck Driving Championships will be held August 18th through the 21st in Salt Lake City, Utah.



Officials for the competition will begin laying out the course on Tuesday, August 17th while contestants are expected to be at registration at 11:00am on Wednesday, August 18th at the Salt Palace Convention Center. It is recommended that drivers arrive in Salt Lake City at least on Tuesday, to have time to settle in and be ready for Wednesday to take into consideration any delays that may occur. Points are deducted for not being on time. Spouses of contestants will also register on Wednesday.

The written test and equipment selection will be held on Wednesday for the drivers while the driving, interviews, and pre-trip inspections will be held Thursday and Friday. The Truck Driving Championship finals will be held Saturday morning with the awards banquet to follow on Saturday evening.

There is also a National Truck Driving Competition being held in Milwaukee, Wisconsin this year called the 4th Annual U.S. Professional Truck Driver Championships from September 22nd through the 25th. As the ATA Nationals are only open to drivers who work for companies that are members of American Trucking Associations, the U.S. competition is open to all other drivers (actually, all state champions are eligible for the U.S. Professional Truck Driver Championship regardless of company memberships). The schedule of events will be similar to the ATA nationals.

2004 marks the 4th year that a National Championship is held for those drivers who would otherwise not have the opportunity to compete at the national level. The event will be held at the Midwest Express Center on Wisconsin Avenue in Milwaukee while the headquarters hotel will be the Hilton Express Center.

The skills test will be administrated in the Midwest Express Center; this will also include pre-trip inspection and written exam

Anyone interested in going to either competition should contact **Cliff Gray** at MMTA for information or details of the events, rooms and transportation. There are discounts available. You can reach him at 623-4128 or grayc@mmta.com. At this time a number of people besides the State Champions have already made reservations.

All Maine attendees usually meet for dinner on Wednesday evening as a group when attending the nationals. **Randy** and **Ginny DeVault** will be handling arrangements for this activity in Salt Lake City. Get in touch with them if you want to join the Maine contingent for a great night out.

## 2004 MASSACHUSETTS TDC RESULTS

### Straight Truck

1. Gary Battelle	A.Duie Pyle Inc.	274
2. John Hoffman	Hallsmith Sysco Foods	223
3. Roger E. Castell	Con-Way Central Express	202

### 3-Axle Van

1. Frank A. DeGeorge	Yellow Transportation	375
2. Jeff Riendeau	Hallsmith Sysco Foods	335
3. Kevin W. LaRose	Roadway Express	327

### 4-Axle Van

1. Donald F. Herzog	ABF Freight	335
2. Steven P. Norbeck	Roadway Express	310
3. Anthony R. Fairley	Con-Way Central Express	262

### 5-Axle Van

1. Joseph R. Potter	A.Duie Pyle Inc.	307
2. Stephen J. Wilson	Sygma Network	251
3. Shane Brauetti	Hallsmith Sysco Foods	239

### Flatbed

1. <b>Fred H. Schenk</b>	Exxon Mobil	267
2. Richard P. Sweeney	Con-Way Central Express	267
3. Fernando P. Noel, Jr.	Roadway Express	248

### Sleeper

1. William A. Surprenant, Sr.	Sygma Trans	170
2. Richard R. Bernier	Exxon Mobil	136
3. James Roche	Jevic Transportation	96

### Tank

1. Joseph G. Austin	Exxon Mobil	221
2. Michael G. Milyaro	<b>Clifford W. Perham Inc.</b>	192
3. Jeffrey Mark Levangie	Exxon Mobil	186

### Twins

1. Eugene D. Leary	Con-Way Central Express	298
2. Thomas C. Folley III	Federal Express Freight	173
3. Gary Joseph Szczepanek	Exxon Mobil	171

### Pre-Trip Inspection

Steven P. Norbeck	Roadway Express
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### Rookie of the Year

Edward J. Whalen	Jevic Transportation
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## DRIVER FOR SUPPORTING MEMBER WINS

**Cumberland Farms/Gulf Oil Company Driver** and MPDA member, **Mike Best** takes first place in the Flat Bed Class

Mike is based out of CFI's Rensselaer, NY Terminal.

Mike and his wife Deborah have made the trip to Maine to help judge at the Maine TDC for the last 2 years. Mike, along with his wife, son Mathew, and daughter Amanda, live in Cambridge New York.



Mike has been with Gulf Oil for 2 1/2 years, totaling 20 years experience in the trucking industry, while acquiring 2,000,000 miles accident free.

Mike has competed in New York's TDC for the second time, this year winning the Flat Bed Class. He will be representing CFI/Gulf Oil Company at the ATA Nationals TDC in Salt Lake City this year.

Congratulations Mike - job well done !!

- by Wayne Thornhill

(Continued on page 4)

(Continued from page 3)

## LOCAL COMPETITIONS

- **August 18-21** - National Truck Driving Championships (ATA) - Salt Lake City, Utah
- **August 29** - H. P. Hood Competition - Springfield, Vermont
- **September 11** - Charity FunDrive – Lehigh Plaza, Lexington, Virginia
- **September 18** - Emery-Waterhouse Driving Competition - Portland
- **September 19** - H.P. Hood Driving Competition - Portland
- **September 23-25** - U.S. Professional Truck Driver Championships - Milwaukee
- ♦ **September 25** - Granite Group - Concord, NH
- **October 16** - Green Mountain Coffee - Waterbury, VT.

## ADMINISTRATIVE NEWS

### NOTICE OF SECOND VOTE

A by law change is needed to let the association be able to administer to business during lack of quorum.

In May, a first vote was passed. A second vote is needed to make the change to the by-laws. This vote will take place at the General meeting on Saturday, September 25th.

The proposed changes are as follows:

#### **Article VI, Section I**

Add the following:

*“G Administer the business of the Assn. In the event of a lack of quorum at a Board of Directors meeting or lack of sufficient Directors at a General meeting when there is a lack of quorum.”*

#### **Article IX**

#### **Add section IX**

Section IX:

*In the event of a lack of quorum at any Board of Directors meeting, the President shall have authority to make any decisions necessary to administer emergency business until directors can meet again. In the event the President is absent, then the Vice-President assumes authority, then the Treasurer, then the Secretary.*

*After these options have been exhausted, then the Executive Director will acquire such authority.*

*In the event of a lack of quorum at any General meeting where there are not enough Directors present, the President shall have authority to make any decisions necessary to administer emergency business until directors can meet again. In the event the President is absent, then the Vice-President assumes authority, then the Treasurer, then the Secretary. After these options have been exhausted, then the Executive Director will acquire such authority.*

*In any other situation, decisions shall be tabled until a quorum of Directors meets.*

Action on Amendment - 1<sup>st</sup> Vote – 4-17-04

## EXECUTIVE DIRECTOR'S REPORT

On June 18th to June 20th the American Lung Association of Maine held their 20th Anniversary “Trek Across Maine”. The “Trek” started at Sunday River and finished three days and 183 miles later in Rockland, Maine. This event had bikers riding in it from all over the Northeast, and this year the Trek had 1,593 bicycle riders.



To make sure everything goes well, it takes a lot of planning and a lot of volunteers. As a matter of fact, the Maine Lung Association had over 300 volunteers this year.

MPDA was very much involved too. We were invited for the second year to help out with driving the trucks that hauled a lot of the bikes from the Portland, Freeport and Augusta areas to the starting point at Sunday River. We then went to Rockland three days later, picking up the bikes at the finish line, taking them back to Augusta, Freeport and Portland.

This is a major fund raiser for the Maine Lung Association. This one event raised over \$1,000,000.00, while making great public relations.

Seven members of MPDA that took time from their work and families to volunteer, also made great public relations as well and they made MPDA look real good.

I received a nice thank you letter from the M.L.A., and I'm sure the other six MPDA members did also. I would like to thank them myself for a job well done. When you see **Mike Conroy, Cliff Gray, Fred Thompson, Andy Holmes, Charlie Nadeau, and Denis Litalien**, please let them know you also appreciate a job well done.

*Dick Brown Executive Director MPDA*

## THANK YOU!!

Thank You to **Hannaford Brothers** for donating coffee supplies for all of our events for this year beginning with the Maine State TDC in May and ending with the Southern Convoy for Kids in October, with many dates in between.



Thanks also goes to **Kris-Way** of Waterville for their donation and installation of a ramp for MPDA's Northern Trailer. It will be much appreciated each and every time someone has to climb in and out of the trailer.



It is caring donations such as these that make our jobs a little easier throughout the year.

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## YOU CAN SEE CLEARLY NOW...

Two months ago, the 3 year old MPDA printer **Dave and Terry Stuart** use for the newsletter died. This was not an item that was in the budget for this fiscal year. However, MPDA is back in the black financially.



Dave tried to save the association money by scrimping and suggested purchasing a less sophisticated printer, however he was overruled by the Officers. We voted to authorize up to \$2,000 to purchase a color printer with duplex (printing on both sides of the page) capabilities, as we didn't want to compromise the quality of our newsletter. You, the member, expect and deserve a professional quality newsletter and Dave and Terry work very hard to make sure that is what you get.

You may have noticed that your last two newsletters have improved in appearance. Dave assures us that the new printer is also saving time for him and Terry. Which is extremely important, as they devote a lot of their family time to MPDA activities.

Even after this large, unanticipated expense, the current checkbook balance is still looking very good for the remainder of the year. Much of the remaining funds are earmarked for expenses such as the Scholarship Award and the ROADTEAM's educational needs.

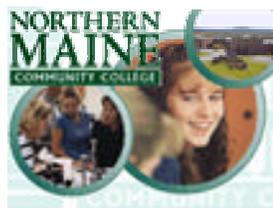
The fact that we were able to pull up from a couple of rough years is a direct result of all of the efforts of our member volunteers and the financial support of our newsletter sponsors.

Thank You All !!

*Pam Rogers, MPDA Treasurer*

## NOTES FROM THE "BIG ROAD" TRUCK DRIVERS TRAIN TO BE TEACHERS FOR NEW DRIVERS

Northern Maine Community College (NMCC) developed the only approved commercial vehicle instructor course in the state. "Teaching Strategies for Commercial Vehicle Instructors", a forty-eight hour teaching methods course, fulfills the educational requirement to



become a class A commercial vehicle instructor in Maine. This course replaces both the Introductory Course in Commercial Vehicle Driver Education and the Teaching Methods Course for those seeking a commercial vehicle instructor license through the Maine Bureau of Motor Vehicles.

Taught by three experienced instructors, the course offers a unique opportunity to learn and practice classroom teaching techniques in a comfortable, small class environ-

ment. In four weekends, students learn basic strategies and techniques for classroom teaching. They demonstrate skills as they prepare lesson plans and use various instructional aids to teach lessons from the state approved tractor-trailer driver curriculum.

The next class is scheduled to be held in Bangor at Eastern Maine Community College beginning September 10, 2004. Classes meet every other weekend on Friday night and on Saturday. For more information, contact Sonja Fongemie at Northern Maine Community College. She can be reached at 768-2767 or at sfongemie@nmcc.edu.

More than sixty drivers have been trained by NMCC to be classroom instructors since the course was first delivered in the fall of 1998.

This is what a few of those students have said about their experience in the class:

*"This is one of the best courses that I have ever taken. The instructors are the key – they are great! The course is well thought out and prepared. It also gets us ready as instructors to handle lots of situations."* – Mathew Swett, Carmel, 2001

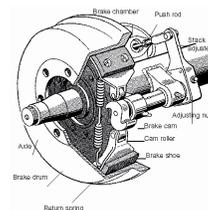
*"I really enjoyed the time spent in this course. It was very informative and has given me the confidence to teach."* – Carmelo Muriel, Presque Isle, 2002

*"This course for me was awesome! I was very apprehensive when I signed up for this wondering if I would get what I needed. I took a class 10-12 years ago to accomplish this same thing - it didn't even come close. I am so happy I took this class! ...Thank you so much!! It has been a true pleasure!!"* – Katie Spear, Phippsburg, 2003

*Submitted by Sonja Fongemie  
Northern Maine Community College*

## DRIVER AIR BRAKE ADJUSTMENT TIPS

Brakes are one of the most important devices on our vehicles. You probably won't find too many people who will argue that. Yet, with all of the innovations and improvements in brakes, we still find that we have far too many vehicles put out of service for brakes, at roadside inspections. That also means that you may be driving a vehicle that does not really have its full braking potential available, particularly if they are out of adjustment. This is where a good driver's pre-trip inspection comes into play. Here is some valuable information on the subject:



All vehicles built in the U.S. since 1991 are equipped with automatic adjusting slack adjusters. Even though every vehicle is equipped with automatic slack adjusters, 38% of all D.O.T. "Out of Service" occurrences during roadside inspections are due to one or more wheels being "Out of Adjustment". Why?

Professional drivers typically will maintain a space cushion between them and the vehicles in front of them.

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When applying the brakes they will usually apply the brakes with 15% to 25% air application. Only in a defensive action will a driver apply the brakes with greater than 60% air application. These braking incidents are referred to as "**Panic Stops**" or "**Rapid De-acceleration Occurrences**". Analysis reflects that most professional drivers will require less than 6 of these type of brake applications per 1,000 miles driven.

Most of our trucks are equipped with a "Stroke Sensitive" automatic adjuster. This type of slack adjuster adjusts the brakes on the return stroke. This adjustment occurs only when the application is greater than 60%. The better the driver, the less opportunity for automatic brake adjustment. To ensure that the brakes are always in adjustment, we recommend the following:

During the Pre-Trip inspection, a driver is required by D.O.T. to check the low air pressure-warning device. This should be audible at 60 psi. To check this device the air pressure must be lowered to 60 psi. If while accomplishing this portion of the inspection, a driver would fully apply and release, the air pressure should drop approximately 4 psi with each application.

A slack adjuster will adjust approximately ½ inch with every 10 full brake applications. Including this procedure as part of your pre-trip inspection will ensure that your brakes are always fully in adjustment. In the event of a roadside inspection, repeat this process while waiting your turn in the inspection process. This will ensure that you are not red tagged due to a slack adjuster "Out of Service" condition.

**Squeaking Brakes** - Another condition attributed to "feathering of low psi" brake applications is noisy brakes when stopping. Many times this is created by crystallized lining, which occurs when the brakes are repeatedly applied with low psi applications. This can be minimized with four or five firm brake applications or rapid de-accelerations stops. If your brakes are noisy, try bringing the vehicle to a stop with four or five firm brake applications each week. Always check to see that there are no vehicles following your if you do this procedure.

*John Waisanen, Shaws / Clifford W. Perham Inc*

## PORTLAND TRAFFIC DELAYS

As shown in last month's issue of Behind the Wheel, a road-rebuilding project in Portland will delay traffic in the Veterans Bridge area until November of 2005. The Veterans Circle, which connects, Route 1 (Veterans Bridge), St. John's St., Commercial St., Valley St., and Danforth St. is being dismantled and rebuilt to accommodate the new connector from I-295 to Commercial Street.

Traffic will be delayed, moved to one lane and detoured at various times during the project. A new 4-way intersection will be built that will connect the waterfront

and the new connector to accommodate all the traffic that goes through that area.

More information on this project can be found at [www.portlandconnector.com](http://www.portlandconnector.com).

## MPDA "COFFEE BREAK" A SUCCESS

On May 28, members of the Maine Professional Drivers



Association held a "Coffee Break" at the Northbound truck weigh station on the Maine Turnpike in Kittery to give holiday drivers a break. This event, an experiment to

see if we might make a difference to some travelers on the Memorial Day weekend, was deemed a success by those who volunteered their time that day to welcome the tourists to Maine.

MPDA President, **Ron Hutchins** brought the MMTA Training Unit truck. MPDA ROADTEAM Captain, and **Fred Thompson** had the Southern MPDA trailer on site to promote the truck drivers' interest in giving motorists a break from the tedium of driving.

Those motorists who stopped enjoyed refreshments and snacks donated by **Hannaford Bros**. There were pastries as well as fruits along with drinks such as coffee, soda and water to refresh motorists and get them on their way. Many were appreciative of the volunteers and said so. Thanks to all those who spent the day dispensing good cheer to the visitors to our State.

## "REGULATION OF THE MONTH"

AUGUST 2004

§ 395.13 Drivers declared out of service.

(a) Authority to declare drivers out of service. Every special agent of the Federal Motor Carrier Safety Administration (as defined in appendix B to this subchapter) is authorized to declare a driver out of service and to notify the motor carrier of that declaration, upon finding at the time and place of examination that the driver has violated the out of service criteria as set forth in paragraph (b) of this section.



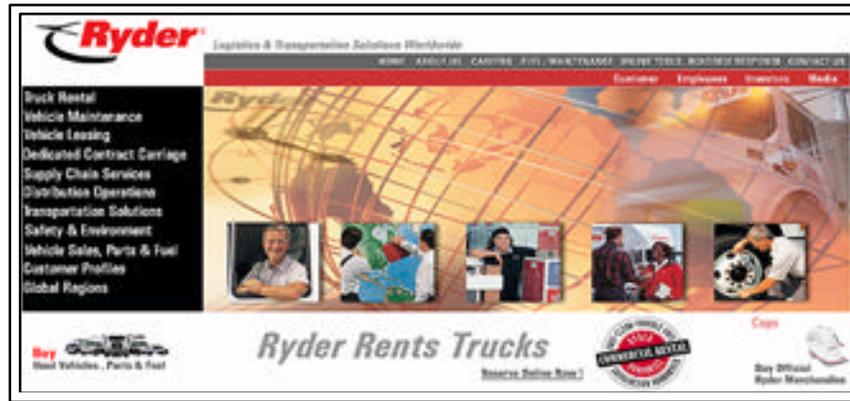
(b) Out of service criteria. (1) No driver shall drive after being on duty in excess of the maximum periods permitted by this part.

(2) No driver required to maintain a record of duty status under § 395.8 or § 395.15 of this part shall fail to have a record of duty status current on the day of examination and for the prior seven consecutive days.

(3) Exception. A driver failing only to have possession of a record of duty status current on the day of examination and the prior day, but has completed records of duty status up to that time (previous 6 days), will be given the opportunity to make the duty status

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# RYDER TRANSPORTATION SERVICES



## Rental Services

A truck rental from Ryder is an immediate solution to a temporary need. To cover periods of peak demand, last minute runs or when transporting that oversized load, Ryder has the right truck, right now – where you need them.

## Vehicle Maintenance

Ryder's truck and fleet maintenance services are designed to keep vehicles running safely and on time. We provide superior preventive and predictive maintenance, 24-hour, 7-day a week.

## Vehicle Leasing

Whether you need a single truck or a fleet of vehicles, Ryder's vehicle and fleet leasing solutions provide much more than equipment - .  
"That personal touch"

## Dedicated Contract Carriage

A complete distribution solution, Ryder offers turnkey door-to-door shipping via a dedicated fleet of vehicles, drivers and management, as well as optimal routing and scheduling.

## Supply Chain Services

Ryder can optimize your entire supply chain. Our Consulting assessment process analyzes the complete supply chain and identifies specific ways to gain quantifiable value.

## Distribution Operations

Ryder can cost-effectively handle all or any part of your warehousing, distribution or transportation needs.

## Transportation Solutions

Ryder's Transportation Management Solutions optimize the flow of domestic and international freight – whether by road, air, sea or rail – to meet your customer service goals.

## Safety and Environment

When it comes to environmental compliance and responsibility, we provide the support necessary to ensure that supply chain operations run cleanly and efficiently. No other firm has the combined logistics proficiency, safety and security expertise, environmental management capabilities and global reach that Ryder can provide.

## Vehicle, Parts & Fuel Sales

Ryder offers a complete range of used trucks, aftermarket vehicle parts, shop and safety supplies, fleet products, fuel and lubricants for your fleet needs. Using our considerable buying power and customer base, we can provide you with an efficient and cost-effective source for all your truck fleet needs.

## Customer Profiles

Our customers understand the role that transportation and distribution can play in helping them to reach their goals. Our diverse industry experience - benefits the partnerships we build in significant ways.

**MPDA THANKS ALL OUR VALUED SPONSORS OF THE  
 "BEHIND THE WHEEL" NEWSLETTER FOR THE YEAR 2004  
 WITHOUT THEIR CONTINUED SUPPORT, OUR ENDEVORES THOUGHTOUT  
 THE YEAR WOULD NOT BE ABLE TO BE ACCOMPLISHED.**

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**KRIS-WAY HAS GROWN FROM A SINGLE LOCATION IN SOUTH PORTLAND, MAINE TO A COMPANY THAT NOW OPERATES NINE SERVICE LOCATIONS IN MAINE, NEW HAMPSHIRE, AND NEW YORK**

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**We salute all truck drivers for the safe and professional driving you all do. Without "Professionals" like yourselves, this great country of ours would not be what it is today**

**Thank you for all you do, Hutchins Trucking Company**

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**Cumberland Farms**

**BACK WHEN.... IN '62...**

In 1962 Cumberland Farms opened its' Canton Mass. Facility. This new facility includes both the ice cream and milk plants.

**"The Stop That Keeps You Going."**

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**MPDA Newsletter Staff & Contributors**

<b>Newsletter Preparation &amp; Mailing Contributors</b>	Dick Brown	Dave Stuart	Terry Stuart	Denis Litalien	Sonja Fongemie
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**2004-2005 MPDA Board of Directors**

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Dick Brown	Fred Thompson	Ron Hutchins
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**ROADTEAM Captain** Fred Thompson  
**Webmasters** Dave Stuart & Pete Mortensen

MPDA is a nonprofit organization dedicated to promoting courtesy, safety and professionalism in the field of commercial driving. Articles of interest to members, advertising copy, inquires, payments, change of address, comments, and newsletter submissions should be mailed to:

**Maine Professional Drivers Association / P.O. Box 5672  
 Augusta, Maine / 04332-5672  
 Tel - (207)-318-7395  
 Email - [mpdainfo@mainepda.org](mailto:mpdainfo@mainepda.org)  
 Website - [www.mpdainfo.org](http://www.mpdainfo.org)**

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record current.

(c) Responsibilities of motor carriers. (1) No motor carrier shall:

(i) Require or permit a driver who has been declared out of service to operate a commercial motor vehicle until that driver may lawfully do so under the rules in this part.

(ii) Require a driver who has been declared out of service for failure to prepare a record of duty status to operate a commercial motor vehicle until that driver has been off duty for the appropriate number of consecutive hours required by this part and is in compliance with this section. The appropriate consecutive hours off-duty period may include sleeper berth time.

(2) A motor carrier shall complete the "Motor Carrier Certification of Action Taken" portion of the form MCS-63 (Driver-Vehicle Examination Report) and deliver the copy of the form either personally or by mail to the Division Administrator or State Director Federal Motor Carrier Safety Administration, at the address specified upon the form within 15 days following the date of examination. If the motor carrier mails the form, delivery is made on the date it is postmarked.

(d) Responsibilities of the driver.

(1) No driver who has been declared out of service shall operate a commercial motor vehicle until that driver may lawfully do so under the rules of this part.

(2) No driver who has been declared out of service, for failing to prepare a record of duty status, shall operate a commercial motor vehicle until the driver has been off duty for the appropriate number of consecutive hours required by this part and is in compliance with this section.

(3) A driver to whom a form has been tendered declaring the driver out of service shall within 24 hours thereafter deliver or mail the copy to a person or place designated by motor carrier to receive it.

(4) Section [395.13](#) does not alter the hazardous materials requirements prescribed in § [397.5](#) pertaining to attendance and surveillance of commercial motor vehicles.

[[44 FR 34963, June 18, 1979, as amended at 47 FR 53392, Nov. 26, 1982; 51 FR 12622, Apr. 14, 1986; 53 FR 18058, May 19, 1988; 53 FR 38670, Sept. 30, 1988; 53 FR 47544, Nov. 23, 1988; 60 FR 38748, July 28, 1995; 68 FR 22516, Apr. 28, 2003]

### IT'S THAT TIME OF YEAR AGAIN...

Just a reminder - some Maine and New Hampshire schools open this year at the end of August.



Please watch for children waiting for busses at the side of the roadways as well as busses stopping in the afternoon to drop children off at the end of the day.

## BRAKE CHANGES COMING

While the National Highway Traffic Safety Administration has yet to release a proposed rule, fleets and suppliers are resigned to the fact that Class 8 trucks built after 2007 will have to be able to stop in a shorter distance than do today's models.

Less certain is how the enhanced braking will be achieved. Air disc brakes provide superior performance over standard drum brakes, particularly when brakes are applied frequently at higher speeds. But larger-capacity drum brakes may be able to meet the new requirements.

"The rules are expected to require up to a 30% reduction in stopping distance at 60 miles per hour," said Jim Clark, chief engineer for commercial vehicle systems at Dana Corp. "That would require a bigger brake on the front axle and it could be either a drum or disc brake. We'll need to increase braking torque up front because that's where the vehicle's weight transfers to."

- from *Transport Topics online*

## N. J. TO ENFORCE ANTI-IDLING LAW

Environmental officials in New Jersey have put out the word that the state will step up enforcement of its anti-idling law by the end of July. New Jersey law prohibits diesel-powered vehicles from idling for more than three minutes.

The New Jersey agency said in its compliance alert that it planned to "respond aggressively to resident complaints" about idling engines. (emphasis applied)

Companies can be fined as much as \$200 a day under the idling rules.

- from *MMTA Maine Line Newsletter*

## TRUCKING FOR KIDS CONVOY

The following letter was received last year by the Convoy Committee along with a donation for \$150.00 towards the event. We thought the membership might enjoy the perspective of the sender as we start to organize this year's event. (The letter appears on the next page in its entirety except for spelling, punctuation corrections and parentheses by editor)

*Editors Note: A flyer, supplied by the T4K Convoy Committee, is included in this issue of BTW.*

## IF YOU BOUGHT IT...



## A TRUCK BROUGHT IT

October 13, 2003

Dear Sir/Madam,

First of all I would like to take this opportunity to let you know how impressed (I am), and (how) fortunate the Maine residents are, having your organization around.

I have been a Maine resident all my life, and in the trucking industry for the last 10 years. Though I was aware of your organization, I had no idea of the wonderful things you were involved with regularly.

Thanks to the generosity, and humanity of my company, I was able to participate in your annual parade. I must tell you however, that I wasn't all that anxious to give up my precious time off, and probably wouldn't of done so, if my company hadn't offered to compensate me for my time on Sunday.

Since then my whole attitude has changed. When you're an OTR (over the Road Driver) you tend to lose touch. You become alienated to some extent from family and friends, but community affairs really suffer, as you lose that sense of belonging to a community. Therefore I feel very proud to have been a part of your organization's fund-raising efforts.

As promised prior to leaving the Mall on Sunday, I am enclosing my check for \$150.00. This is my gift to the children and parents who strive everyday to succeed in life. Thank you for helping to open my eyes. Keep up the good work.

God Bless,

Sincerely,

Diane Audette - (Driver for Werner Enterprises)

## 2004 MPDA CALENDAR OF EVENTS

(As of July 31, 2004 - includes events that our members are involved in, or are of interest to our members)

### August

- 17 - **Southern Convoy Meeting** - Old Country Buffet Maine Mall - 6:00PM contact Jim Costa at 727-5349 or <jcosta@sacoriver.net>
- 18-21 **ATA National Truck Driving Championships** Salt Lake City, Utah - FMI Cliff Gray at <grayc@mmta.com> or 207-623-4128
- 27 - **MPDA Officers Meeting** - Yarmouth Lumber, Gray - 6:00pm - Contact Ron Hutchins at 622-1118 or <hutchtruc@aol.com>
- 22 - **28 National Truck Driver Appreciation Week 2004**
- 29 - **H.P. Hood Driving Competition** - 7:00am - Rockingham, Vt. - contact Andy Reed at (603)-433-5880 or <Andrew\_C.\_Reed@ryder.com>

### September

- 4 - **Sept. Newsletter Deadline** - All submissions should be emailed to <behindthewheel@mainepda.org> or sent to Dave Stuart
- 11 - **2004 Charity FunDrive** (Charity Fundraiser) Lehigh Travel Plaza, Lexington, VA (I-81, Exit 195) - contact Larry Davis (336) 924-1751 or <info@maptda.org>
- 18 - **Emery-Waterhouse Driving Competition** - Portland - contact Andy Reed at (603)-433-5880 or <Andrew\_C.\_Reed@ryder.com>
- 19 - **H.P. Hood Driving Competition** - 7:00am - Emery Waterhouse Parking Lot - Portland - contact Andy Reed at (603)-433-5880 or <Andrew\_C.\_Reed@ryder.com>
- 19 - **"Wishes on Wheels" Convoy** - Willington, CT. contact Roland Bolduc at 413-525-0764 or <roadeo@charter.net>
- 22-25 **US Professional Truck Driving Championships** - Wisconsin Center District, Milwaukee - contact Cliff Gray at <grayc@mmta.com> or 207-623-4128
- 25 - **MPDA General Meeting** - 9:00am - Location TBA - contact Ron Hutchins at 622-1118 <hutchtruc@aol.com>

### October

- 9 - **Trucking 4 Kids Convoy Set-up Day** - 9:00am - Scarborough Downs - Scarborough - contact Jim Costa at <jcosta@sacoriver.net> or 207-727-5349 or <trucking4kids@aol.com>
- 10 - **Maine Trucking for Kids Convoy**, 7:00am - Scarborough Downs - Scarborough - Jim Costa at <jcosta@sacoriver.net> or 207-727-5349 or <trucking4kids@aol.com>
- 22 - **MPDA Officers Meeting** - Yarmouth Lumber, Gray - 6:00pm - Contact Ron Hutchins at 622-1118 or <hutchtruc@aol.com>
- 24 - **10<sup>th</sup> Annual N. H. Truckers Drive for Kids** Steeplegate Mall, Concord, NH to Hopkinton Fairgrounds, Hopkinton, NH - 7:30am - Contact Linda Rafeal at 603-435-6366 or <LndaRfl@nhpda.com>
- 30 - **15<sup>th</sup> Annual MPDA Annual Meeting & Awards Banquet** - Location TBA - 6:00pm - Contact Terry Stuart at 727-3704 or <tstuart@mainepda.org>

(Corrections or additions should be sent to Pete Mortensen at morty@maine.rr.com or 284-4933)