



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

Refer to: MC-RRR

APR 24 2013

Mr. Joseph Bismarck Ferguson
Ferguson Transportation, LLC
1433 Buena Vista Circle
Springdale, AR 72762

Dear Mr. Ferguson:

Thank you for your comments concerning the Federal Motor Carrier Safety Administration's (FMCSA) Information Collection Activities; New Information Collection Request: Driver and Carrier Surveys Related to Electronic Onboard Recorders (EOBRs) and Potential Harassment Deriving From EOBR Use [Docket No. FMCSA-2012-0309].

This survey collection will aid FMCSA by broadly examining through the collection of survey data the issue of driver harassment. Specifically, it will help us determine the extent to which EOBRs used to document drivers' hours of service could also be used by motor carriers or enforcement personnel to harass drivers and/or monitor driver productivity. The survey will also collect information on the extent to which respondents believe that the use of EOBRs may result in coercion of drivers by motor carriers, shippers, receivers, and transportation intermediaries. FMCSA will publish a supplemental notice of proposed rulemaking on EOBRs and will consider survey results concerning EOBR use by motor carriers, including counter measures or best practices to ensure that EOBRs are not used by carriers to harass or coerce drivers, prior to the issuance of a final rule. FMCSA believes that this study has the potential to identify information that could greatly improve highway safety.

Thank you for taking the time to respond. Your concerns expressed, for example - "the EOBR will now control the driver and place the driver against a clock. Simply put the driver will have to be racing to beat the clock." - These kinds of statements will aid FMCSA in our evaluation and deliberations regarding the findings of the project.

If you would like a copy of this survey please feel free to contact me at (202) 385-2387.

Sincerely,

Albert Alvarez
Senior Transportation Specialist
Research Division (MC-RRR)