



Owner-Operator Independent Drivers Association Inc.

James J. Johnston
President

September 26, 2005

Dear Motor Carrier Executive,

While I normally would not be writing directly to you about pending changes to the HOS regulations and specifically the sleeper berth exemptions, this is a very important and urgent matter that affects both safety and productivity for a large portion of the trucking industry – and you need to be involved.

Recent comments by ATA President, Bill Graves, indicate ATA has basically thrown in the towel on changing HOS regs. In the September 5, 2005 issue of Transport Topics, Mr. Graves is quoted as saying, "I don't anticipate that in the short-term that we're going to do anything." The article concludes with Graves saying, "I happen to believe that FMCSA and Administrator Sandberg have done an awfully good job of finding a point at which we can continue to move freight and do so in a safe manner."

We find these comments shocking – especially so coming from the premier association for motor carriers.

Well, we're not rolling over or throwing in the towel!

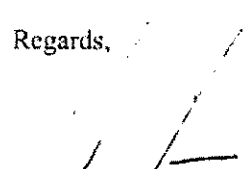
On this provision we believe FMCSA went too far in their desire to satisfy critics of the HOS regulations. By eliminating the flexibility for drivers using sleeper berths, drivers will be literally forced to drive longer shifts than they would otherwise, even if they need to rest.

To address this major concern, the Owner Operator Independent Drivers Association has petitioned the FMCSA to reconsider the change to the sleeper berth exception. OOIDA is asking that team operations be allowed to continue splitting their sleeper berth time as has been done safely for decades. Further, OOIDA is asking that for solo drivers the minimum two-hour period that must accompany the eight-hour sleeper berth period be taken off the 14-hour duty clock.

The Petition for Reconsideration can be viewed on OOIDA's homepage under "HOS issues" at: www.ooida.com. We don't know if FMCSA will reexamine this issue, but it's a cinch they won't if no one asks. If this issue is important to you, now is the time to show your support. You can support this effort by filing comments to docket FMCSA-2004-19608.

Your prompt attention to this matter is very important. The changed rules become effective October 1 and full enforcement starts January 1, 2006. We need to head this off if at all possible.

Regards,


Jim Johnston
President