MINUTES OF THE MEETING OF THE HIGHWAYS AND TRANSPORTATION COMMITTEE
FEBRUARY 17, 1981

The House Highways and Transportation Committee convened in Room 437 of the Capitol Building on Tuesday, February 17, 1981, at 12:30 p.m. with CHAIRMAN PAUL KROPP presiding and fourteen members present (REPS. FABREGA and KANDUCH were absent).

CHAIRMAN KROPP opened the hearing on HB 748.

HOUSE BILL 748 REP. DARRYL MEYER, sponsor, presented the bill, which would give highway patrol personnel and field inspectors the authority to make safety inspections for motor carriers. The bill provides that motor carriers impliedly consent to such reasonable safety inspections. See Exhibit 1.

BEN HAVDAHL, Montana Motor Carriers, spoke as a proponent. The object of the bill is to clear up some problems so that some critical items are addressed. There are problems stopping a truck for a safety problem without running into the search and seizure section of the law.

WAYNE BUDT, Montana Public Service Commission, supported the bill saying there are more and more trucks coming through Montana.

DON COPLEY, Montana Department of Highways, spoke in favor.

KEITH OLSON, Montana Logging Association, said his loggers didn't have too much of a problem with this. He did question the "implied consent" language and also that pertaining to "reasonable search". What is reasonable?

There were no OPPONENTS.

REP. MEYER then requested that he be allowed to proceed with the next bill, HB 749, because it also dealt with the same topic.

HOUSE BILL 749 REP. DARRYL MEYER, sponsor, presented the bill. See Exhibit 2. This one provides for safety inspections of vehicles used in commerce weighing in excess of 26,000 pounds GVW. The bill exempts farm vehicles. The standards for drivers do not apply to a vehicle operated exclusively within a 200-mile radius of a business.

BEN HAVDAHL, Montana Motor Carriers, supported this bill for the same reasons as HB 748. The Department of Transportation is trying to finalize a critical items program. Now when a truck is stopped, the down time can be up to two hours. A better program than that is needed. Currently a book Federal Motor Carriers' Safety Regulations is used but streamlining is necessary. MR. HAVDAHL proposed an amendment which is attached as Exhibit 3.

WAYNE BUDT, Montana Public Service Commission, supported the bill with the amendment.

DON COPLEY, Montana Department of Highways, supported the bill with the amendments.

KEITH OLSON, Montana Logging Association, said he was in favor of the intent of the bill. He felt some type of certification using a sticker was necessary to prevent truckers from being stopped again and again.

There were no OPPONENTS.

During questions from the committee, REP. STOBIE said that what concerned him was the down time on trucks. MR. HAVDAHL replied that is what prompted the introduction of these two bills.

MR. BUDT said that the standards need to be uniform for all of the states.

REP. BRAND asked why agricultural vehicles are exempt from this law. They can use vehicles that are unsafe the same as other businesses. MR. HAVDAHL said farm vehicles are kept out of the P. S. C. regulations but are included in the safety part of the bill.

REP. BRAND was concerned about the 200-mile radius. MR. HAVDAHL and MR. OLSON both explained that some businesses do not travel far enough to be included in this law.

REP. KERRY KEYSER spoke in support of the bills from the position of a Highway Patrolman. He felt the bills were reasonable and that the trucking industry probably would not complain too much about the changes.

REP. MEYER closed on both HB 748 and HB 749. The hearing then closed.

The hearing opened on HJR 33.

HOUSE JOINT RESOLUTION 33 REP. JOHN SHONTZ, sponsor, presented the resolution which asks for an interim study on the transportation systems in the State of Montana.

BEN HAVDAHL, Montana Motor Carriers, supported the resolution but said perhaps it should be included with one or two others addressing similar problems.

WAYNE BUDT, Montana Public Service Commission, also spoke in favor of the resolution but also felt it should be included with others.

ANN SCOTT, Montana Farmer's Union, had the same concerns as the other proponents. She felt the whole transportation system of Montana should be studied together.

There were no OPPONENTS.

During questions from the committee, REP. BRAND asked about including something regarding the gas tax because with the price of gas going up, fewer people will pay for it and therefore, the gas tax will not be accumulating to maintain the highways. REP. SHONTZ replied that he did not think that was possible. He further stated that perhaps one of the other studies addressed that problem.

REP. SHONTZ closed on HJR 33. The hearing then closed.

EXECUTIVE SESSION HOUSE JOINT RESOLUTION 33 REP. ANDERSON asked if an interim study address the points raised in this resolution. REP. SHONTZ replied he felt it could and would.

REP. STOBIE moved the resolution DO PASS. The motion PASSED with REPS. IVERSON and OBERG opposing.

REP. STOBIE requested that HB 748 and HB 749 be placed in a sub-committee for some further study. CHAIRMAN KROPP then appointed REPS. STOBIE, BRAND, and MEYER to the sub-committee.

HOUSE BILL 320 GREG PETESCH, staff attorney, said the Department of Highways had adopted certain rules without authority and that a Statement of Intent was needed with this bill.

REP. ZABROCKI moved DO PASS with a Statement of Intent to be included. The motion PASSED.

Discussion followed regarding a resolution raising the number of highway commissioners from five to seven. REP. SHONTZ moved to increase the number to seven.

REP. METCALF opposed that saying that simply adding more people does not solve the problem. He further stated that the performance audit requested by the committee would address the problem.

REP. SHONTZ withdrew his motion.

REP. ANDERSON then moved to ask for an interim study regarding the functions of the Department of Highways. REP. OBERG said the performance audit will help with that. REP. ANDERSON felt it should not be left to the Audit Committee but that other people should be involved.

It was noted that a similar motion failed at an earlier date. REP. ANDERSON moved to RECONSIDER asking for an interim study resolution. The motion PASSED with REP. OBERG opposing.

The meeting adjourned at 2:10 p.m.

Respectfully submitted,

Paul Kropp

PAUL KROPP, CHAIRMAN

Ellen Engstedt, Secretary

VISITORS' REGISTER

HOUSE Hiways COMMITTEE

BILL HB 748 Date

SPONSOR

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Don Copley	Helena	Dept. of Highways	✓	
Wayne Budd	Helena	MPSC	X	
Ben Havdahl	Helena	Mont Motor Carriers	X	
Kathy Hayes	Evaro	Homemaker	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Form CS-33
1-81

VISITORS' REGISTER

HOUSE Hiways COMMITTEE

BILL HB 249 Date

SPONSOR

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Don Copley	Helena	Dept. of Highways	↘	
Wayne Budt	911 Idaho	MPSC	X	
Ben Havdahl	Helena	Mont Motor Carriers Assn	X	
KEITH OLSON	KALISPELL	MT. LOGGING ASSN.	X	
Henry Boyle	Ennis	House of Rep.	X	

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Form CS-33

VISITORS' REGISTER

HOUSE HIWAYS COMMITTEE

BILL HJR 33 Date

SPONSOR

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Wayne Brede	Wilsdewille Mt	MPSC	X	
Ben Haydahl	Helena	Mnt Motor Carriers	X	
Ann Scott	Great Falls	Mont Farmers Un	X	

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Form CS-33
1-81

EXHIBIT 1

MEMO ON HB 748

House Bill 748 amends the Montana Motor Carrier Act to include language that establishes "implied consent" by motor carriers regulated under the act to have trucks and trailers used in their business inspected for safety inspections.

The principal agency charged with the responsibility for safety inspections of motor carrier equipment is the Public Service Commission. In 1977 the Legislature granted to the Highway Patrol the same authority as the PSC to enforce the provisions of the Motor Carrier Act. In addition, the same authority was granted to the GVW Section of the Highway Department. The Legislature did not, however, specifically grant the Highway Patrol the authority to stop a truck and make an equipment inspection for safety purposes without the Highway Patrol having probable cause or could observe a defect in a truck or trailer.

HB 748 would, by implied consent of the motor carrier, allow the Highway Patrol to stop and make a reasonable inspection of a truck for routine safety purposes.

As of now, the Highway Patrol is not participating to any real extent as a safety enforcement agency because of lack of clarification in the law on this point even though in 1977 the Legislature intended it to do so.

It is the intention of the enforcement agencies and the motor carrier industry to strive to establish by regulation a uniform

truck safety inspection program that will include mechanical factors likely to cause accidents and to eliminate long delays from overdetailed inspections which are unnecessary, time consuming, costly, and ineffective.

EXHIBIT 2

MEMO ON HB 749

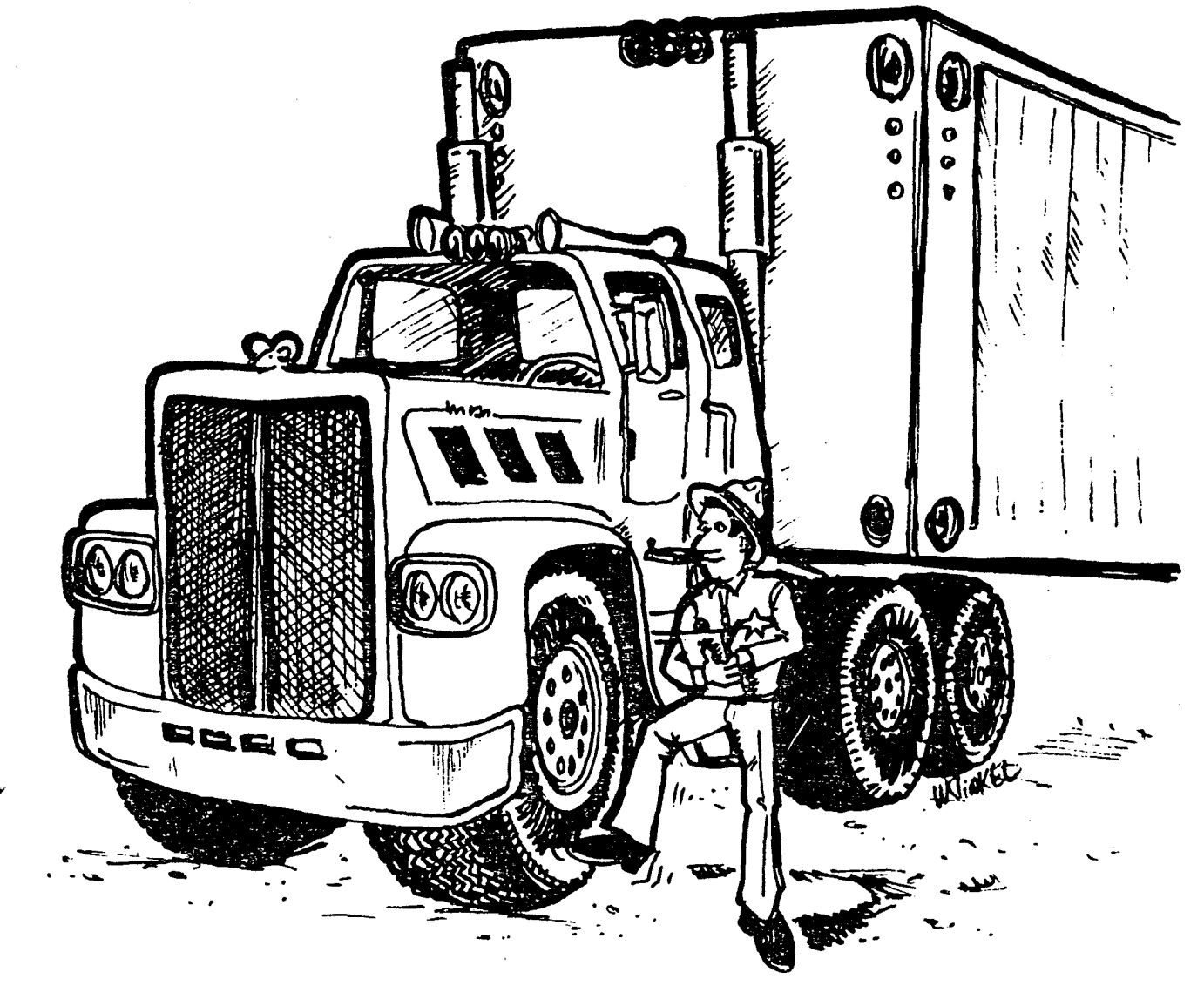
HB 749 provides for the safety inspection of heavy over-the-road trucks used in commerce in excess of 26,000 pounds gross vehicle weight. All interstate motor carriers, interstate private carriers and carriers hauling unregulated commodities in interstate commerce must now meet equipment safety requirements and inspections as established by the Federal Motor Carrier Safety Regulations of the Department of Transportation.

In addition, regulated intrastate motor carriers must also meet the same Federal Motor Carrier Safety standards. The Public Service Commission has been charged by the Legislature for enforcing safety operations, safety equipment of intrastate motor carriers and is a designated agency by the D.O.T. to enforce Federal Motor Carrier Safety Regulations of interstate carriers traveling in and through Montana. In addition to the PSC, the Legislature has given similar enforcement authority for motor carrier regulations to the Gross Vehicle Weight Division of the Montana Department of Highways and to the Montana Highway Patrol.

There are in Montana, however, large over-the-road trucks used in commerce that are 26,000 pounds gross vehicle weight or more operating on Montana's highways that are not now subject to any kind of safety requirements of either the state or federal D.O.T. These are trucks operating in commerce, not registered as farm vehicles, hauling exempt commodities, such as logs and grain, and trucks operated by private carriers all within the State of Montana.

The purpose of HB 749 is to include the trucks just described in with those trucks now required to adhere to safety equipment standards. It is the intent of the enforcement agencies and the motor carrier industry to strive to establish by regulation a uniform truck safety inspection program and to seek an inspection program that will focus on mechanical factors most often blamed for accidents involving trucks. Included would be detailed inspections of brakes, steering components, tires, and driver logs. This program has been described as the "Critical Item Truck Inspection Program". (Attached to this memo is a copy of an article from "Critical Item Inspection: Promoting Safer Motoring for Truckers and The Public" and an article on the California Highway Patrol Truck Safety Inspection Program.)

D.O.T.'s regulation requires that all drivers driving in interstate commerce cannot exceed 10 hours in one stretch and must rest for 8 hours following a 10 hour driving stretch. This is enforced by a driver log book which must be kept current. It is checked by the authorities to see that the 10 hour rule is enforced or is adhered to. Under the regulation, the driver does not have to keep a log if he travels 100 miles or less from his work reporting location. HB 749 would extend the exemption to 200 miles so that intrastate trucks can travel within Montana up to that distance without having to keep a driver's log.



Critical Item Inspection: Promoting Safer Motoring For Truckers and The Public

By Gary Langley

Concern for road safety has prompted the Montana Motor Carriers Association to seek an inspection system that will focus on mechanical factors most often blamed for accidents involving trucks.

The idea is to promote safer motoring both for truckers and the general public, according to John Alexandroff, chairman of the MMCA's Council of Safety Supervisors.

Dubbed the "Critical Item Truck Inspection Guide," the system copies one initiated in California and has drawn the most critical items from Department of Transportation safety inspection regulations that have been adopted by the Montana Public Service Commission.

Included would be detailed inspections of brakes, steering components, tires and driver logs.

Inspection procedures for brakes would include brake adjustment, air pressure, air hoses and brake lines, drums and shoes. The steering investigation would examine the steering column, tie rod ends and pitman arm. Tires and wheels would be inspected for matching of tires and rims, tire load limits, regrooved wheels, tread depth and defects such as unrepaired fabric breaks and bumps and bulges or knots. Driver logs would be inspected to insure that the driver is within the legal hours of service and meets other log requirements.

Alexandroff said adoption of the critical item safety guide would allow more trucks to be inspected.

"The DOT regulations are not being implemented because they are too long and involved," he said. "It takes

45 minutes to an hour to do an inspection on a truck where this would take 10 to 15 minutes.

To illustrate his point, Alexandroff pointed out that last year 103,000 trucks were inspected by the Public Service Commission and Gross Vehicle Weight Division to make sure they had proper certification, but only 283 were checked for safety.

"It would increase the number of inspections which are needed, and I believe people who are making the inspections would do a much better job by having a limited number of things to inspect," he said.

In California, for example, truck-at-fault accidents have been reduced during the past year despite a 13 percent rise in truck miles, according to Go-West, the magazine of the California Motor Carriers Association.

The magazine pointed out that from a 1975-78, truck-at-fault accidents in California Highway Patrol jurisdictions rose each year for a total increase of more than 40 percent. After the Critical Items Truck Inspection Program was introduced in 1979, truck-at-fault accidents decreased one-half of 1 percent despite the 13 percent rise in truck miles and a nationwide increase of 4 percent in truck accidents.

Most persons involved with truck safety in Montana agree that the California program or one similar to it could lead to a decline in truck-at-fault accidents here.

Bill Rodgers, safety director for Builders Transport in Great Falls, said he's "excited" about the proposal.

"It will develop better public relations in the long run and start changing the attitude of drivers," he said. "It will educate drivers to do such things as adjust their brakes and, in general, pay more attention to safety."

Rodgers thinks the program will develop "a better class of driver."

"The driver won't say, 'I'll do it next trip.' He's got to do it this trip or he's in trouble because he's going to have his truck inspected," Rodgers said.

Robert Griffith, acting chief of the Montana Highway Patrol, said the program is "long overdue." He said mechanical defects are one of the "biggest contributing factors" to accidents.

Not everyone is completely sold on the program, however.

Dave Burchett, chief of the Public Service Commission's enforcement division, acknowledged that the California critical items checklist would save time, but wondered if specific state programs are the answer. He said he would rather see a regional program adopted by several western states with the same checklist.

"To me, that would benefit motor carriers more–to be concerned about one policy rather than several different policies," he said.

Burchett is associated with a conference of several western states and Canadian provinces that is studying such a proposal.

"I want to see what happens with this conference," he said. "I'm more concerned about getting a uniform policy for the western states rather than a streamlined policy for Montana."

Burchett said the idea of a critical items inspections appeals to him because it would avoid unnecessary delays and allow shipments to be moved "in a safe, prompt way that would benefit both the industry and consumers."

"By no means is the commission trying to hold onto a cumbersome policy," he said.

Even so, Burchett said a critical items program would not preclude inspectors from "going into greater detail if it's warranted."

And as Don Copley of the Gross Vehicle Weight Division noted, closer scrutiny might sometimes be necessary. Although the PSC actually is responsible for truck safety inspections, Copley said his agency routinely checks rigs as they go across scales.

"If there's anything obvious, it's kind of a tip-off that there's something haywire," he said.

Copley said implementation of a critical item program would give an inspector "an indication that something is wrong," thus justifying a closer look.

Representatives of the trucking industry, meanwhile, insist that the proposal isn't a shortcut just to keep trucks rolling unhindered by inspectors.

"This is picking up items from the DOT regulations–the ones that really count," Rodgers said. "It's a procedural change rather than a structural change."

Alexandroff pointed out that, in California, the items included in the critical items "stood out as the most recurring problems in accidents."

Trucking officials are relatively certain that Montana could repeat California's success in reducing truck-caused accidents with a critical item inspection. And judging from the sentiments expressed by both the regulators and regulated, something at least similar to California's model is likely to be adopted in Montana if not other western states.

As Rodgers, citing the state's safety inspection record, pointed out: "A critical item safety check is better than no check at all.

CHP's Critical Item Truck Inspection Guide

TRUCK-AT-FAULT accidents have been reduced in California during the past year, despite a 13% rise in truck miles.

A large share of the credit must go to the California Highway Patrol's new "Critical Item" Truck Inspection Program, which focuses on those factors most often certified as causing or contributing to truck accidents.

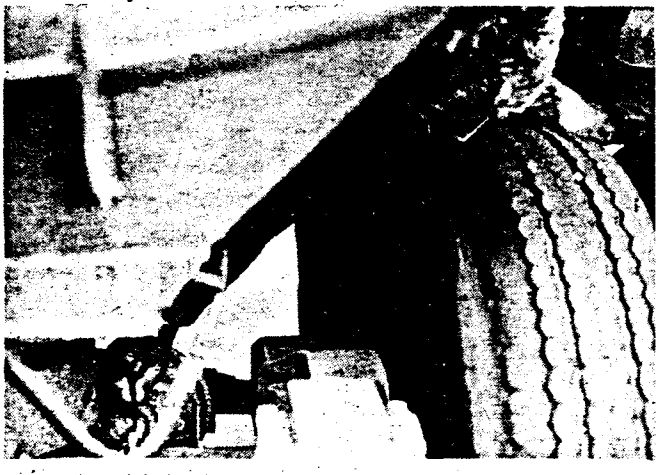
These factors, based on CHP's study of over 3,000 truck accidents, are: brakes, steering, tire/wheels, drawbars and fifth wheels. Driver logs were also included, due to the critical relationship between fatigue and traffic accidents.

From 1975 through 1978, truck-at-fault accidents in California Highway Patrol jurisdictions rose each year for a total increase of over 40%. Then CITI was introduced, and despite a 13% increase in truck miles traveled last year, truck-at-fault accidents were reduced by about ½ of 1%. The reduction is especially significant when compared to a 4% increase in truck accidents nationwide in 1979.

In the interest of reducing truck accidents, passing regulatory inspections, and generally following good preventive maintenance practices, CHP has developed a CITI guide for GO readers.

Inspection Procedures

Brake Adjustment



A rig with brakes out of adjustment and a driver not using the proper gear on a downgrade is a "run-away" in the making. It's common knowledge that brakes out of adjustment is the most frequent over-the-road brake problem. To give your drivers an edge, by operating a safe vehicle, brakes must be properly adjusted. Air chamber push rod travel exceeding the maximum stroke at which the brakes should be readjusted is reflected in the far right column in the table below.

BOLT TYPE BRAKE CHAMBER DATA
(Dimensions in inches)

Type	Effective Area (Sq. In.)	Outside Diameter*	Maximum Stroke	Maximum Stroke With Brakes Adjusted	Maximum Stroke at Which Brakes Should Be Readjusted
A	12	6 15/16	1¾	Should be	1⅜
B	24	9 3/16	2¼	as short as	1¾
C	16	8 1/16	2¼	possible	1¾
D	6	5¼	1⅝	without	1¼
E	9	6 3/16	1¾	brakes	1⅜
F	36	11	3	dragging	2¼
G	30	9⅞	2¼		2

ROTOCHAMBER DATA

9	9	4 9/32	2	Should be	1½
12	12	4 13/16	2	as short as	1½
16	16	5 13/32	2½	possible	1⅞
20	20	5 15/16	2½	without	1⅞
24	24	6 13/32	2½	brakes	1⅞
30	30	7 1/16	3	dragging	2¼
36	36	7⅝	3½		2⅝
50	50	8⅞	4		3

CLAMP TYPE BRAKE CHAMBER DATA
(Dimensions in inches)

6	6	4½	1⅝	Should be	1¼
9	9	5¼	1¾	as short as	1⅜
12	12	5 11/16	1¾	possible	1⅜
16	16	6⅜	2¼	without	1¾
20	20	6 25/32	2¼	brakes	1¾
24	24	7 7/32	2¼	dragging	1¾
30	30	8 3/32	2½		2
36	36	9	3		2¼

*Dimensions listed do not include capscrew head projections for rotochambers and bolt clamp projections for clamp brake chambers.

Air Loss

Air loss checks only take a minute or two. How often do you check yours?

Here is how we do it:

(Continued on next page)

(Continued from preceding page)

Brakes Released:

Build air to maximum, shut down the engine. The maximum permissible air loss is:

(a) 2 pounds per min. on single vehicle.
(b) 3 pounds per min. on 2 vehicles.
(c) 5 pounds per min. on 3 or more vehicles.

Brakes Applied:

Have the engine shut down with the air pressure at the governor cut-out point (maximum air pressure). Apply the foot valve. After the system stabilizes, read the gauge. The maximum permissible air loss is:

(a) 3 pounds per min. on single vehicle.
(b) 4 pounds per min. on 2 vehicles.
(c) 6 pounds per min. on 3 or more vehicles.

Any loss above these limits could seriously affect the stopping efficiency of your vehicle and lead to an accident.

Low Air Pressure Warning Device

Low air warning devices play an important role in letting the driver know if the brake system is in trouble. Unless the warning device is working properly, the driver may not know the brake system is "running out of air" until it's too late.

It's one of the simplest of all items to check, yet probably the one that is checked the least.

Do you know the requirements? Does yours operate? Will it operate with the engine shut down? When was the last time you checked its operation?

Here are the requirements:

(a) The warning may be visible (light), audible (buzzer), or both.
(b) The device must operate when the air pressure is between 55 and 75 psi.
(c) The device must continue to operate at all pressures below the pressure at which it begins to operate.

Here is how to check it:

Reduce the air pressure in the brake system to the cut-in pressure of the low air warning device by venting the air through the air tank drain cock, or by repeated application of the foot valve. Observe the pressure at which the device operates. If the low air warning device fails to operate, repeat the test with the engine running. On some vehicles the device will not operate unless the engine is running.

Air Brake Hose and Air Brake Lines

Air brake hoses and air brake lines cut or worn down through any steel or fabric braid, or which have become hardened or swollen, are indications of improper maintenance and threaten the integrity of the brake system.

Any air brake line or air brake hose that has been worn through all fabric layers, or is cracked or broken at a connection or other place so that a possibility of a failure of the line or hose exists, is a hazard and must be repaired or replaced immediately. When flexibility is required, air brake hoses must be sufficiently long and flexible to accommodate all normal flexing without damage.

Splices in air brake hose assemblies are permitted only when a union specifically made for that purpose is used. Splices made with any other device or connection are not allowed. For example, splices using tubing or pipe inserted into the hose or push-on type splices are not permitted.

Any type splice is permitted for air brake lines provided the splice is mechanically sound, structurally adequate, and airtight.

Brake Drums

Check for cracked brake drums.

Brake drums which are broken or cracked through the outside of the drum surface, or cracked brake drums which have been repaired by banding or any other method after the drums have been cracked, are not safe and must be replaced immediately.

Brake Shoes

Check for brake linings that are:

(a) Worn to within 1/64-inch of the bolts, rivets, or other fastening means which secure the lining to the shoe.
(b) Worn so that bolts, rivets, or other fastening means are contacting the drum.
(c) Worn to such an extent that the brake cam is on end or the cam has turned over.
(d) Either broken or has part of the lining missing.
(e) Contaminated with lubricant.

Brake shoe rollers that are worn and flattened so as to interfere with brake operation are unsafe.

Check brake shoe anchor pins and cam bushings, brake shoes, brake shoe rollers, return springs, and brake lining for excessive wear. The following conditions are examples of improper maintenance:

(a) Brake shoe anchor pins worn so as to permit the brake shoes to drag when brakes are released.
(b) Brake lining that does not fully contact the brake drum when brakes are applied.
(c) Missing brake shoe return springs.

Steering Components

Preliminary Requirements. Inspection of steering systems should be conducted on a clean, relatively level surface.

Steering Column. Inspect the steering column and steering gear box for proper mounting, securement, and operation.

Turn the steering wheel through a full right and left turn and check for binding or jamming conditions.

Care should be taken at the extreme ends of the turn to avoid deflecting the mechanism against stops.

Steering shafts should turn through full range in both directions without binding or hard pull and be free of

(Continued from preceding page)

Defects: Tires shall not be used with boot or blowout patches, or with:

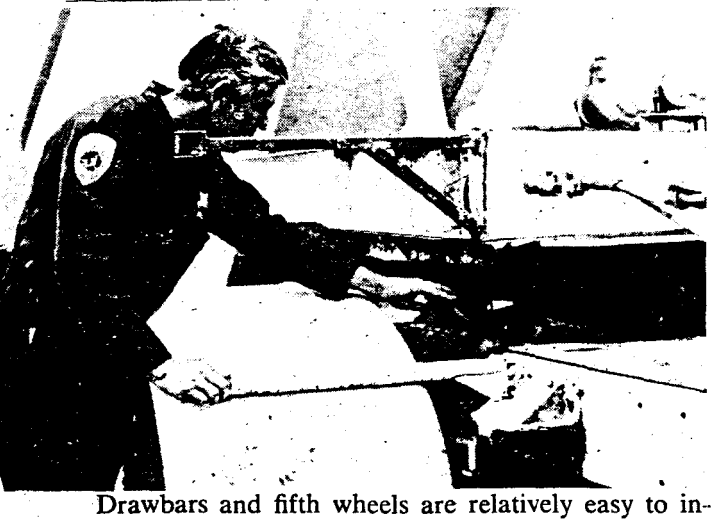
Unrepaired fabric breaks.
Exposed or damaged cord.
Bumps, bulges, or knots.
Cuts that measure more than 1 in. (25 mm) and expose body cord.
Cracks in valve stem rubber.

Recapped Tires. Recapped or retreaded tires are not permitted on steering axles of most trucks unless:

(a) They have not been recapped or retreaded more than once and contain no casing repair other than that required by a nail puncture, and
(b) They conform to the requirements of the 1969 California Retreading Standards Committee CRSC) Retreading Specifications and Standards, or
(c) They are certified by a new tire manufacturer as meeting standards equal to or better than CRSC standards. Such tires must show the name or trademark and assigned DOT registration number of the manufacturer and designate his facility which produced the tires.

Tires on Dual Wheels. The diameters of tires used on dual wheels shall be so matched that on a level roadway each tire will contact the surface at all times.

Drawbars and Fifth Wheels



Drawbars and fifth wheels are relatively easy to inspect, service and repair. Yet, because you don't have "too much trouble" with them, they are frequently overlooked. Your vehicle stands a greater chance of causing an accident if:

(a) Locking devices are missing from 5th wheels.
(b) There is more than 1" of lengthwise play between the upper and lower half of fifth wheels.
(c) Nuts, bolts, or brackets that are worn, loose, or broken and permit movement between the fifth wheel mounting and the vehicle frame.
(d) Fifth wheel/drawbars are broken or cracked in such a way as to affect structural integrity.

Check safety chains for adequate strength and proper hookup. The strength of a safety chain must be at least equal to the weight of the loaded trailer.

Driver's Logs

Nothing is "left behind" more often than the driver's log book. On a more serious note, fatigued and/or sleepy drivers cause accidents and cost lives and money. The rules are simple and they should be followed closely. Here are California's rules:

Hours of Service. A driver may not drive more than 12 hours within a work period, or drive after having been on duty for 16 hours.

Log Requirements. A driver's log, in duplicate, must be kept by each driver and each codriver, while driving, on duty not driving or resting in a sleeper berth. The log must be presented for inspection immediately upon request by any employee of the California Highway Patrol.

A driver's log is not required for drivers leaving and returning to the same location within ~~12~~ 10 consecutive hours and operating within a 100-mile radius of their home terminal, providing records of the total days worked, on-duty hours, and time of reporting on and off duty each day, are maintained by the motor carrier for one year. A driver's log must be maintained in continuity with other required timekeeping records for any tour of duty that can be reasonably expected to exceed ~~12~~ 10 consecutive hours or the 100-mile radius; the permanent record produced by a time-recording device such as a "tachograph" may be used, in lieu of a driver's log, for any tour of duty that does not exceed 16 consecutive hours or the 100-mile radius, providing the driver enters the previous day's time of going off duty and all data required on a regular log.

Drivers of vehicles subject to and in compliance with the log requirements of the U.S. Department of Transportation, Section 395.8, Part 395, Code of Federal Regulations, Title 49, are deemed to be in compliance with California regulations.

You are now familiar with the Critical Item Truck Inspection. Next step is to complement your total preventive maintenance program.

NOTE: In addition to the critical items listed above visual inspection of headlamps, taillamps, brake lamps and turn signals should be conducted daily.

any "rough spots."

Binding is an indication of a defect such as a steering gear misalignment.

Rough spots indicate demaged bearings or parts. Hard pull indicates excessive preload adjustment.

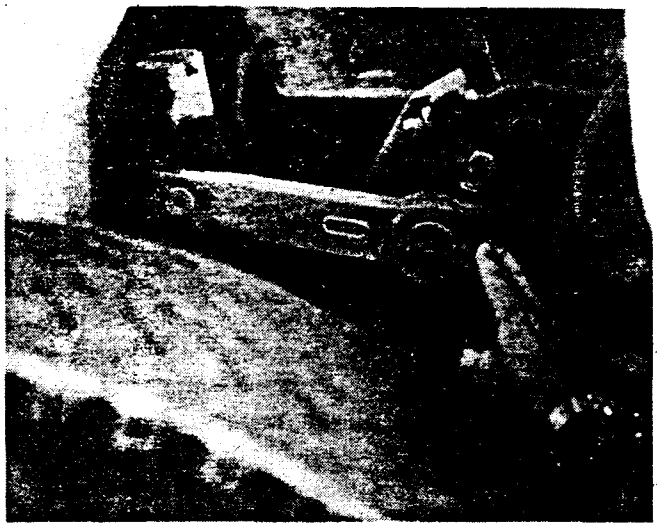
With the wheels straight, turn the steering wheel until motion of the wheels can be observed. Measure lash. Total movment of the steering wheel before the wheels begin to move should not be greater than shown in the following illustration.

Steering Wheel Diameter	Lash
16″	2″
18″	2¼″
20″	2½″
22″	2⅜″

Check the securement of the steering gear box to the frame. Determine if there are any loose or missing mounting bolts.

Examine the power steering valve body and hose connections for leaks.

Check the steering column shaft upper bearing for excessive wear and on a remote type, check lower bearing for defects as shown in the figure below.



Tie Rods Ends. Inspect all spherical joints on tie rod ends and steering linkage for excessive wear and looseness.

Joints should twist freely but should have no end play except as allowed by compression of the tie rod end spring.

Note condition of sealing boots, particularly on sealed joints without plugs or fittings.

Idler Arm. Inspect idler arm for worn bushings as may be indicated by up-and-down play.

Pitman Arm. Check pitman arm on steering gear box for looseness. There should be no up-and-down movement.

Tires and Wheels

Check each tire for excessive wear, cuts or other damage. Check each wheel for cracks or other defects such as loose or missing nuts, and broken studs.

Matching of Tires and Rims. Tires installed on vehicles are to be mounted only on rims specified for the particular tire size by the tire manufacturer or by organizations listed in Federal Motor Vehicle Safety Standard 119 (FMVSS).

Tire Load Limits. Tires for trucks, buses, and trailers shall not be loaded above the maximum load rating specified by the organizations listed in FMVSS No. 119 for the tire size, ply rating, and service speed.

Regrooved Tires. No tires are to be regrooved unless the tire is designed to permit regrooving and is marked "regroovable" at the time of manufacture or has a retread designed to be regrooved and is marked "regroovable" when retreaded. Regrooved tires must have at least a 3/32-in. (2.4-mm) layer of tread material between the cord structure and the new grooves, which cannot be less than 3/16 in. (4.8 mm) nor more than 5/16 in. (7.9 mm) wide. Regrooved tires must not show evidence of ply, tread, or sidewall separation; sidewall wear that exposes the fabric; or tread or groove cracks extending to the fabric.

Tread Depth. Tires mounted on steering axles of most trucks must have at least 3/32 in. (1.6 mm) tread depth at all points in major grooves, except measurements are not to be taken at treadwear indicators, tie bars, humps, or fillets.

(Continued on next page)

EXHIBIT 3

AMENDMENT TO HB 749

Page 4, Line 2, following the word and punctuation, "weight," insert "and vehicles of less than 26,000 pounds gross vehicle weight if it is: (1) A vehicle that is being used to transport passengers for hire; or (2) a vehicle that is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with rules adopted by the Commission,"

Page 4, Line 4, following the word "drivers" insert ", other than drivers for motor carriers,"