

USDOT  
74432

**Gessler, Mark <FMCSA>**

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**From:** Gessler, Mark <FMCSA>  
**Sent:** Monday, October 15, 2007 3:20 PM  
**To:** 'dotweb@cots.com'  
**Subject:** Hotline Complaint 100024090

Reference Hotline Complaint 100024090, Marten Transport LTD, USDOT 74432

Anonymous complaint lacks specific details required per 49 CFR Part 386.12.

No contact information or name available on complainant for follow-up.

Complaint closed.

# Safety Violation Report

Federal Motor Carrier Safety Administration

## Report Information

**Complaint ID:** 100024090  
**Date of Report:** 10/15/2007  
**Input By:** Nadine Madison  
**Recorded By:** Public

## Filer Information

**Filer Name:**  
**Street Address:**  
**City:**  
**State:** **ZIP:**  
**Telephone #:**  
**Email Address:**

## Motor Carrier Information

**Motor Carrier:** MARTEN TRANSPORT LTD  
**City:** MONDOVI **State:** WI  
**US DOT #:** 74432  
**Transports HAZMAT:** Yes **Transports Passengers:** No

## Violation Information

**Violation involves "HOURS OF SERVICE":** Yes

### Violated Regulation:

#### Hours of Service

- Commercial motor carrier requires that the driver exceed maximum driving time.
- (b)(3); (b)(7)(D) was verbally and repeatedly harassed for a 20 minute late arrival after travelling over 2000 miles to reach my destination. The practiced policy of the DISPATCH OFFICERS is to harass every individual regarding faster travel and longer hours as the mandate. The policy has caused numerous episodes of sleep deprivation. It is commonly known that only those drivers who abide by the strictest least break schedule will continue with the company. The company has also caused extra days beyond reasonable length of time out for me to remain on the road without the promised compensation and without reasonable accomodation to meeting the time off requests, in opposition to their stated policy. They further have charged me for emergency fuel of \$132. saying that they did not receive the receipt, but acknowledging that the fuel was purchased and paid for and approved at the time.

### Unsafe Vehicles or Equipment

- (b)(3); (b)(7)(D) brought the truck into the terminal in Forest

Park, Georgia and asked them to repair the air brakes, after an emergency breakdown wherein the airdryer unit was bypassed, I was subsequently told that it did not need to be repaired and they reconnected it, telling me that they had replaced the unit. It subsequently broke down again and I mentioned it before my time off but they took no opportunity to fix it during my time off where it sat at the Georgia terminal, but the airbrakes again malfunctioned and they then finally fixed it after causing dangerous conditions of low air and frustration over the situation.

**Terminated for Refusing to Commit a Violation**

- I informed the DISPATCH person Michelle Pichler that I was about short of hours under the 7 day rule and she became outraged and accusatory even though I felt I had given sufficient advance notice of the problem which would limit the number of hours I could work the following day. She further stated that under no uncertain circumstances did the company want to "grant a 34 hour restart" but then was under no ability to do otherwise since I held my ground that I not only had been excessively laboring for extensive hours for my (ungrateful) fleet manager, but that it had taken a toll on me and would be unwise to do other than rest a while.
- Driver was terminated for refusing to commit a violation related to Falsification of Log Books.

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Federal Motor Carrier Safety Administration  
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