



Wisconsin Division Office
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Madison, Wisconsin 53719-2814
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April 19, 2007

b3, b7D

This is in response to your call to our Safety Hotline concerning the safety practices of Marten Transport LTD.

The Federal Motor Carrier Safety Administration is very much concerned with acts of noncompliance with the Federal Motor Carrier Safety Regulations by motor carriers and their employees. Instances of noncompliance with safety regulations were discovered during a recent compliance review on Marten Transport LTD. Enforcement action was initiated and fines assessed against the company for violations of the Federal Motor Carrier Safety Regulations.

Section 405 of the Surface Transportation Act (STAA) provides that no person may discriminate (penalize) against any employee with respect to the employee's compensation or terms of employment because the employee (or a person acting at the request of the employee) has filed any complaint or instituted or caused to be instituted any proceeding relating to a violation of a commercial motor vehicle safety rule, regulations, standard or order.

Section 405 of the STAA requires that complaints concerning alleged discriminatory action must be filed with the Occupational Safety and Health Administration (OSHA) within 180 days of the discriminatory action.

Your interest in motor carrier safety is appreciated.

Sincerely,

For Mark Gessler
Mark G. Oesterle
Division Administrator

Gessler, Mark <FMCSA>

From: Gessler, Mark <FMCSA>
Sent: Thursday, April 19, 2007 8:57 AM
To: 'dotweb@cots.com'
Subject: Hotline Complaint 100020145

Reference Hotline Complaint 100020145, Marten Transport LTD, USDOT 74432.

Complainant sent letter per FOTM policy informing him a recent compliance was completed resulting in enforcement action.

WI-2007-0157-450461

COMputing TechnologIeS, Inc.
3028 Javier Road
Suite 400
Fairfax, VA 22031

Facsimile Transmittal

To: Mark Oesterle Fax: 608-829-7540
From: Nadine Madison Date: 4/18/2007
Project Supervisor
James Dubose
FMCSA Transportation Specialist
RE: Received Safety Violation Complaints Pages: 2 including cover sheet
CC:

Please handle the attached complaints for the State of WI according to the guidance and procedures set forth in the Field Operations Training Manual. A concise summary of how the complaint was handled should be e-mailed to dotweb@cots.com [90 DAYS AFTER DATE OF FAX].

There is no need to forward copies of reports or correspondence generated as a result of handling this complaint unless it is specifically requested.

If you have any questions, please feel free to contact Nadine Madison at (703) 280-8800 Ext: 1421.

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Safety Violation Report

Federal Motor Carrier Safety Administration

Report Information

Complaint ID: 100020145
Date of Report: 4/18/2007
Input By: Nadine Madison
Recorded By: Public

Filer Information

b3, b7D

Motor Carrier Information

Motor Carrier: MARTEN TRANSPORT LTD
City: MONDOVI **State:** WI
US DOT #: 74432
Transports HAZMAT: **Transports Passengers:**

Violation Information

Violation involves "HOURS OF SERVICE": Yes

Violated Regulation:

Hours of Service

- Commercial motor carrier requires that the driver exceed maximum driving time.
- 3-21-07 CHANHASSEN ,MN TO HARRISON VILLE ,MO THEN TO SPRINGFIELD ,MO COMPANY DEMANDED I NOT TAKE 10 HOUR BREAK . OR I WOULD BE TERMINATED. ALSO I TURNED DOWN MANY ILLEGAL LOADS WERE CMARTEN WANTED ME TO GO FROM ILL TO LEWISTON ME IN ONE DAY !! I COMPLAINED SEVERAL TIMES TO RANDOLF MARTEN . HE SAID I SHOULD TAKE THE LOADS OR BE TERMINATED!!

Unsafe Vehicles or Equipment

- Commerical motor vehicle did not have required equipment.
- TRUCKS WERE UNSAFE , TRAILER WAS DOG TAILING AND UNSAFE, I COMPLAINED TO MY DISPATCHER AND HIS SUPERVISOR THERE NAMES ARE JAY WEBER AND BRUCE PLATTER. ALSO MY FIFTH WHEEL WAS BROKEN ,I TOLD DISPATCH THIS WAS UNSAFE BECAUSE TRLR COULD SEPERATE WHEN I AM DRIVING.

Terminated for Refusing to Commit a Violation

- Driver was terminated for refusing to commit a violation related to Hours of Service.
- Driver was terminated for refusing to commit a violation related to Required Equipment.
- Driver was terminated for refusing to commit a violation related to Vehicle Condition or Maintenance.
- I WAS EMPLOYED BY THIS COMPANY FRM ^{b3, b7D} WAS FORCED TO TAKE LOADS THAT WERE ILLEGAL, I REFUSED SEVERAL TIMES, AND WAS TOLD BY THE SAFETY MANAGEMENT TO JUST NOT TAKE DOT 10 HOUR BREAK. AND FALSIFY LOG BOOK!! I ASKED RANDOLF MARTEN FOR LEGAL LOADS ONLY!! HE TOLD ME TO THEN BRING TRUCK TO A DROP YARD IN JOPLIN ,MO!! AND LEAVE COMPANY!!

Hours of Service

- Commerical motor carrier requires that driver falsify log books.

Terminated for Refusing to Commit a Violation

- Driver was terminated for refusing to commit a violation related to Falsification of Log Books.

Additional Information:

"4/12/07 Telephoned the complainant and she said she would call back-EZ."

"4/10/07 Telephoned the complainant Im-EZ." "4/9/07 Telephoned the complainant Im-EZ."

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Federal Motor Carrier Safety Administration
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