

Testimony of

**MR. JOHN D. MORRISSETTE**

**PRESIDENT**

**INTERSTATE VAN LINES**

**On Behalf of**

**The American Moving & Storage Association**

**Regarding**

**DO NOT ENTER: HOW PROPOSED HOURS OF SERVICE  
TRUCKING RULES ARE A DEAD END FOR SMALL  
BUSINESSES**

**Before the**

*Small Business Committee*

***UNITED STATES HOUSE OF REPRESENTATIVES***

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American Moving & Storage Association

1611 Duke Street, Alexandria Virginia 22314 ♦ 703-683-7410

Good morning Chairman Graves and distinguished Members of the Committee. I am John D. Morrissette, President of Interstate Van Lines located in Springfield Virginia. Thank you for the opportunity, on behalf of the 3000 members of the American Moving & Storage Association, to share our views on the proposed Hours of Service rules.

Our industry is unique and the proposed changes will have a devastating effect on our ability to service our customers. Our industry is comprised primarily of small and micro-businesses that have been hard hit by the economy, particularly due to the housing market collapse. We already have downsized as an industry in response to the economic troubles we have faced and now we would be forced to restructure and reduce the efficiency of our business operations due to the proposed hours of service requirements.

The household goods industry differs from the general trucking industry not only in the type of cargo we carry but

also in the type of service we provide and in how we conduct our daily operations. Our drivers operate all over the country in residential communities and our shipments are loaded and delivered from high rise condominium buildings and remote ranches; we spend more time on tree-lined residential streets than at loading docks on established freight lanes. We are an industry that prides itself on customer service; our driving hours are important but in many ways secondary to our ability to take care of our customers' special needs and their unique possessions.

One of the things that set us apart from our general freight trucking counterparts is that our drivers typically spend a greater part of their available on-duty time packing/loading/unloading rather than driving as compared

to the general freight industry. Overall, our long haul drivers average 90,000 – 100,000 miles per year versus the general freight industry's 125,000 – 150,000 miles per year. Instead of on-duty driving hours, as part of their job serving our customers, our drivers' on-duty drivers:

- Enter private residences, rather than commercial warehouses;
- Sort, wrap and pack shipments of personal items, including dishes, glasses, clothing, specialty items, and disassemble and reassemble furniture and appliances;
- Load and unload their vehicles, which is a skill set that is unique to our industry; loading general freight does not require the same degree of special training. The loading and unloading of furniture, household

goods and fragile personal possessions is very specialized – we don't use forklifts;

- Unload and carry these personal items into the customer's new residence;
- Reassemble and sometimes even arrange the customer's furniture;
- Don't move general commodities – they move personal possessions and memories – and they must at all times move the customer's belongings with the utmost care while doing so in the customer's presence where the slightest inattention to detail will be noticed;
- Do their own inventories of each customer's items while at the residence;

- Complete the contract (Bill of Lading) with our customers on-site at the customer's residence;
- Deal directly with our customers (rather than a warehousemen or shipping clerk) on a one-to-one basis and they represent our companies and our industry as frontline ambassadors for quality professional service.

In addition, we are called upon daily to satisfy the various and frequently changing schedules of our customers. The proposed hours of service changes are complicated, difficult to understand and difficult for the customer to appreciate when the regulations act to affect the timing of their move. Customers' plans change, they add items, they decide to move into a unit on a higher floor, their mortgage closing gets delayed, the landlord will not let them move in until the unanticipated last-minute painting is

dry, their flight was cancelled, and so on; the list of potential schedule changes is nearly endless. All of these issues can force pickup and delivery changes that are beyond the move's original schedule and beyond the mover's control. These situations are compounded by the fact that our vehicles transport several households in one trip and any schedule change for one shipment affects all of the others on board.

The proposed HOS changes will severely limit our flexibility to meet our customers' scheduling needs. Moves that are delayed and run over the duty-time day will mean that an additional trucks and drivers must be dispatched to finish the move at substantial additional cost to meet the customer's schedule. Fewer hours to service

individual shipments will mean fewer loads and reduced revenue for individual drivers.

Requiring drivers to be released from duty when they are not driving or scheduled to drive does not affect the public safety and should not be a part of the new rules. It will require multiple days to be added to complete moves and the additional cost will be passed along to the customer. Every business will need to increase its staffing and fleet size to compensate for the loss of hours to maintain service levels and customer expectations. The capital required to increase the fleets would be devastating to many businesses and likely prohibitive for small businesses. Small businesses that can't afford necessary trucks and drivers may be driven out of the industry.

The health and well-being of our industry's drivers are of the utmost importance to us. Our industry fully supports the efforts of the FMCSA to promote safety and to protect driver health. However, we submit that, in recognition of the unique aspects of the customer-service model of our industry, the proposed Hours of Service changes should not be applied to the interstate household goods industry, and the current rules should continue to apply.

Thank you for this opportunity to testify. I look forward to answering any questions you may have.