



INTERNATIONAL ASSOCIATION OF DRILLING CONTRACTORS

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30 July 2012

[Docket Number FMCSA-2012-0183]

Docket Management Facility (M-30)
U.S. Department of Transportation
West Building Ground Floor, Room W12-140
1200 New Jersey Avenue SE.
Washington, DC 20590-0001

Re: Hours of Service [Docket Number FMCSA-2012-0183]

To Whom It May Concern:

The International Association of Drilling Contractors is a trade association representing the interests of drilling contractors, onshore and offshore, operating worldwide. Our membership represents seventy five percent of all drilling rigs operating in the United States.

The purpose of this letter is to respond to the Federal Motor Carrier Safety Administration 5 June 2012 request for public comments regarding the Hours of Service of Drivers of Commercial Motor Vehicles; Regulatory Guidance for Oilfield Exception as specified in 49 CFR Part 395.1(d). "Oilfield Operations."

Responses to Federal motor Carrier Safety Administration posed questions

``Question 6: What does ``servicing'' of the field operations of the natural gas and oil industry cover? The ``24-hour restart'' provision of Sec. 395.1(d)(1) is available to drivers of the broad range of commercial motor vehicles (CMVs) that are being used for direct support of the operation of oil and gas well sites, to include transporting equipment and supplies (including water) to the site and waste or product away from the site, and moving equipment to, from, or between oil and gas well sites. These CMVs do not have to be specially designed for well site use, nor do the drivers require any special training other than in operating the CMV.

IADC disagrees with the statement, "These CMVs do not have to be specially designed for well site use, nor do the drivers require any special training other than in operating the CMV." The vast majority of these vehicles are specially constructed for use at an oil and gas well site. These vehicles are extremely heavy with reinforced frames, special tires and specialized equipment that are designed to hoist, maneuver or carry the various parts of a drilling rig. These specialized vehicles are primarily driven on lease and/or farm roads away from the general public. While the drivers of these specialized vehicles are not required to receive special training to operate

their vehicles on public highways or to maintain their CDL, these drivers do, in fact, receive special training to operate their vehicles and specialized equipment while on the well site.

Question 8: What kinds of oilfield equipment may drivers operate while taking advantage of the special "waiting time" rule in Sec. 395.1(d)(2)? The "waiting time" provision in Sec. 395.1(d)(2) is available only to operators of those commercial motor vehicles (CMVs) that are (1) specially constructed for use at oil and gas well sites, and (2) for which the operators require extensive training in the operation of the complex equipment, in addition to driving the vehicle. In many instances, the operators spend little time driving these CMVs because "leased drivers" from drive-away services are brought in to move the heavy equipment from one site to another. These operators typically may have long waiting periods at well sites, with few or no functions to perform until their services are needed at an unpredictable point in the drilling process. Because they are not free to leave the site and may be responsible for the equipment, they would normally be considered "on duty" under the definition of that term in Sec. 395.2. Recognizing that these operators, their employers, and the well-site managers do not have the ability to readily schedule or control these driver's periods of inactivity, Sec. 395.1(d)(2) provides that the "waiting time" shall not be considered on-duty (i.e., it is off-duty time). During this "waiting time," the operators may not perform any work-related activity. To do so would place them on duty. Examples of equipment that may qualify the operator/driver for the "waiting time exception" in Sec. 395.1(d)(2) are vehicles commonly known in oilfield operations as heavy-coil vehicles, missile trailers, nitrogen pumps, wire-line trucks, sand storage trailers, cement pumps, "frac" pumps, blenders, hydration pumps, and separators. This list should only be considered examples and not all-inclusive. Individual equipment must be evaluated against the criteria stated above: (1) Specially constructed for use at oil and gas well sites, and (2) for which the operators require extensive training in the operation of the complex equipment, in addition to driving the vehicle infrequently. Operators of CMVs that are used to transport supplies, equipment, and materials such as sand and water to and from the well sites do not qualify for the "waiting time exception" even if there have been some modifications to the vehicle to transport, load, or unload the materials, and the driver required some minimal additional training in the operation of the vehicle, such as running pumps or controlling the unloading and loading processes. It is recognized that these operators may encounter delays caused by logistical or operational situations, just as other motor carriers experience delays at shipping and receiving facilities. Other methods may be used to mitigate these types of delays, which are not the same types of waiting periods experienced by the CMV operators who do qualify for the waiting time exception.

IADC believes examples of oilfield equipment where drivers may utilize the special "waiting time" rule include gin-pole trucks, winch trucks, specialized oil field equipment, heavy-coil vehicles, missile trailers, nitrogen pumps, wire-line trucks, sand storage trailers, cement pumps, "frac" pumps, blenders, hydration pumps, and separators. This list is not all inclusive and is an example of the types of specialized, heavy-duty CMVs that are typically found on a well site waiting for instructions from the well site manager. The working periods of these types of vehicles cannot be scheduled into a weekly or daily routine such as with a freight hauling truck. Depending on complications involved with oil and gas operations oilfield servicing, specialized oilfield CMVs must often make alternative arrangements which may include large amounts of waiting time while on the well site.

Finally, IADC believes that the 60 day timeframe to comment on these matters is entirely inadequate. IADC requests that the comment period be extended to 90 days to adequately receive comments from the industry.

Sincerely;

Paul Breaux
Assistant Director – Land Operations
International Association of Drilling Contractors