

**From:** Rick Todd <ricktodd@sctrucking.org>  
**To:** John.Caldwell@SCDMV.netJohn.Caldwell@SCDMV.net  
VARATD@SCSENATE.ORGVARATD@SCSENATE.ORG  
gatesm@scstatehouse.netgatesm@scstatehouse.net  
Marcia.Adams@SCDMV.netMarcia.Adams@SCDMV.net  
Annie.Phelps@scdmv.netAnnie.Phelps@scdmv.net  
David.Findlay@scdmv.netDavid.Findlay@scdmv.net  
Leigh.Barnett@SCDMV.netLeigh.Barnett@SCDMV.net  
durdendb@scdot.orgdurdendb@scdot.org  
**Date:** 2/28/2005 11:18:56 AM  
**Subject:** RE: Amendments to 406 and 3524 as indicated by FMCSA

---

Thanks.

I must tell you that I don't like what they're telling us we must do regarding:

SECTION 8 (A) (3) striking of "knowingly and willfully."

I think that is a reasonable burden of proof.

I spoke with and argued the point with an attorney with the FMCSA this morning. He says that the Chief Counsel's Office insisted. Said we'd be out-of-compliance if not stricken.

I'm not going to fight it, but if a Senator or House member, especially those who do defense work or agree philosophically, want to take issue with it, I'm certainly understanding.

Rest OK.

Can't understand why they're just now bringing these matters to our attention. Bill's been introduced how long?

(kind of like me and the issue I had last week!)

Best regards,

Rick

-----Original Message-----

From: John.Caldwell@SCDMV.net [mailto:John.Caldwell@SCDMV.net]

Sent: Monday, February 28, 2005 11:06 AM

To: VARATD@SCSENATE.ORG; gatesm@scstatehouse.net;  
Marcia.Adams@SCDMV.net; Annie.Phelps@scdmv.net; David.Findlay@scdmv.net;

Leigh.Barnett@SCDMV.net; Rick Todd; durdendb@scdot.org

Subject: Amendments to 406 and 3524 as indicated by FMCSA

Attached is a copy of 3524 as we have amended it to be in compliance with the letter 2-26-05 received from FMCSA . Please review and let me know if you have any questions. The changes are in red.

<<3524(2).doc amended 2-28-05.doc>>