



SHIP SMARTER AND SAVE

TIC-TOC THE HANDS KEEP MOVING ON THE HOS CLOCK

There is no doubt that everyone is concerned about truck safety. Last year U.S. Transportation Secretary Ray LaHood stated that “safety is our highest priority.” He felt that the new HOS rules were “common sense, data-driven changes to reduce truck driver fatigue and improve safety for every traveler on our highways and roads.” The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) announced in 2013, that new federal regulations, designed to improve safety for the motoring public by reducing truck driver fatigue, would take effect July 1, 2013.

These new regulations caused a significant uproar within the transportation industry, particularly the current 34-hour restart provision of the “Hours of Service” rule. This rule required truck drivers who reach the maximum 70 hours of driving within a week to resume driving only after they rest for 34 consecutive hours, including at least two nights when their body clock demands sleep the most - from 1 a.m.-5 a.m.

Recently, the Senate Appropriations Committee voted by a margin of 21- 9 in favor of an amendment offered by Sen. Susan Collins, R-Maine, to suspend the current 34-hour restart provision of the Hours of Service rule while the FMCSA studies the impact of the rule. The suspension would start after the bill is passed and FMCSA posts public notice. It will last until September 30, 2015, or when FMCSA finishes the study. The previous rules provision did not contain the requirement that drivers be off between 1 a.m. and 5 a.m. on two successive nights, and restricted limiting use of the restart to once a week.

The proposed amendment is far from complete. It must clear the full Senate and then be reconciled with whatever the House does on appropriations. This will leave plenty of opportunities for opponents to seek change. It was thought that this would be very likely to pass based on concerns that carriers have raised due to the impact to their business from a service perspective and the impact on transportation costs. A very recent tragic accident on the New Jersey Turnpike involving a driver for Wal-Mart that killed one and injured three others, including comedian Tracy Morgan, has brought HOS into the headlines again. Democratic

Senators Robert Menendez and Cory Booker said they plan to target the proposal which will specifically lift a restriction for the Federal Motor Carrier Safety Administration's 34-hour restart rule be used only once within a seven-day period, and suspend the requirement that drivers' rest time include consecutive 1 a.m.-to-5 a.m. segments.

Shippers and carriers will have a 'time out' on the restart provision until the results of the study are in. For now, the hands of time keep moving *ever so slowly* on HOS regulation.

Our Professional Services team stands ready to support you in controlling your transportation expenses and freight cost analysis. Please contact Leif Holm-Andersen, Executive Director of Professional Services at Leif.holm-andersen@data2logistics.com or +1 239 425 8050.