



HOS TAKE TWO:

The American Trucking Associations (ATA) said it has called on members of Congress in an effort to cast off what it described as “misinformation” over truck safety while asking Congress to sign off on an appropriations bill that would provide regulatory relief for the trucking sector, specifically focusing on truck driver hours-of-service (HOS) regulations. The ATA, truckers and shippers prevailed as both houses passed a funding bill containing a provision that would suspend federal limits on truckers’ weekly work schedules.

The goal of the mandate is to suspend the new HOS restart rules for one year and during that time have the Federal Motor Carrier Safety Administration study the rule and analyze its safety benefits and provide an understanding of how the restart changes have impacted drivers, as well as safety and productivity issues in trucking.

Shippers and carriers argued that the 34 hour restart rule represented a strain on both the carrier community and shippers. This is an issue that not only impacts truckers but ripples through the entire economy and ultimately impacts the end consumer.

Others defending the HOS rules felt differently. The provision at issue is a central element of a comprehensive rule that ensures truck drivers have adequate rest when operating on highways. They believed this is essential for the safety of truck drivers and the safety of families and loved ones who share the road with them. They felt the regulatory provision (like all other aspects of the rule) was developed based on sound data and analysis. The evidence clearly shows that truck drivers are better rested and more alert after two nights of sleep than one night, and that unending 80-hour work weeks lead to driver fatigue and compromised highway safety.

Last January, FMCSA released its findings based on a third party study it conducted that it said provides “further scientific evidence that the restart provision in the current [HOS] rule for truck drivers is more effective at combatting fatigue than the prior version” (which did not have such requirement).

This study was long awaited and part of a provision in the current federal transportation bill, MAP-21, which called for an HOS field study to expand on an FMCSA report on driver fatigue and maximum driving time requirements focusing on the 34-hour restart rule. But prior to this week, that study was not completed, despite the rules having already gone into effect.

In its study, the FMCSA explained that scientists measured sleep, reaction time, and sleepiness and said it found that drivers who kicked off their work week with only one nighttime period of rest, instead of the mandated two nights: exhibited more lapses of attention, especially at night; reported greater sleepiness, especially toward the end of their duty periods; and showed increased lane deviation in the morning, afternoon, and at night.

Stay tuned, as this fight is has not been resolved. It has been pushed back as it has been many times in the past. Shippers and carriers may have won this round but the battle will continue for at least one more year. The set aside of the HOS rule will bring some relief to the motor carrier industry which has been plagued by a shortage of drivers and up until recently an investment in equipment. The suspension of the 34 hour restart provision will certainly benefit carriers who have touted this as one of many reasons for higher prices in 2014. To understand more about the rulings implication on your freight rates contact our Professional Services team.

As budgets for 2015 are being developed you should be talking with Data2Logistics' Professional Services team. They have the insight and experience to help you control costs and put programs in place that will help you to maximize your purchasing power. Please contact Leif Holm-Andersen, Executive Director of Professional Services at Leif.holm-andersen@data2logistics.com or +1 239 425 8050.