

Alert 16-01: Update on Suspension of Provisions in FMCSA Hours of Service Regulations

Background

[ISDI Alert 14-03](#) outlined changes to the Federal Motor Carrier Safety Administration's (FMCSA) Hours of Service (HOS) Rules, effective July 1, 2013. These changes mandated a 30-minute break per eight-hour driving shift for non-"short haul" drivers, limited drivers to only one restart in any 168-hour period, and required drivers to only include two periods of 1:00 a.m. to 5:00 a.m. work in any 34-hour restart before beginning a new 60- or 70-hour workweek. The goal of these changes was to reduce accidents, improve road safety for all and increase trucker health. [Refer to Alert 14-03](#) for more detail.

Recent Changes

On Dec. 16, 2014, President Obama signed a massive federal spending bill that contained a rider temporarily suspending two key provisions of the FMCSA HOS Rules adopted in 2013. In addition, FMCSA was required to carry out a study to determine the operational, safety, health and fatigue effects of the rest and restart provisions of the HOS requirements.

On Dec. 18, 2015, President Obama signed into law a fiscal 2016 funding bill that added requirements to the ongoing review of the HOS restart rule. These new requirements guarantee the two provisions in the FMCSA HOS Rules will be continue to be suspended for much of 2016. The restrictions requiring two rest periods between 1:00 and 5:00 a.m. and limiting the use of a restart to once per 168 hours remain suspended, while all other provisions of the HOS Rules remain in effect.

FMCSA continues to evaluate the impact of these suspended rules, and will be required to provide Congress with as assessment on how the restart rule provides improvement "in all outcomes related to safety, operator fatigue, driver health and work schedules."

Impact

Bill Graves, president of the American Trucking Associations (ATA) stated, "FMCSA foisted these restrictions on the industry without doing a proper investigation into how they might impact trucking safety and truck drivers' health and longevity, so it is completely appropriate for Congress to establish a safety and health standard."

Links for More Information

- For more on the 2013 HOS revisions, see [Alert 14-03](#) and [Alert 15-01](#)
- For more on the ATA's position on the suspension, visit <http://bit.ly/1ZynjSH>

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