



## TruxFax

*A Safety and Operations Bulletin for Motor Transportation Companies*

February 07, 2011

Number 2011-06

### **DOT ISSUES PROPOSES RULE REQUIRING ELECTRONIC ON-BOARD RECORDERS**

The United States Department of Transportation (DOT) has issued a Notice of Proposed Rulemaking (NPRM) that would require all interstate commercial carriers to install electronic on-board recorders (EOBRs) in their vehicles to monitor drivers' hours of service (HOS) compliance. According to DOT Secretary Ray LaHood, the proposal is designed to make the roads safer "by ensuring that carriers traveling across state lines are using EOBRs to track the hours their drivers spend behind the wheel." Under the proposal, interstate carriers that violate the EOBR requirement would face civil penalties of up to \$11,000 for each offense. Non-compliance would also negatively impact a carrier's safety fitness rating and DOT operating authority. Approximately 500,000 carriers whose drivers are currently required to use logbooks to track their hours would be affected by the ruling. A comment period for the proposal began February 1st and will continue to April 4, 2011. The full proposal published in the Federal Register is available at <http://edocket.access.gpo.gov/2011/2011-2093.htm>, and includes instructions on how to submit comments. Reference Docket Number FMCSA-2010-0167.

### **FMCSA HOLDING FULL-DAY LISTENING SESSION ON HOS CHANGES**

A public listening session sponsored by FMCSA on the proposed changes to the hours of service rules is scheduled for Thursday, February 17, from 9:00 AM to 5:00 PM Eastern Time at the Crowne Plaza Washington National Airport Hotel in Arlington, Virginia. The session will also be broadcast on the Agency's website, [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov). The webcast will include FMCSA officials taking online comments and questions from the public between noon and midnight. The main topics of discussion are expected to center on the changes that shorten the number of hours truckers could work and drive per day and per week. FMCSA is debating whether to lower the daily driving time limit from 11 hours to 10 hours and whether the proposal should mandate that all work must be completed within 13 hours, rather than the current 14, with a mandatory break inserted into the drivers' schedules. The 34-hour restart provision which currently allows drivers to start a new workweek after 34 hours off-duty, is also targeted for change. FMCSA wants to have two midnight to 6:00 AM periods included within the restart hours which could extend the restart time by several hours and force drivers to stop for two nights. The Agency believes the changes are needed to reduce excessive driving time and get fatigued drivers off the road. Industry advocates say the proposals would compel carriers to put more trucks on the road to haul the same amount of freight, significantly increasing costs. Online comments are also being accepted at [www.regulations.gov](http://www.regulations.gov) until February 28, using ID #FMCSA-2004-

**19608. Nearly 1,100 comments about the proposal have already been filed with FMCSA.**