



THE NEW RULE DOES NOT REQUIRE ON-BOARD RECORDERS

The new rule does not require drivers to use on-board recorders for long-haul and regional drivers. Such a requirement is pending in another rule.

Noncompliance is rampant in the trucking industry. These recorders would objectively level the playing field for law-abiding carriers and drivers.

DRIVERS SHOULD BE PAID BY THE HOUR

Drivers are paid by the mile right now, which leads to tired drivers who are forced to keep driving – or they may be fired.

Drivers should be paid by the hour. They also should receive overtime and pay for time they spend completing paperwork and waiting for cargo to be loaded.

AN HOURS-OF-SERVICE TIMELINE

1995: Congress orders Federal Highway Administration (FMCSA's predecessor) to revise HOS rule. No rules were issued.

May 2000: FMCSA issues a public notice that it intends to issue a new HOS rule.

Nov. 2002: Safety groups, including Public Citizen, and the Teamsters file a lawsuit to force FMCSA to issue the HOS rule.

Feb. 2003: FMCSA settles lawsuit, agrees to issue HOS final rule.

April 2003: FMCSA issues the HOS final rule.

Dec. 2003: Safety groups, including Public Citizen, file a lawsuit to force FMCSA to issue another HOS rule because the April 2003 rule which did not take into account the impact of the new rule on driver health.

July 2004: A three-judge panel of U.S. Court of Appeals for the District of Columbia Circuit rules in Public Citizen's favor.

Sept. 2004: Congress passes Surface Transportation Extension Act of 2004, extending the deficient HOS rule until Sept. 30, 2005, or until FMCSA issues a new HOS final rule addressing the appeals court's concerns.

Jan. 2005: FMCSA issues a notice that it would issue HOS regulations.

Aug. 2005: FMCSA issues final HOS rule, which is essentially identical to April 2003 rule except for its sleeper-berth provision. Effective date is Oct. 1, 2005.

NAVIGATING THE NEW HOURS-OF-SERVICE RULE



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HOW DOES THE NEW HOURS-OF-SERVICE RULE IMPACT DRIVERS?

The new hours-of-service (HOS) rule, issued by the Federal Motor Carrier Safety Administration (FMCSA) in August 2005, would permanently increase the number of hours truck drivers could be required to drive each day. It would also allow trucking companies to dispatch drivers to start a new work week only 34 hours after they ended the previous week.

The bottom line? Drivers will have to work longer hours, with shorter rest times between work weeks.

Truck drivers are critical to the success of U.S. businesses. In 2002, trucks moved more than \$6.2 trillion and 7.8 billion tons of manufactured goods and raw materials, according to the Department of Transportation (DOT).

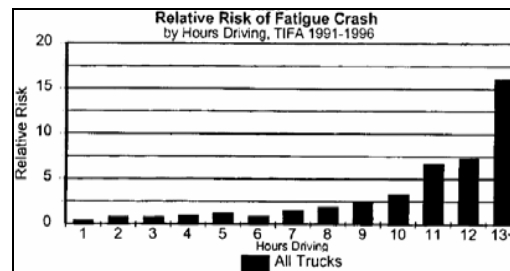
Alert truck drivers are also critical to the success of businesses, the health of drivers, and the safety of everyone. DOT reported in 2004, 5,190 fatalities occurred in large truck crashes – a 3.1 increase over

2003. As many as 30-40 percent of heavy truck accidents may be related to truck driver fatigue, according to the National Transportation Safety Board.



THE NEW RULE INCREASES DRIVING TIME

The new HOS rule increases daily driving time from 10 hours a day to 11 hours a day. However, numerous studies show that it becomes increasingly difficult to concentrate on driving after 8 hours of driving because drivers become tired. In fact, fatigue-related crashes steadily increase after 8 hours, according to DOT data:



THE NEW RULE DOES NOT ALLOW FOR ENOUGH REST

The new rule allows for trucking companies to give their drivers only 34 hours off at the end of a "week" before they could be dispatched to drive across the country again. During this break period, drivers may only have one sleep period, which is less than a day and a half long.

The new rule also sets the daily driver work limit at 14 hours a day, with 10-hour breaks in between. Such a cycle could allow 88 hours of driving over 8 days, and as many as 98 hours of total work over 8 days. These are increases of almost 30 percent more driving time and almost 40 percent more total working time than before this new rule.

This rule requires truck drivers to work about twice as much as most Americans work every week.

Instead, drivers should not be forced to drive more than 60 hours over 7 consecutive days, or more than 70 hours over 8 consecutive days. Their rest schedules should match a regular, 24-hour sleep schedule.