

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

PUBLIC CITIZEN, ADVOCATES FOR)
HIGHWAY AND AUTO SAFETY, TRUCK)
SAFETY COALITION, and the INTERNATIONAL)
BROTHERHOOD OF TEAMSTERS,)

Petitioners,)

v.)

FEDERAL MOTOR CARRIER SAFETY)
ADMINISTRATION, and the UNITED STATES,)

Respondents.)

No. _____

PETITION FOR REVIEW

Petitioners Public Citizen, Advocates for Highway and Auto Safety, the Truck Safety Coalition, and the International Brotherhood of Teamsters hereby petition this Court for review of the final rule entitled “Hours of Service of Drivers” (Docket No. FMCSA-2004-19608) issued by respondent Federal Motor Carrier Safety Administration (“FMCSA”) on November 13, 2008 and published in the Federal Register on November 19, 2008, at 73 Fed. Reg. 69567.

These same four petitioners filed a timely joint petition for reconsideration of this final rule with FMCSA on December 18, 2008. On January 16, 2009, in identical letters to each petitioner, FMCSA denied the petition for reconsideration. The denial letters are the final administrative action in this matter and constitute

the final agency order.

A copy of the November 2008 final rule and the four January 2009 agency letters denying the petition for reconsideration are enclosed.¹

Dated: March 9, 2009

Respectfully submitted,

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Counsel for Petitioners

¹ FMCSA enclosed a lengthy report of the results of a certain scientific study with each letter denying the petition for reconsideration. Because the enclosures to the letters are identical, we have included the report only once in each set of copies filed with the Court and in the service copies.

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F.R.A.P. 26.1 CORPORATE DISCLOSURE STATEMENT

Petitioners Public Citizen and Advocates for Highway and Auto Safety are national nonprofit organizations dedicated to improving truck safety. Petitioner Truck Safety Coalition is comprised of two nonprofit organizations, Citizens for Reliable and Safe Highways (“CRASH”) and Parents Against Tired Truckers (“PATT”). None of these petitioners has a parent, subsidiary, or affiliate that has issued shares or debt securities to the public.

Petitioner International Brotherhood of Teamsters is one of the largest labor unions in the world, representing 1.4 million workers, including commercial truck drivers, in the United States and Canada. It has no parent, subsidiary, or affiliate that has issued shares or debt securities to the public.

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Counsel for Petitioners

CERTIFICATE OF SERVICE

The undersigned counsel certifies that on this 9th day of March, 2009, she caused one copy each of the foregoing Petition for Review with enclosures and the F.R.A.P. 26.1 Corporate Disclosure Statement to be served by registered mail, postage prepaid, on the following:

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