

eblast

HOS Changes, Again

On December 13, 2014, Congress passed the fiscal year 2015 Omnibus Appropriations bill, providing funding to the majority of the federal government, including the Department of Transportation, for the fiscal year. The most pertinent trucking-related provision contains language providing relief from the two new restrictions of the hours-of-service restart rule. Specifically, the bill suspends the requirement that all qualifying restarts contain two consecutive periods of time between 1:00 AM and 5:00 AM, and that it can only be used once every 168 hours (or seven days). In short, the restart rule reverts back to the simple 34-

hour restart in effect from 2003 until June 2013.

The legislation reads:

Section 133 temporarily suspends enforcement of the hours-of-service regulation related to the restart provisions that went into effect on July 1, 2013 and directs the Secretary to conduct a study of the operational, safety, health and fatigue aspects of the restart provisions in effect before and after July 1, 2013. The Inspector General is directed to review the study plan and report to

the House and Senate Committees on Appropriations whether it meets the requirements under this provision.

This change is effective as of December 16, 2014, though it is unclear how long it will be in effect. Because the language resides in an annual spending bill, its terms expire at the end of fiscal year 2015, which is September 30, 2015. It is also important to note that the legislation directs the Department of Transportation to conduct a study comparing the effectiveness of the 34-hour restart rules in place before July 1, 2013 with those that took effect after.

Trucking & Commercial Transportation News



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Frank received the recognition from Best Lawyers in America, a respected legal publication that selects its outstanding attorneys by

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