

Advocacy Supports FMCSA Proposed Amendments to Hours of Service of Drivers Rule

On October 16, 2019, the U.S. Small Business Administration's Office of Advocacy (Advocacy) submitted comments to the Federal Motor Carrier Safety Administration (FMCSA) on FMCSA's *Proposed Hours of Service of Drivers Amendments Rule*. [84 Fed. Reg. 44190 (August 22, 2019)]. The proposed rule would provide greater flexibility for drivers subject to the Hours of Service (HOS) rules without, according to FMCSA, affecting safety. The proposed rule would make five specific changes to the current HOS rules, affecting the provisions related to short-haul drivers, adverse driving conditions, the 30-minute break, split-sleeper berth, and split-duty time provisions. Other aspects of the current HOS rules would remain unchanged.

- In furtherance of two recent Executive Orders (i.e., E.O.s 13771 and 13777) on regulatory review and reform, and as part of its core mission to represent the views of small entities within the federal government, Advocacy has hosted a series of Regional Regulatory Reform Roundtables around the country to hear directly from small businesses about which regulations are most burdensome and should be prioritized for review and reform.
- Many trucking and transportation issues have been raised at these roundtable meetings, including the need for greater flexibility under FMCSA's HOS regulations, particularly for drivers that experience unforeseeable driving conditions or wait times or that transport sensitive items such as livestock, perishable agricultural and aquaculture products, explosives, fireworks, and hazardous materials and waste.
- Advocacy commends FMCSA for its retrospective review of the current HOS regulations and supports the proposed changes that will result increased flexibility and cost savings for small carriers without diminishing safety or the health of drivers.
- Advocacy encourages FMCSA to carefully consider the data and views it receives on the proposed rule from small carriers and consider additional changes that would provide maximum flexibilities for additional small carriers and drivers consistent with the agency's statutory safety objectives.

A complete copy of Advocacy's letter to OSHA is available at: <http://advocacy.sba.gov>. For more information please contact Bruce Lundegren, Assistant Chief Counsel, at bruce.lundegren@sba.gov or (202) 205-6144.