



## Truck Driver Fatigue

### Background:

- Truck driver fatigue has been recognized as a major safety concern and a contributing factor to fatal truck crashes for over 70 years.
- Studies sponsored by the Federal Motor Carrier Safety Administration (FMCSA) reveal that 65% of truck drivers report that they often or sometimes feel drowsy while driving and nearly half of truck drivers admit that they had actually fallen asleep while driving in the previous year.
- In spite of the industry wide safety issue of truck driver fatigue, in 2003, the truck driver hours of service rule (HOS) was increased from 10 to 11 hours behind the wheel during a 14 hour work day.
- The FMCSA HOS rule allowing 11 hour driving shifts has been overturned in court two different times. In 2011, the FMCSA issued a new HOS rule that kept the 11 hour maximum rather than return to the prior 10-hour rule as advocated by leading safety organizations. In response, safety groups returned to court, for the third time seeking to return the HOS rule to the 10 hour maximum. The case was argued in the U.S. Court of Appeals in March, 2013, and a decision is pending.

### The Truck Safety Coalition Supports Efforts to Reduce Truck Driver Fatigue Including:

**Immediate Rulemaking and Implementation of Electronic Logging Devices (ELDs)** – Despite a provision in the Moving Ahead for Progress in the 21<sup>st</sup> Century Law, MAP-21 (P.L. 112-141) requiring ELDs in all commercial vehicles, FMCSA has yet to issue a rule. The TSC urges immediate rulemaking and implementation to ensure accurate logging of truck driver hours behind the wheel, increased compliance with HOS regulations, and a reduction in paperwork and stopping time for HOS reviews.

**Preventing Exemptions to HOS Regulations** – Exemptions to Federal motor carrier safety regulations compromise safety, erode uniformity and weaken enforcement efforts. Safety is not unique to certain types of commercial motor vehicles, carriers, cargo or routes. If the same types of vehicles are being operated on the same roadways, the same set of rules should apply. Allowing industry-specific exemptions to safety regulations is not only dangerous, but it also sets an unsafe precedent for other industries to request similar exemptions. The TSC opposes exemptions to HOS regulations.

**Changes to Truck Driver Compensation** – A large portion of the trucking industry is paid by the mile rather than by the hour. Truck drivers spend up to 70 hours a week behind the wheel, and then work additional hours, for less pay than similar industries (the hourly average pay is \$11.15 for truck drivers, compared to \$25.00 for manufacturing or construction), and as a result of their pay structure, are incentivized to drive longer and faster in order to make more money. Paying truck drivers an hourly wage will ensure that they are paid for every hour worked, and will promote healthier drivers and safer trucking.

**Assuring Truck Driver Fitness** – The TSC supports rulemaking for sleep apnea screening to ensure medical examiners are testing for and monitoring this widespread fatigue producing condition. Additionally, MAP-21 included the Safe Roads Act of 2012 (S.754/H.R.2459) which requires an alcohol and controlled substances testing clearinghouse to be used only for disseminating test results. We urge expedited creation and careful oversight of the clearinghouse and we urge that that it be expanded to include prescription drugs (particularly those which list drowsiness and fatigue as side-effects). Finally, we support funding to expand parking areas and services for truck drivers (a MAP-21 provision known as Jason's Law) once the survey to determine existing facilities is completed.

### *Improvements to Truck Driver Health and Safety Support Safer Trucking*