



Parents Against Tired Truckers and Citizens for Reliable and Safe Highways

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 U.S. Court of Appeals for the District of Columbia Circuit decided to uphold the rule in July 2013. In spite of the rule's increase in driving time, the rule did provide some safety benefits (30 minute rest break, 34 hour re-start provision) and we urge DOT to preserve these provisions.

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

Immediate Rulemaking and Implementation of Electronic Logging Devices (ELDs) –The Moving Ahead for Progress in the 21st Century Law, MAP-21 (P.L. 112-141) required FMCSA to issue a rule mandating ELDs in all commercial vehicles within one year, by July 2013. A proposed rule for ELDs was issued in March 2014. The final rule for ELDs has not been issued, and it is now long overdue. The TSC urges immediate rulemaking and implementation of ELDs 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 through the legislative process for these reasons, and because exemptions permitted outside the regulatory process do not ensure that an equivalent level of safety will be demonstrated.

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). As a result of their pay structure and because they are not paid for all hours worked, there is an incentive to drive longer and faster in order to increase their earnings. Paying truck drivers an hourly wage will ensure that they are paid for every hour worked, and will promote healthier drivers and safer trucking by removing incentives to dangerous driving behaviors.

Assuring Truck Driver Fitness – The TSC supports rulemaking for sleep apnea screening to ensure medical examiners are testing for and monitoring this widespread fatigue related condition. Additionally, MAP-21 included a requirement for an alcohol and controlled substances testing clearinghouse. A rule was proposed in February 2014. Final rulemaking has not yet occurred. We urge expedited creation and careful oversight of the clearinghouse, and the review and regulation of legal 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