

BEFORE THE
DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

COMMENTS OF THE
NATIONAL MOTOR FREIGHT TRAFFIC ASSOCIATION, INC.
IN RESPONSE TO NOTICE OF PROPOSED RULEMAKING
DOCKET NO. FMCSA-2018-0248
HOURS OF SERVICE OF DRIVERS

PAUL G. LEVINE
Executive Director
National Motor Freight
Traffic Association, Inc.
1001 North Fairfax Street, Suite 600
Alexandria, VA 22314
e-mail: levine@nmfta.org

PAUL CULLEN, JR.
The Cullen Law Firm, PLLC
1101 30th Street, NW, Suite 300
Washington, DC 20007
e-mail: pxc@cullenlaw.com
Counsel for National Motor Freight
Traffic Association, Inc.

JOHN R. BAGILEO
General Counsel
15292 Callaway Court
Glenwood, MD 20138
Email: jmbagidell@msn.com

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NMFTA is a nonprofit membership organization comprised of approximately 500 motor freight carriers operating in interstate, intrastate and foreign commerce primarily specializing in the movement of less-than-truckload (LTL) quantities of freight. NMFTA's mission is to promote, advance and improve the welfare and interests of its members and the motor carrier industry in general. NMFTA presents its members' position in relevant judicial, regulatory and legislative proceedings. NMFTA is headquartered at 1001 North Fairfax Street, Suite 600, Alexandria, VA 22314.

LTL carriers provide a unique service and operate a business model that is distinct from other types of motor carriers. As the name suggests, LTL carriers handle shipments of loose, palletized, packaged, and other types of freight that does not fill an entire trailer. An LTL carrier's driver will pick up shipments from multiple businesses, and sometimes residences, in their local or regional area and bring them to their terminal. At their terminal, the LTL carrier will sort or organize that freight according to its destination, and then reload the shipments on either their linehaul trailers for transport to either other regional terminals for additional sorting and distribution, or on delivery trucks that will service multiple receivers to bring the shipments to their ultimate destinations. The majority of LTL motor carriers operate regionally, engaging in cooperative relationships with other LTL carriers from other regions in order to provide nationwide delivery service to their customers.

LTL carriers' pick-up and delivery drivers operate on local and regional roads and make more frequent stops at shippers' and receivers' locations than most other types of motor carriers. LTL companies' operations, therefore, are more susceptible to traffic congestion and

delays, some of the reasons that prompted these amendments to the Hours of Service (HOS) rules. Furthermore, most LTL drivers operate on regular schedules and routes that allow them to either go home or stay in the same locations after completing their daily work, in contrast to drivers for truckload motor carriers who are often on the road for multiple days at a time on irregular schedules and routes. By driving on regular schedules and routes, LTL drivers have the opportunity to routinely obtain more restorative sleep. For these reasons, NMFTA supports the proposed changes to the Hours of Service rules. They would give LTL motor carriers more flexibility to serve their customers and give their drivers, within their sound discretion, a better opportunity to complete their work safely and with adequate rest.

Significant proposed amendments are those that apply to short haul drivers. These amendments would expand the short-haul radial distance from 100 to 150 air miles and extend by two hours the time during which a driver may operate the truck. This amendment would allow LTL carriers to better deal with delays due to traffic congestion and detention time at shipper and receiver locations.

The proposed extension of the driving time window for adverse driving conditions and the split-duty provision (which allows a driver to suspend the 14-hour clock by up to three hours) are important tools to help LTL motor carriers respond to delays. Changes to the 30-minute rule, requiring a 30-minute break only if a driver has been operating the truck for 8 hours without a break, will allow LTL drivers to continue to safely operate while they are not hindered by delays and are not fatigued. When the 30-minute break is required, allowing it to be taken either off duty, in the sleeper berth, or on-duty while performing non-driving tasks, allows the driver, at his or her discretion, to take required rest breaks when deemed necessary.

Under these amendments, more LTL drivers who encounter unexpected delays at a shipper's or receiver's docks, or due to traffic congestion, or bad weather can adjust their schedules to complete their work without pressure and without rushing to get home for restorative sleep before driving limits have expired.

Further, NMFTA's members appreciate the flexibility that the sleeper-berth amendments provide for their drivers in allowing them to take their required off-duty time within their vehicles. Accordingly, NMFTA supports the solutions that FMCSA has proposed to address the needs of the motor carrier industry by allowing more flexible schedules for its drivers.

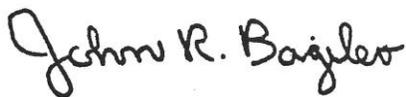
Respectfully submitted,



PAUL G. LEVINE
Executive Director
National Motor Freight
Traffic Association, Inc.
1001 North Fairfax Street, Suite 600
Alexandria, VA 22314
e-mail: levine@nmfta.org



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The Cullen Law Firm, PLLC
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