



**U.S. Department  
of Transportation**

**Federal Motor Carrier  
Safety Administration**

**Deputy Administrator**

**1200 New Jersey Ave, SE  
Washington, DC 20590**

Ms. Catherine Chase  
President  
Advocates for Highway and Auto Safety  
750 First Street, Suite 1130  
Washington, DC 20002

Dear Ms. Chase:

Thank you for the joint petition for reconsideration of the Federal Motor Carrier Safety Administration's (FMCSA) June 1, 2020, hours-of-service (HOS) Final Rule.

The Agency has completed its review of the petition and compared the arguments you made with those submitted to the rulemaking docket in response to the August 22, 2019, Notice of Proposed Rulemaking. Your petition does not present any new data or information concerning the rulemaking, and we stand by the statements and analyses made in the preamble of the Final Rule.

FMCSA acknowledges your concerns. However, the Agency continues to believe that the changes adopted by the Final Rule will not result in adverse safety consequences. None of the revisions allows truck drivers additional driving time beyond the current regulations. Except for the adverse driving conditions provision, none of the revisions allows drivers to operate a commercial motor vehicle after the 14th hour after coming on duty. None of the revisions allows the use of multiple or intermittent off-duty breaks to extend the work-shift. Furthermore, none of the revisions relieves motor carriers and drivers of the explicit prohibitions against (1) operating commercial motor vehicles while ill or fatigued, or (2) coercing drivers to violate Federal safety rules. Therefore, the basic parameters of the HOS rule that are essential to safety remain unchanged.

Regarding the extension of the driving window to 16 hours during "adverse driving conditions," drivers will no longer need to stay on the road during such conditions to avoid the impending closure of the previous 14-hour driving window. Therefore, the added flexibility will not decrease safety during adverse driving conditions.

We believe your challenge to the data relied upon by the Agency is without merit. As stated in the preamble to the Final Rule, FMCSA acknowledges the studies cited do not focus on the specific parameters of the proposals contained in the NPRM. However, the studies provide valuable information that supports the safety rationale for the current rules and the proposed changes. The basic framework, excluding recordkeeping requirements, consists of an 11-hour limit on driving time following 10 consecutive hours off-duty and a prohibition on driving after the 14th hour after coming on duty. Drivers are also prohibited from driving after accumulating either 60 or 70 hours of on-duty time in 7 or 8 days respectively, but may restart their 60- or

70-hour “clock” by taking at least 34 consecutive hours off duty. In addition, the HOS framework allows drivers who use sleeper berths to split the required 10 off-duty hours into two periods, with the longer (in the berth) of sufficient length to allow meaningful rest.

FMCSA reaffirms its assessment that the changes adopted in the June 1, 2020, Final Rule will not decrease safety. The rule provides additional flexibility that is neither contrary to the research cited in the preamble nor inconsistent with the framework described above.

Identical letters have been sent to each signatory of your petition. If you have any questions, please contact Ms. La Tonya Mimms, Chief, Driver and Carrier Operations Division, at (202) 366-9220 or [latonya.mimms@dot.gov](mailto:latonya.mimms@dot.gov).

Sincerely,



Jim Mullen  
Deputy Administrator



**U.S. Department  
of Transportation**

**Federal Motor Carrier  
Safety Administration**

**Deputy Administrator**

**1200 New Jersey Ave, SE  
Washington, DC 20590**

Bradley Raymond, Esq.  
General Counsel  
International Brotherhood of Teamsters  
25 Louisiana Avenue, NW  
Washington, DC 20001

Dear Mr. Raymond:

Thank you for the joint petition for reconsideration of the Federal Motor Carrier Safety Administration's (FMCSA) June 1, 2020, hours-of-service (HOS) Final Rule.

The Agency has completed its review of the petition and compared the arguments you made with those submitted to the rulemaking docket in response to the August 22, 2019, Notice of Proposed Rulemaking. Your petition does not present any new data or information concerning the rulemaking, and we stand by the statements and analyses made in the preamble of the Final Rule.

FMCSA acknowledges your concerns. However, the Agency continues to believe that the changes adopted by the Final Rule will not result in adverse safety consequences. None of the revisions allows truck drivers additional driving time beyond the current regulations. Except for the adverse driving conditions provision, none of the revisions allows drivers to operate a commercial motor vehicle after the 14th hour after coming on duty. None of the revisions allows the use of multiple or intermittent off-duty breaks to extend the work-shift. Furthermore, none of the revisions relieves motor carriers and drivers of the explicit prohibitions against (1) operating commercial motor vehicles while ill or fatigued, or (2) coercing drivers to violate Federal safety rules. Therefore, the basic parameters of the HOS rule that are essential to safety remain unchanged.

Regarding the extension of the driving window to 16 hours during "adverse driving conditions," drivers will no longer need to stay on the road during such conditions to avoid the impending closure of the previous 14-hour driving window. Therefore, the added flexibility will not decrease safety during adverse driving conditions.

We believe your challenge to the data relied upon by the Agency is without merit. As stated in the preamble to the Final Rule, FMCSA acknowledges the studies cited do not focus on the specific parameters of the proposals contained in the NPRM. However, the studies provide valuable information that supports the safety rationale for the current rules and the proposed changes. The basic framework, excluding recordkeeping requirements, consists of an 11-hour limit on driving time following 10 consecutive hours off-duty and a prohibition on driving after the 14th hour after coming on duty. Drivers are also prohibited from driving after accumulating either 60 or 70 hours of on-duty time in 7 or 8 days respectively, but may restart their 60- or

70-hour “clock” by taking at least 34 consecutive hours off duty. In addition, the HOS framework allows drivers who use sleeper berths to split the required 10 off-duty hours into two periods, with the longer (in the berth) of sufficient length to allow meaningful rest.

FMCSA reaffirms its assessment that the changes adopted in the June 1, 2020, Final Rule will not decrease safety. The rule provides additional flexibility that is neither contrary to the research cited in the preamble nor inconsistent with the framework described above.

Identical letters have been sent to each signatory of your petition. If you have any questions, please contact Ms. La Tonya Mimms, Chief, Driver and Carrier Operations Division, at (202) 366-9220 or [latonya.mimms@dot.gov](mailto:latonya.mimms@dot.gov).

Sincerely,



Jim Mullen  
Deputy Administrator



**U.S. Department  
of Transportation**

**Federal Motor Carrier  
Safety Administration**

**Deputy Administrator**

**1200 New Jersey Ave, SE  
Washington, DC 20590**

Ms. Joan Claybrook  
Citizens for Reliable and Safe Highways  
700 Pennsylvania Avenue, SE, Suite 200  
Washington, DC 20003

Dear Ms. Claybrook:

Thank you for the joint petition for reconsideration of the Federal Motor Carrier Safety Administration's (FMCSA) June 1, 2020, hours-of-service (HOS) Final Rule.

The Agency has completed its review of the petition and compared the arguments you made with those submitted to the rulemaking docket in response to the August 22, 2019, Notice of Proposed Rulemaking. Your petition does not present any new data or information concerning the rulemaking, and we stand by the statements and analyses made in the preamble of the Final Rule.

FMCSA acknowledges your concerns. However, the Agency continues to believe that the changes adopted by the Final Rule will not result in adverse safety consequences. None of the revisions allows truck drivers additional driving time beyond the current regulations. Except for the adverse driving conditions provision, none of the revisions allows drivers to operate a commercial motor vehicle after the 14th hour after coming on duty. None of the revisions allows the use of multiple or intermittent off-duty breaks to extend the work-shift. Furthermore, none of the revisions relieves motor carriers and drivers of the explicit prohibitions against (1) operating commercial motor vehicles while ill or fatigued, or (2) coercing drivers to violate Federal safety rules. Therefore, the basic parameters of the HOS rule that are essential to safety remain unchanged.

Regarding the extension of the driving window to 16 hours during "adverse driving conditions," drivers will no longer need to stay on the road during such conditions to avoid the impending closure of the previous 14-hour driving window. Therefore, the added flexibility will not decrease safety during adverse driving conditions.

We believe your challenge to the data relied upon by the Agency is without merit. As stated in the preamble to the Final Rule, FMCSA acknowledges the studies cited do not focus on the specific parameters of the proposals contained in the NPRM. However, the studies provide valuable information that supports the safety rationale for the current rules and the proposed changes. The basic framework, excluding recordkeeping requirements, consists of an 11-hour limit on driving time following 10 consecutive hours off-duty and a prohibition on driving after the 14<sup>th</sup> hour after coming on duty. Drivers are also prohibited from driving after accumulating either 60 or 70 hours of on-duty time in 7 or 8 days respectively, but may restart their 60- or

70-hour “clock” by taking at least 34 consecutive hours off duty. In addition, the HOS framework allows drivers who use sleeper berths to split the required 10 off-duty hours into two periods, with the longer (in the berth) of sufficient length to allow meaningful rest.

FMCSA reaffirms its assessment that the changes adopted in the June 1, 2020, Final Rule will not decrease safety. The rule provides additional flexibility that is neither contrary to the research cited in the preamble nor inconsistent with the framework described above.

Identical letters have been sent to each signatory of your petition. If you have any questions, please contact Ms. La Tonya Mimms, Chief, Driver and Carrier Operations Division, at (202) 366-9220 or [latonya.mimms@dot.gov](mailto:latonya.mimms@dot.gov).

Sincerely,



Jim Mullen  
Deputy Administrator



**U.S. Department  
of Transportation**

**Federal Motor Carrier  
Safety Administration**

**Deputy Administrator**

**1200 New Jersey Ave, SE  
Washington, DC 20590**

Ms. Daphne Izer  
Founder  
Parents Against Tired Truckers  
700 Pennsylvania Avenue, SE, Suite 200  
Washington, DC 20003

Dear Ms. Izer:

Thank you for the joint petition for reconsideration of the Federal Motor Carrier Safety Administration's (FMCSA) June 1, 2020, hours-of-service (HOS) Final Rule.

The Agency has completed its review of the petition and compared the arguments you made with those submitted to the rulemaking docket in response to the August 22, 2019, Notice of Proposed Rulemaking. Your petition does not present any new data or information concerning the rulemaking, and we stand by the statements and analyses made in the preamble of the Final Rule.

FMCSA acknowledges your concerns. However, the Agency continues to believe that the changes adopted by the Final Rule will not result in adverse safety consequences. None of the revisions allows truck drivers additional driving time beyond the current regulations. Except for the adverse driving conditions provision, none of the revisions allows drivers to operate a commercial motor vehicle after the 14th hour after coming on duty. None of the revisions allows the use of multiple or intermittent off-duty breaks to extend the work-shift. Furthermore, none of the revisions relieves motor carriers and drivers of the explicit prohibitions against (1) operating commercial motor vehicles while ill or fatigued, or (2) coercing drivers to violate Federal safety rules. Therefore, the basic parameters of the HOS rule that are essential to safety remain unchanged.

Regarding the extension of the driving window to 16 hours during "adverse driving conditions," drivers will no longer need to stay on the road during such conditions to avoid the impending closure of the previous 14-hour driving window. Therefore, the added flexibility will not decrease safety during adverse driving conditions.

We believe your challenge to the data relied upon by the Agency is without merit. As stated in the preamble to the Final Rule, FMCSA acknowledges the studies cited do not focus on the specific parameters of the proposals contained in the NPRM. However, the studies provide valuable information that supports the safety rationale for the current rules and the proposed changes. The basic framework, excluding recordkeeping requirements, consists of an 11-hour limit on driving time following 10 consecutive hours off-duty and a prohibition on driving after the 14th hour after coming on duty. Drivers are also prohibited from driving after accumulating either 60 or 70 hours of on-duty time in 7 or 8 days respectively, but may restart their 60- or

70-hour “clock” by taking at least 34 consecutive hours off duty. In addition, the HOS framework allows drivers who use sleeper berths to split the required 10 off-duty hours into two periods, with the longer (in the berth) of sufficient length to allow meaningful rest.

FMCSA reaffirms its assessment that the changes adopted in the June 1, 2020, Final Rule will not decrease safety. The rule provides additional flexibility that is neither contrary to the research cited in the preamble nor inconsistent with the framework described above.

Identical letters have been sent to each signatory of your petition. If you have any questions, please contact Ms. La Tonya Mimms, Chief, Driver and Carrier Operations Division, at (202) 366-9220 or [latonya.mimms@dot.gov](mailto:latonya.mimms@dot.gov).

Sincerely,



Jim Mullen  
Deputy Administrator



U.S. Department  
of Transportation

Federal Motor Carrier  
Safety Administration

Deputy Administrator

1200 New Jersey Ave, SE  
Washington, DC 20590

Ms. Dawn King  
President  
Truck Safety Coalition  
700 Pennsylvania Avenue, SE, Suite 200  
Washington, DC 20003

Dear Ms. King:

Thank you for the joint petition for reconsideration of the Federal Motor Carrier Safety Administration's (FMCSA) June 1, 2020, hours-of-service (HOS) Final Rule.

The Agency has completed its review of the petition and compared the arguments you made with those submitted to the rulemaking docket in response to the August 22, 2019, Notice of Proposed Rulemaking. Your petition does not present any new data or information concerning the rulemaking, and we stand by the statements and analyses made in the preamble of the Final Rule.

FMCSA acknowledges your concerns. However, the Agency continues to believe that the changes adopted by the Final Rule will not result in adverse safety consequences. None of the revisions allows truck drivers additional driving time beyond the current regulations. Except for the adverse driving conditions provision, none of the revisions allows drivers to operate a commercial motor vehicle after the 14th hour after coming on duty. None of the revisions allows the use of multiple or intermittent off-duty breaks to extend the work-shift. Furthermore, none of the revisions relieves motor carriers and drivers of the explicit prohibitions against (1) operating commercial motor vehicles while ill or fatigued, or (2) coercing drivers to violate Federal safety rules. Therefore, the basic parameters of the HOS rule that are essential to safety remain unchanged.

Regarding the extension of the driving window to 16 hours during "adverse driving conditions," drivers will no longer need to stay on the road during such conditions to avoid the impending closure of the previous 14-hour driving window. Therefore, the added flexibility will not decrease safety during adverse driving conditions.

We believe your challenge to the data relied upon by the Agency is without merit. As stated in the preamble to the Final Rule, FMCSA acknowledges the studies cited do not focus on the specific parameters of the proposals contained in the NPRM. However, the studies provide valuable information that supports the safety rationale for the current rules and the proposed changes. The basic framework, excluding recordkeeping requirements, consists of an 11-hour limit on driving time following 10 consecutive hours off-duty and a prohibition on driving after the 14th hour after coming on duty. Drivers are also prohibited from driving after accumulating either 60 or 70 hours of on-duty time in 7 or 8 days respectively, but may restart their 60- or

70-hour “clock” by taking at least 34 consecutive hours off duty. In addition, the HOS framework allows drivers who use sleeper berths to split the required 10 off-duty hours into two periods, with the longer (in the berth) of sufficient length to allow meaningful rest.

FMCSA reaffirms its assessment that the changes adopted in the June 1, 2020, Final Rule will not decrease safety. The rule provides additional flexibility that is neither contrary to the research cited in the preamble nor inconsistent with the framework described above.

Identical letters have been sent to each signatory of your petition. If you have any questions, please contact Ms. La Tonya Mimms, Chief, Driver and Carrier Operations Division, at (202) 366-9220 or [latonya.mimms@dot.gov](mailto:latonya.mimms@dot.gov).

Sincerely,



Jim Mullen  
Deputy Administrator