

TRUE Safety Act Section By Section:

Background:

The Moving Ahead for Progress in the 21st Century Act (MAP-21, Public Law 112-141) directed the Federal Motor Carrier Safety Administration (FMCSA) to conduct a statistically valid field study of a then-proposed new Hours of Service (HOS) rule by March 31, 2013. The final HOS rule went into effect before the completion of a Congressionally-mandated study and report on the rule's inflexible 34 hour restart provision—which was due to Congress by September 30, 2013.

To date, FMCSA has not finished the study and the rule has been in effect since July 2013. Congressional intent with the MAP-21 HOS study requirement was to have the 34-hour restart efficacy study completed before the rule's final enactment.

Section 1: Short Title

Section 2: Findings

This section provides statistics on the trucking industry and the impact of the HOS rule. An estimated 7 million Americans work in the trucking industry and 80 percent of all communities in the U.S. depend on trucks for the delivery of essential goods.

This section finds that the restart rule was based on an in-house laboratory study by FMCSA and is expected to cost the trucking industry approximately \$376 million annually.

Finally, this section finds that the restart rule should not have become effective prior to completing the legally-required study and submitting the report to Congress.

Section 3: GAO Assessment

This section would require the Government Accountability Office (GAO) to conduct an independent assessment of the methodology used within the study, after FMCSA submits its report on the 34-hour restart field study to Congress.

GAO would determine if the FMCSA study is representative of trucking industry, statistically valid, and follows FMCSA-established guidelines. GAO would also review data, research, and economic impact of rule.

GAO has one year to complete the assessment.

Section 4:

This section would delay application of the new 34-hour restart rule until six months after the GAO assessment is submitted to Congress. During this period, the previous 34-hour restart rule (issued on April 28, 2003) would return to effect.

In addition, this section states that the Secretary shall not apply the new 34-hour restart rule if the findings of the FMCSA study are contrary to FMCSA's in-house lab studies used to support the initial restart rule.