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# Trucking Legislation Update

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Earlier this year, Senator Susan Collins, R-Maine, introduced legislation that would suspend the current FMCSA hours-of-service requirement that commercial truck drivers take two periods off between 1 a.m. and 5 a.m. during their required 34-hour restart between work weeks. Proponents of Collins' amendment to the Senate's 2015 appropriations bill argued that the rule places more trucks on the road during the morning rush hour, thereby increasing congestion and risk of accidents. American Trucking Association supports the suspension of the rule, claiming that the restart period cuts productivity, harms drivers and does not improve safety. During the proposed suspension of the rule, the FMCSA would be required to study and compare the effects of the new and old restart provisions.

In June 2014, before the Senate could vote on the matter, the bill was pulled from the floor due to partisan differences. Meanwhile, in September 2014, the House began work on a temporary appropriations bill, or Continuing Resolution, that did not include a suspension of the restart provision. The House passed the Continuing Resolution on September 17, and the Senate passed the House bill without any changes. The Resolution funds the government and federal programs until December 15.

Following the November mid-term elections, Congress will resume the appropriations process, providing another opportunity for proponents of the rule suspension to raise the issue, a strategy the American Trucking Association says it will pursue.

**About the author:** David's practice focuses on the field of complex civil litigation, with an emphasis on the defense of trucking and transportation, product liability, and insurance defense cases. For questions about this article, please contact David.

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