

**Remarks for Jack Van Steenburg
FMCSA Assistant Administrator and Chief Safety Officer
ATA Leadership Meeting
Hours of Service Committee
Scottsdale, AZ
May 17, 2015
3:30 p.m.**

FMCSA is a safety-first, data-driven organization. We are required to utilize rigorous research to inform our rulemaking process.

- We are committed to objectivity in the studies we conduct.
- And, as a matter of standard operating procedure, our studies are peer-reviewed by independent experts.
- We would not have it any other way.
- The Hours-of-Service (HOS) rules are an important matter for the industry, FMCSA, and the public. I am aware of the views of ATA's membership on HOS and the impact of the rules on your operations. Likewise, I am confident you understand our safety concerns when it comes to driver fatigue.

34-Hour Restart Study

We are moving ahead on a naturalistic study comparing the operational, safety, health, and fatigue impacts of the restart provisions in effect before and after July 1, 2013, as mandated by Congress in the FY2015 Consolidated Appropriations Act.

- The study team has completed the driver recruitment phase by empanelling 242 drivers, and equipping their trucks with the necessary technology to collect information on duty cycle, sleep patterns, alertness, and safety performance.
- The drivers represent a broad spectrum of the industry, including long-haul, regional and short-haul operations, employed by fleets of all sizes, operations and sectors, based in many different regions of the country. These sectors include flat-bed, refrigerated, tank, and dry van operations to the extent practicable.
- The study is underway at Virginia Tech Transportation Institute and the University of Pennsylvania, and led by some of the Nation's leading experts on fatigue.
- The CMV Driver Restart Study is designed to measure fatigue and safety performance levels of drivers whose work schedules involve one-night restarts compared to those who take the two nights off duty required by the 2011 revisions to the restart rule.

- FMCSA receives weekly updates on the data collection, which is expected to be complete by September. We expect to meet the schedule for completion by the end of the year.
- We are committed to completing a rigorous and objective study that will meet the standards required by OIG oversight and independent peer review.
- FMCSA would like to thank the many associations, organizations, and carriers for their assistance in meeting the driver recruitment goals.

HOS Impacts Study (Maineway)

In addition to the driver Restart Study, FMCSA is working to evaluate a number of potential impacts of the revised HOS restart provisions were in place from July 1, 2013, through December 16, 2014.

This is a two-stage effort.

- In **Phase One** of the study, we contracted with MaineWay to identify available data sources and methodologies necessary for **Phase Two**, which will evaluate the impacts of the HOS rule change on:
 - **Safety** – Evaluation of the full 12 months of crash data before and after the rule change.
 - **Driver Schedules** – Collect electronic logs to compare drivers' use of the 34-hour restart before and after the HOS rule change.

- **Industry Costs and Productivity** – Attempt to generate a reliable estimate of incremental trucking costs attributable to the HOS rule change.
 - **Highway Impacts** – Work with FHWA to determine how the HOS rule change affected highway metrics such as traffic congestion, a primary concern of ATA.
- We intend to proceed with the Phase Two of the study.

Flexible Sleeper Berth Pilot Program

We know that truck drivers are dedicated professionals with demanding jobs that are economically essential. When possible, we seek to accommodate drivers' demands without compromising safety.

- During listening sessions for the HOS rulemaking, we heard from many drivers who expressed interest in flexibility on some of the HOS provisions.
- In response, we designed the Flexible Sleeper Berth Pilot Program to conduct a pilot program to demonstrate how such flexibility in conjunction with a Fatigue Management Program (FMP) could be used to improve driver rest and alertness.
- The pilot program follows up a laboratory sleep study from 2010 and 2011 that compared the impacts of nighttime sleep, sleep split between daytime and nighttime, and daytime sleep. The study found that split sleep is preferable to consolidated daytime sleep.

- The pilot program's aim is to generate statistically reliable evidence from the field of the relationship between HOS flexibility and safety outcomes. The findings may provide data useful for future HOS rulemaking.
- We have begun discussions with representatives of ATA, OOIDA, the National Association of Small Trucking Companies, and potential technology providers for this pilot program.

Electronic Logging Devices (ELD)

Our ELD Final Rule to be published in 2015 will impact hours of service by automating log books and improving HOS compliance.

Its benefits include:

- 1) Helping businesses cut paperwork and save money,
- 2) Making it easier for law enforcement and safety inspectors to review driver hours-of-service (HOS) records,
- 3) Protecting drivers from harassment, and
- 4) By improving hours of service compliance, ELDs are estimated to prevent about 20 fatalities and over 400 injuries each year.

Wrap-Up

Thank you for the opportunity to speak on this important topic.

I am happy to take questions. I also look forward to continuing to engage with you as we move forward with our research efforts on hours of service.

I thank you for everything you do to protect safety on the Nation's roadways.

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