**Motor Carrier Safety Advisory Committee (MCSAC)**

**Task Statement #11-06**

**I. Task Title**

Provide information, concepts, and ideas to the Federal Motor Carrier Safety Administration (FMCSA) relating to the hours-of-service (HOS) requirements for drivers of passenger-carrying vehicles.

**II. Background**

Consistent with FMCSA’s efforts to improve the HOS requirements for drivers of property-carrying commercial motor vehicles, the Agency will consider whether HOS requirements for drivers of passenger-carrying vehicles may need to be changed to enhance safety. This action is necessary because the HOS requirements for motorcoach operators have not been substantially reviewed or revised in several decades.

The FMCSA did not include changes to the motorcoach HOS requirements in its April 2003 final rule and subsequent revisions concerning HOS requirements for truck drivers because the Agency did not have enough data and information on motorcoach operations to form the basis of a rulemaking notice. Motorcoach operations differ significantly from trucking operations and the information the Agency relied upon in its truck drivers’ rule did not address the unique fatigue issues associated with the scheduling and operating practices of the motorcoach industry. The Agency is gathering data and information to begin identifying regulatory options for a motorcoach HOS rulemaking.

The current HOS rules for passenger-carrying operations allow up to 10 hours driving time following 8 consecutive hours off duty. Driving is prohibited after the operator has accumulated 15 hours of on-duty time following 8 consecutive hours off duty (15-hour rule). The 15-hour window may be extended by off-duty periods, unlike the 14-hour window for drivers of property-carrying vehicles.

With regard to weekly limitations, drivers of passenger-carrying vehicles are subject to a 60- or 70-hour rule but – unlike the drivers of property-carrying vehicles – they may not restart their calculations after 34 consecutive hours off duty.

**III. Task**

The Committee will provide a letter report to the Agency presenting ideas, concepts, and information the Agency should explore as it considers whether the HOS requirements for drivers of passenger-carrying vehicles may need to be changed to enhance safety. The ideas and concepts should take into account the applicable statutory requirements for FMCSA rulemakings and factors the Agency must consider prior to issuing safety regulations.

In preparing its letter report to the Agency, the Committee should, wherever possible, indicate whether the ideas or concepts identified are supported by peer reviewed studies. The Committee meetings will be public and the report will also consider and include any ideas, information and concepts provided by non-Committee members.

**IV. Estimated Time to Complete Task**

The MCSAC should begin work on this task following its August 2011 meeting with the goal of completing its discussions and letter report during its December 2011 meeting.

**V. FMCSA Technical Representatives**

* Larry W. Minor, Associate Administrator for Policy, FMCSA, 202-366-2551.
* Thomas Yager, Chief, Driver and Carrier Operations Division, FMCSA, 202-366-9220.
* Charles Medalen, Senior Counsel, FMCSA, 202-366-1354.