



Commercial Vehicle Safety Alliance

promoting commercial motor vehicle safety and security

June 2, 2014

The Honorable Barbara Mikulski
Chair, *Committee on Appropriations*

The Honorable Patty Murray
Chair, *Subcommittee on Transportation, Housing
and Urban Development, and Related Agencies*

The Honorable Richard Shelby
Ranking Member, *Committee on Appropriations*

The Honorable Susan Collins
Ranking Member, *Subcommittee on
Transportation, Housing and Urban Development,
and Related Agencies*

Dear Chairwoman Mikulski, Ranking Member Shelby, Chairwoman Murray and Ranking Member Collins:

This week, the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies and the Full Committee are scheduled to consider the FY 2015 Transportation, Housing and Urban Development (THUD) Appropriations bill. CVSA opposes any efforts to rescind or overturn any portion of the current Hours of Service (HOS) rules, or to defund their enforcement through the appropriations process. First, the Appropriations bill is not the appropriate place to be setting such policy. Any changes to federal law or regulations should go through the official process, including undergoing a full rulemaking.

In addition, and more specific to the issue at hand:

- Any rule change must be safety-related and science based. The current rules have been in place for less than a year and we do not believe there is enough experience with the new rules to fully understand their impact, let alone to justify changes.
- Any changes to the current rules will have significant impacts on the States, with respect to equipment/software, potential need for regulatory or statutory changes at the State level, North American Standard Out-of-Service Criteria (OOSC) changes, and training/resources related to all of the above. Training ultimately takes inspectors out of the field where they have the greatest positive impact on improving commercial vehicle safety.
- Making constant changes creates uniformity and consistency problems with enforcement and will ultimately negatively impact data quality. Two key aspects of having effective rules are the ability to understand and enforce them.

To our knowledge there is not a safety-related, science-based justification that has been presented for changing the current HOS rules; therefore, CVSA opposes any changes at this time. Instead, CVSA supports

the ELD-based study approach as an alternative to defunding or rescinding any portion of the current HOS rules. If approved, CVSA looks forward to working with FMCSA to ensure that the study is structured to account for the needs of the enforcement community, while effectively gathering the targeted data.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve A. Keppler". The signature is fluid and cursive, with the first name "Steve" being the most prominent.

Steve Keppler
Executive Director