



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

December 4, 2014

The Honorable Hal Rogers
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I write to register my strong objection to a proposal under consideration for the Omnibus Appropriations Conference agreement that would suspend the “34-hour restart” provision of the U.S. Department of Transportation’s (DOT) truck safety regulations. I am compelled by the evidence available to me to implore you to reject any such suspension.

The provision at issue is a central element of a comprehensive rule that ensures that truck drivers have adequate rest when operating on our highways. It is essential for the safety of our truck drivers and the safety of families and loved ones who share the road with them. I am seriously concerned that this suspension will put lives at risk, as it will increase the maximum allowable work limits for truck drivers from an average of 70 hours per week to over 82. This regulatory provision (like all other aspects of the rule) was developed based on sound data and analysis.

The evidence clearly shows that truck drivers are better rested and more alert after two nights of sleep than one night, and that unending 80-hour work weeks lead to driver fatigue and compromise highway safety. Further, a major field study mandated under MAP-21 that included over 100 drivers, completed since the rule took effect, confirms that nighttime drivers with only one night of recovery score significantly poorer on multiple kinds of safety assessments. In contrast, no data or other evidence suggests that the new restart is either jeopardizing safety or harming the Nation’s transportation productivity.

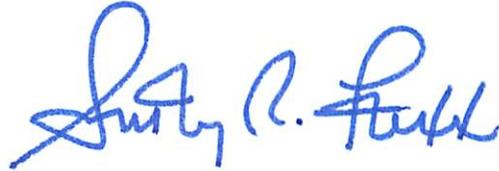
The final rule on commercial motor vehicle drivers’ hours-of-service (HOS), which was adopted by the Federal Motor Carrier Safety Administration (FMCSA) in December 2011, has been in effect since July 1, 2013. The rule and the data and methodology upon which it is based have been challenged in the courts and upheld. Even so, DOT has heard the concerns of stakeholder groups and remains supportive of options that require further research on this issue, with full transparency and in regular consultation with the committees of jurisdiction. In fact, my team and I have suggested a number of options that would satisfy interest in further research without sacrificing the benefits of the 2011 rule.

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I fully respect the prerogative of Congress to challenge our approach. However, I fear that this measure will result in a lower level of safety. I therefore urge you to consider alternatives that fall short of repealing or suspending any portion of DOT's 2011 truck safety rule. The safety of the driving public is at stake.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Sincerely,

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

Anthony R. Foxx