



# NATIONAL SHERIFFS' ASSOCIATION

AARON D. KENNARD  
Executive Director

July 8, 2014

The Honorable Barbara Mikulski  
Chair, Committee on Appropriations  
United States Senate  
Washington, DC 20510

The Honorable Richard Shelby  
Ranking Member, Committee on Appropriations  
United States Senate  
Washington, DC 20510

The Honorable Patty Murray  
Chair, Subcommittee on Transportation, Housing  
and Urban Development, and Related  
Agencies  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

The Honorable Susan Collins  
Ranking Member, Subcommittee on  
Transportation, House and Urban  
Development, and Related Agencies  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

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

On behalf of the National Sheriffs' Association (NSA) and the more than 3,000 Sheriffs nationwide, I am writing to express our concerns over provisions contained within S. 2438, the FY2015 Transportation, Housing and Urban Development bill, which would significantly modify the current "hours of service" rules governing interstate truck drivers.

As you know, a provision commonly identified as the 34-hour restart has allowed interstate truck drivers to reset their seven or eight-day cumulative on-duty clock to zero since January 3, 2004. The only stipulations for use of the 34-hour restart provision are that the off-duty period must be at least 34 hours in length and uninterrupted by on-duty or driving time. Effective on July 1, 2013, the Federal Motor Carrier Safety Administration (FMCSA) implemented changes which stipulated that use of a 34-hour restart must also include at least two periods from 0100- 0500 and may only be utilized one time every 168 hours, or seven consecutive days. This 34-hour restart provision was put in place to provide truck drivers with traditional weekends off from work, on alternate weeks, and to address chronic, cumulative driver fatigue and other serious health conditions.

S. 2438 would eliminate the requirement that a 34-hour restart must include two periods from 0100-0500; eliminate the prohibition from utilizing a 34-hour restart more often than once every 168 hours (seven consecutive days); and preclude the use of federal funding for enforcement of the rules until September 30, 2015, and the results of studies required by the bill are complete.

The trucking industry has adjusted drivers' schedules and invested in the reprogramming of automatic on-board recording devices to accommodate the 2013 requirements. Similar resources have been expended by state regulatory agencies in rulemaking processes and to update trainings to ensure compliance with federal requirements. Changing the "hours of service" rules, not even one year after becoming effective, would create a substantial uniformity and consistency problem across the country and cause operational and budgetary impacts on enforcement efforts.

Because of the importance of this issue to the safety of interstate truck drivers and to the citizens and law enforcement officers with whom they share the road, NSA is opposed to any changes to the "hours of service" limits until further studies are completed and analyzed. This will ensure that the most informed decision is made for both public safety and driver health.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Aaron D. Kennard". The signature is fluid and cursive, with a large initial "A" and "K".

Sheriff (ret.) Aaron D. Kennard  
Executive Director