



Transportation Updates and Regulatory News (TURN)

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Rest Break Update

On August 8, 2016, Federal Motor Carrier Safety Administration (FMCSA) [denied](#) the petition of the Commercial Vehicle Safety Alliance (CVSA) to delete the 30-minute rest break provision in the Hours of Service of Drivers Rule. CVSA maintains that the rest break provision is difficult to enforce.

Veteran Drivers Program Updates

On August 22, 2016, FMCSA proposed a 3-year [pilot program](#) to allow a limited number of individuals between the ages of 18 and 21 to operate commercial motor vehicles in interstate commerce if they

received specified heavy-vehicle driver training while in military service and are sponsored by a participating motor carrier. FMCSA also proposed criteria for a working group to consult with the agency in conducting, monitoring, and evaluating the pilot program. The agency sought public input on the pilot program and outlined procedural steps and a data collection plan. Public comments can be viewed in docket number [FMCSA-2016-0069](#).

On October 13, 2016, FMCSA published a [final rule](#) to ease the transition of military personnel into civilian careers driving commercial

motor vehicles (CMV) by simplifying the process of obtaining a commercial learner’s permit (CLP) or commercial driver’s license (CDL). This final rule extends the period of time for applying for a skills test waiver from 90 days to 1 year after leaving a military position requiring the operation of a CMV. This final rule also allows a State to accept applications from active duty military personnel who are stationed in that State as well as administer the written and skills tests for a CLP or CDL. States that choose to accept such applications are required to transmit the test results electronically to the State of domicile of the military personnel. The State of domicile may issue the CLP or CDL on the basis of those results.



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On October 18, 2016, FMCSA [announced](#) that it has awarded nearly \$1 million in grants to seven technical and community colleges across the country to help train veterans and their families for jobs as commercial bus and truck drivers.

Heavy Vehicle Speed Limiters Update:

On September 7, 2016, the U.S. Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA) and FMCSA published a [proposed rule](#) that would require vehicles with a gross vehicle weight rating of more than 26,000 pounds to be equipped with a speed limiting device. Trucking companies operating such vehicles in interstate commerce would be required to maintain the device for the service life of the vehicle.

The proposed rule considers the cost and benefits of 60, 65, or 68 miles per hour as the speed limiting device setting. Based on the agencies' review of the available data, limiting speed would reduce the severity of crashes and the resulting fatalities and injuries. Speed limiting devices would also save an estimated \$1.1 billion in fuel costs and millions of gallons of fuel each year, and reduce greenhouse gas emissions. Public comments can be viewed in one or both docket numbers: [NHTSA-2016-0087](#) and [FMCSA-2014-0083](#).

Safety Measurement System Update

On October 5, 2016, FMCSA [proposed](#) enhancements to information on the public Safety Measurement System (SMS) web site and responded to comments received in response to FMCSA's Federal Register Notice, "Proposal for Future Enhancements to the Motor Carrier Safety Measurement System," published on June 29, 2015.

These enhancements are a continuation of FMCSA's efforts to provide law enforcement, the motor carrier industry, and motor carriers with more informative safety data. The notice explains FMCSA's proposed enhancements to the public SMS web site, including two additional changes not originally proposed, which were identified during the development of the SMS preview. FMCSA has provided information about the proposed enhancements to the National Academies of Sciences to consider in the Correlation Study required by Section 5221 of the Fixing America's Surface Transportation (FAST) Act. The proposed enhancements are available for preview, at: <https://csa.fmcsa.dot.gov/SMSPreview/>. Comments on these changes based on the preview can be viewed in Docket No. [FMCSA-2015-0149](#). FMCSA will not implement the changes until after FMCSA satisfies the requirements of Section 5223 of the FAST Act.

EPA and DOT Finalize Greenhouse Gas and Fuel Efficiency Standards for Engines and Vehicles

On October 25, 2016, the Environmental Protection Agency (EPA) and NHTSA jointly [finalized standards](#) for medium- and heavy-duty vehicles that would improve fuel efficiency and cut carbon pollution to reduce the impacts of climate change, while bolstering energy security and spurring manufacturing innovation. The program promotes a new generation of cleaner, more fuel efficient trucks by encouraging the development and deployment of new and advanced cost-effective technologies.

The vehicle and engine performance standards would cover model years 2018-2027 for certain trailers and model years 2021-2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work



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trucks. The final standards are expected to lower CO₂ emissions by approximately 1.1 billion metric tons, save vehicle owners fuel costs of about \$170 billion, and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.

Electronic Logging Devices for Commercial Truck and Bus Industries Update

On October 31, 2016, the U.S. Court of Appeals for the Seventh Circuit [denied](#) the Owner-Operator Independent Drivers Association's (OOIDA) petition for review of the FMCSA [final rule](#) on electronic logging devices (ELD). Oral arguments before the court were made on September 13, 2016. OOIDA maintains that the final rule unlawfully allows ELDs that are not fully automatic; does not sufficiently protect drivers from harassment; inadequately analyzes costs and benefits; does not protect drivers' confidential information; and exposes drivers to unconstitutional searches and seizures.

Commercial Driver's License Drug and Alcohol Clearinghouse Update

On December 2, 2016, FMCSA announced the [final rule](#) on the Commercial Driver's License Drug and Alcohol Clearinghouse. FMCSA will create a central database for verified positive controlled substances and alcohol test results for commercial driver's license (CDL) holders and refusals by such drivers to submit to testing. This rule requires employers of CDL holders and service agents to report positive test results and refusals to test to the clearinghouse.

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