



Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

March 31, 2014

James H. Zola, Democrat Staff Director

The Honorable Gene Dodaro
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street NW, Room 7000
Washington, DC 20548

Dear Mr. Dodaro:

We write to request that the Government Accountability Office (GAO) conduct evaluations of two separate studies offered by the Federal Motor Carrier Safety Administration (FMCSA) in support of the changes made to the hours of service (HOS) regulations for commercial motor vehicle drivers. The trucking industry is a critical component of the Nation's economy. Nearly 7 million Americans work in trucking-related jobs with more than 3 million working as commercial truck drivers. Commercial vehicles must be operated by skilled individuals who are mentally and physically capable of performing their jobs safely. To this end, FMCSA regulates the HOS that commercial motor vehicle drivers can operate. On December 27, 2011, FMCSA issued revised HOS regulations. Because it is important that federal regulations be based on full and fair scientific research, proper data and analyses, and operational testing, we request the GAO evaluate these studies.

On July 1, 2013, the FMCSA began enforcing the changes to a new "restart" rule aimed at restricting drivers work hours in order to reduce both the risk of fatigue-related crashes and long-term health problems for drivers. The rule limits the average work week for truck drivers to 70 hours and applies additional restrictions to a driver's off-duty requirements. In a recent study assessing the efficacy of this new restart rule, the FMCSA found that some drivers adhering to these new restrictions were found to have fewer lapses on a reaction time test and slightly better operating performance. We request the GAO evaluate this study and report to the Committee on whether:

- the FMCSA collected proper safety and operational data;
- the number and type of drivers included was representative of the commercial driver population;
- additional daytime truck traffic was analyzed for safety outcomes; and
- the driver groupings were appropriate.

We also request the GAO evaluate and report to the Committee on the validity of the key assumptions, data, and methodology used by the FMCSA in its Regulatory Impact Analysis (RIA), which was completed as part of the agency's HOS rulemaking. Specifically, the evaluation of the RIA should consider whether:

- the assumptions and methodologies in the RIA are consistent with the FMCSA analyses offered in support of prior HOS rulemakings;
- crash data the agency used was current and appropriate;
- violation data was based on a representative sample of the industry;
- driver health assumptions were appropriate and is it reasonable to expect the health benefits will be realized through real-world data analysis; and
- errors, inconsistencies, or assumptions in the RIA affected the FMCSA's conclusions regarding the costs and benefits of the new regulations.

Thank you in advance for your work on this request. Should you have any questions or need additional information, please contact Dan Veoni of the Subcommittee on Highways and Transit at (202) 225-6715.

Sincerely,



Bill Shuster
Chairman
Committee on Transportation and Infrastructure



Thomas E Petri
Chairman
Subcommittee on Highways and Transit