

115TH CONGRESS
2D SESSION

H. R. 5417

To direct the Secretary of Transportation to issue or revise regulations enhancing flexibility in hours of service requirements for drivers of certain property-carrying vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2018

Mr. BABIN introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to issue or revise regulations enhancing flexibility in hours of service requirements for drivers of certain property-carrying vehicles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Responsible and Effec-
5 tive Standards for Truckers Act” or the “REST Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The livelihood and personal well-being of
2 professional drivers is dependent on the safe oper-
3 ation of a commercial motor vehicle.

4 (2) The current hours of service requirements
5 for professional drivers, including the 30-minute
6 break rule, fail to reflect the realities of the trucking
7 industry.

8 (3) Professional drivers consistently identify the
9 current hours of service requirements as counter-
10 productive and an impediment to improving highway
11 safety.

12 (4) The rigid nature of the current hours of
13 service requirements often compel professional driv-
14 ers to be on the road when they are tired or fa-
15 tigated, during rush hour traffic or other periods of
16 highway congestion, during adverse weather condi-
17 tions, or when they are simply not feeling well.

18 (5) The current hours of service requirements
19 have not resulted in statistical improvements to
20 highway safety.

21 (6) Rather than decrease, the total number of
22 crashes involving large trucks, as well as fatal crash-
23 es involving large trucks, has increased since the in-
24 troduction of the current hours of service require-
25 ments.

1 (7) Greater flexibility in hours of service re-
2 quirements would better allow professional drivers to
3 rest when they feel it appropriate and avoid conges-
4 tion, adverse weather conditions, or other road con-
5 ditions that decrease safety.

6 (8) The Federal Motor Carrier Safety Adminis-
7 tration has noted the majority of sleep studies dem-
8 onstrate that well-timed sleep has either a positive
9 or no effect on subsequent neurobehavioral perform-
10 ance.

11 (9) The current maximum driving time and
12 minimum rest period for professional drivers remain
13 intact.

14 (10) The lack of flexibility in the current hours
15 of service requirements, coupled with additional fed-
16 eral regulations, has worsened the truck parking cri-
17 sis.

18 (11) Federal hours of service requirements
19 should improve highway safety for all users.

20 **SEC. 3. FLEXIBILITY IN HOURS OF SERVICE REQUIRE-**
21 **MENTS FOR DRIVERS OF CERTAIN PROP-**
22 **ERTY-CARRYING VEHICLES.**

23 (a) IN GENERAL.—Not later than 1 year after the
24 date of enactment of this Act, the Secretary of Transpor-
25 tation shall issue or revise regulations to ensure that—

1 (1) a covered driver may suspend an on-duty
 2 period of the driver by an amount of time that is
 3 equal to a single off-duty rest break carried out by
 4 the driver during such on-duty period, provided the
 5 suspension—

6 (A) does not exceed 3 hours; and

7 (B) does not extend the total drive time
 8 limits contained in section 395.3(a)(3) of title
 9 49, Code of Federal Regulations; and

10 (2) no other requirements relating to rest
 11 breaks during an on-duty period, including the re-
 12 quirement specified in section 395.3(a)(3)(ii) of title
 13 49, Code of Federal Regulations, apply to a covered
 14 driver.

15 (b) DEFINITIONS.—In this section, the following defi-
 16 nitions apply:

17 (1) COVERED DRIVER.—The term “covered
 18 driver” means a driver to whom section 395.3 of
 19 title 49, Code of Federal Regulations, or any suc-
 20 cessor regulation, applies.

21 (2) ON-DUTY PERIOD.—The term “on-duty pe-
 22 riod” means the 14-hour period during which a cov-
 23 ered driver is permitted to drive after coming on
 24 duty following 10 consecutive hours off duty.