

TransForce Services Group

REGULATORY UPDATE

A brief summary of what you need to know....

DOT ISSUES INTERIM FINAL HOURS OF SERVICE RULES

The Federal Motor Carrier Safety Administration FMCSA has issued an interim final rule retaining the existing hours of service regulations - including the 11-hour rule and 34-hour restart provision. The interim final rule becomes effective on December 27, 2007.

Background

On July 24, the U.S. Court of Appeals ruled in favor of a safety advocacy group - Public Citizen - on its challenge to the "new" HOS rules (issued in 2005). Specifically, the Court vacated the 11-hour driving rule and 34-hour restart provision, saying the Federal Motor Carrier Safety Administration (FMCSA) had not properly justified them when first issued. The Court did not find fault with the substance of the regulations, but with how FMCSA had developed and issued them.

However, before the effective date of the ruling the Court granted a request by the American Trucking Associations for a 90-day stay of the mandate. The delay gave FMCSA time to address the Court's concerns and evaluate options. The Court's stay expires on December 27th.

Today's Development

Today's announcement effectively retains the current hours of service rules in anticipation that the rules would have otherwise automatically been vacated when the Court's stay of its decision expires. Instead, the industry can continue to operate under the existing rules while FMCSA works to finalize the rules through the required notice and comment process. FMCSA stated that they intend to complete the process sometime in 2008.

About TransForce Services Group

[TransForce Services Group \(TSG\)](#) is a nationwide professional services firm that helps companies understand and comply with the Federal Motor Carrier Safety Regulations. TSG provides a variety of services including DOT Audit Readiness Assessments, Customized Compliance Training, Driver Qualification File Maintenance, and the like. We are members and active participants in the American Trucking Associations (ATA) Regulations Committee, the ATA Safety Policy Committee, the Commercial Vehicle Safety Alliance, and the National Private Truck Council.

About TransForce

TransForce, Inc. is the largest workforce solutions firm in the United States, dedicated entirely to the transportation industry. TransForce provides the highest-quality full-time and part-time Commercial Drivers License (CDL) drivers and other transportation-related professionals to third party logistics carriers, private carriers and for-hire carriers nationwide. We serve over 1500 companies nationwide through a growing number of 100% owned/controlled offices from coast to coast.