

Lawsuit against Hours of Service Rule dropped

A lawsuit over the U.S. Department of Transportation's final rule on truck drivers' hours of service has been dropped.

The DOT's new rule was issued by the Federal Motor Carrier Safety Administration (FMCSA) in December and reduced the hours drivers could work within a seven-day period by 12. Previously drivers could work 82 hours, under the new rule they can only work 70.

The rule was revised several times over the past few years, in part due to some lawsuits.

The Trucker reports that the petitioner in the recently dropped case, consumer advocacy group Public Citizen, had previously filed two other lawsuits over the hours of service rule.

This third lawsuit initially resulted in a settlement agreement in October of 2009, wherein the FMCSA said it would "review and reconsider the 2008 rule."

Ultimately, that led to the issuing of the final rule this past December. The news provider reports that court documents indicate that the latest rule supersedes the rule at issue in the third lawsuit. As that rule no longer exists, both parties involved in the suit - Public Citizen and the FMCSA - agreed to have the case dismissed. Each party will be responsible for their own legal costs.

Making sure that employees follow the proper hours of service rules is essential for compliance safety accountability.

In 2009, 3,215 large trucks were involved in fatal crashes around the country, which was a significant decrease from the 4,089 that were involved in such accidents in 2008, according to data from the National Highway Traffic Safety Administration.

The new rule was issued to enhance the safety of roadways by combating trucker fatigue, something that DOT Secretary Ray LaHood mentioned when announcing the rule.

"Trucking is a difficult job, and a big rig can be deadly when a driver is tired and overworked," LaHood said. "This final rule will help prevent fatigue-related truck crashes and save lives. Truck drivers deserve a work environment that allows them to perform their jobs safely."

While Public Citizen's lawsuit was dismissed, The Trucker reports that the advocacy group could still file another suit over the final rule.

The final rule does reduce the number of hours a driver can work in a seven-day period, but it did not reduce the allowable hours of service that a trucker can drive in a day. In 2003, that number increased from 10 to 11, a move that Public Citizen has opposed