



Memorandum

U.S. Department of
Transportation

Office of the Secretary
of Transportation
Office of Inspector General

Subject: **INFORMATION**: Audit Announcement –
Commercial Motor Vehicle Driver Restart Study
Federal Motor Carrier Safety Administration
Project No. 15S3004S000

Date: February 10, 2015

From: Mitchell Behm 
Assistant Inspector General Surface
Transportation Audits

Reply to
Attn. of: JA-30

To: Acting Federal Motor Carrier Safety Administrator

According to the Federal Motor Carrier Safety Administration (FMCSA), driver fatigue has a profound impact on highway safety. In 2006, FMCSA reported that over 47 percent of the commercial truck drivers it surveyed admitted to falling asleep at least once while driving during the previous year.¹ To help prevent crashes caused by driver fatigue, FMCSA issued hours-of-service regulations to establish daily and weekly driving limits and required periods of rest for commercial vehicle drivers. Effective 2013, FMCSA's new hours-of-service regulations required drivers to comply with a revised 34-hour restart rule to reset the weekly driving limit. The revised rule required a driver to be off-duty for 34 consecutive hours, which must include two 1 a.m. – 5 a.m. periods.

After the rule went into effect, concerns were raised about the rule's unintended consequences, such as increased congestion during the daytime traffic hours. In the Consolidated and Further Continuing Appropriations Act of 2015² (the act), Congress suspended FMCSA's enforcement of the 34-hour restart rule so that the Agency can conduct a study of the operational, safety, health, and fatigue impacts of the rule. The act also requires the Department to submit a final report on the restart study to the Office of Inspector General. Within 60 days of receipt of the final report, we must report to the Secretary and the House and Senate Appropriations Committees on whether the study complies with the act. Accordingly, our audit objective is to determine whether FMCSA's design and implementation of the restart study complies with the requirements of the act.

¹ FMCSA report, "Truck Driver Fatigue Management Survey," 2006.

² Pub Law 113-235, enacted on December 16, 2014.

We plan to begin this audit once FMCSA provides a plan outlining the scope and methodology for the study. We will coordinate with your audit liaison to schedule an entrance conference. We will conduct our work at FMCSA Headquarters in Washington, DC, and other locations as appropriate. If you have any questions, please contact me at 202-366-9970 or Kerry R. Barras, Program Director, at 817-978-3318.

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cc: FMCSA Audit Liaison, MCPRS
DOT Audit Liaison, M-1