Re: Docket ID No. FMCSA–2018–0248; Hours of Service of Drivers; Notice of Proposed Rulemaking

The North American Concrete Alliance (“NACA”) respectfully submits comments in response to the August 22, 2019, Federal Motor Carrier Safety Administration (FMCSA) notice of proposed rulemaking titled “Hours of Service of Drivers” (“proposal”). (See 84 Fed. Reg. 44190)

Formed in 2004, NACA is a coalition of twelve1 concrete- and cement-related associations dedicated to addressing industry-wide priorities in the areas of research, safety, education, economic recovery and government affairs. Cement and concrete product manufacturing directly and indirectly employs approximately half a million people. Our collective industries contribute approximately $100 billion to the economy. Our member associations represent businesses and talented workers in all fifty states.

NACA supports, and has been a long-time advocate for, greater flexibilities to be incorporated into the current federal hours of service (HOS) of drivers’ regulatory scheme. In the concrete industry, scheduling flexibility is critical due to the perishable nature of our product. Flexibility for drivers of NACA member companies ensures their seamless ability to continue to construct and maintain our nation’s infrastructure and built environment from roads and bridges to homes and high-rises. FMCSA has recognized this workplace reality in the HOS rule exemptions granted to a number of NACA associations over the years.

We believe FMCSA’s proposal provides not only the added flexibilities the industry needs, but it also correctly addresses previous HOS proposals that erroneously implemented a one-size-fits-all approach. The current proposal better recognizes and supports the differences between long-, regional- and short-haul trucking operations. As a result of the added versatility

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1 American Concrete Pavement Association, American Concrete Pipe Association, American Concrete Pressure Pipe Association, American Concrete Pumping Association, Concrete Reinforcing Steel Institute, Concrete Foundations Association, National Concrete Masonry Association, National Precast Concrete Association, National Ready Mixed Concrete Association, Portland Cement Association, Precast/Prestressed Concrete Institute, and Tilt-Up Concrete Association.
FMCSA’s proposal would allow, NACA commends FMCSA on its proposal and supports the suggested changes it outlines.

Several proposals are of particular importance to NACA members and the cement and concrete industry. In particular, NACA’s members applaud proposed changes extending the maximum duty period for short haul drivers as well as the air-mile radius for operations, the qualifications and flexibility in the 30-minute break rule, and the split duty provision. NACA supports the comments submitted by individual members and urges FMCSA to adopt these proposed changes to federal HOS rules.

NACA appreciates the opportunity to comment on the proposal and share our members’ perspectives. If you have any questions regarding these comments, please feel free to contact Andrew Tyrrell at atyrrell@nrmca.org or 703-706-4856.

Sincerely,

American Concrete Pavement Association
American Concrete Pipe Association
American Concrete Pressure Pipe Association
American Concrete Pumping Association
Concrete Reinforcing Steel Institute
Concrete Foundations Association
National Concrete Masonry Association
National Precast Concrete Association
National Ready Mixed Concrete Association
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