AFTC ISSUE UPDATE
AGRICULTURAL AND FOOD TRANSPORTERS CONFERENCE
CONFERENCE OF ATA AMERICAN TRUCKING ASSOCIATIONS

DOT Completes Analysis of Ag HOS Exemption

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The Federal Motor Carrier Safety Administration (FMCSA) recently completed an "Agricultural Commodity and Utility Carriers Hours of Service Exemption Analysis."

Contrary to what critics have stated in the past, this report is not a clarion call to abolish the Ag HOS exemption. The report has very positive aspects but overall a mixed bag of findings.

The study was performed by the John A. Volpe National Transportation Systems Center together with the FMCSA Office of Analysis, Research and Technology, Analysis Division.

The purpose of this study was to assess the safety performance of agricultural commodity and utility service carriers that are exempt from the Federal Motor Carrier Safety Regulations regarding hours of service or record-of-duty-status requirements in comparison to those that are not exempt.

The key finding of the report is that:

> " . . . nationally, agricultural carriers operating within a 100-air-mile radius had lower crash rates per 100 power units than those operating beyond this radius, except for 2008, when there was no difference in the crash rates."

As expected, the analysis includes the caveat that it contains data limitations.

AFTC is already working to address fatigue issues through the dissemination of the "Manager's Guide to Safe Trucking During Agricultural Planting and Harvest Season."

The bottom line is that crash rates are lower nationally under the exemption and the few problem areas, unrelated to HOS, that the report uncovered are not insurmountable.

The report also points out a couple areas of deficiency:

> " . . . agricultural carriers exempt from HOS had higher out of service (OOS) and/or violation rates than non-exempt carriers for regulations pertaining to driver qualifications, vehicle maintenance, and improper loading and securement.
>
> And;

In data collected in a sample of a few states the analysis found that:

> " . . . agricultural carriers . . . operating beyond a 100-air-mile radius had a statistically higher driver OOS rate than those driving within a 100-air-mile radius, but those operating within a 100-air-mile radius had a statistically higher vehicle OOS rate. Also, agricultural carriers . . . subject to the HOS requirements had higher crash rates per 100 power units than agricultural carriers that were exempt from the HOS requirements.

These violations are not, on their face, the driver fatigue indicators critics would anticipate from an HOS exempt operation, but of course they represent areas of room for improvement. The driver qualifications violations could be the result of agricultural carriers bringing on large numbers of temporary drivers for the busy season. The vehicle maintenance violations could reflect how quickly trucks are turned during planting and harvest seasons.

While the areas of deficiency identified in the analysis cannot be remedied overnight they represent an opportunity for AFTC to take the lead among the industry. An example of how AFTC can make changes that are practical and improve safety is the ongoing joint efforts of AFTC and the California Trucking Association on cargo securement for agricultural commodities.

The full report can be found at:

http://www.fmcsa.dot.gov/facts-research/research-technology/analysis/Agricultural-Commodity-Utility-Carriers-HOS-Exemption.pdf