



**Opening Statement  
Chairman Mike Coffman  
Committee on Small Business  
Subcommittee on Investigations, Oversight & Regulations  
“Do Not Enter: How Proposed Hours of Service Trucking Rules  
are a Dead End for Small Businesses”**

**June 14, 2011**

Good morning. The hearing will come to order.

Thank all of you for joining us today for this hearing on the Federal Motor Carrier Safety Administration’s proposed rule on Hours of Service, and whether it will harm the ability of small businesses to compete.

I would like to extend special thanks to our witnesses for making the trip to the Capitol and taking time out of their schedules to discuss this issue with us here today, especially my constituent, Mr. Paul James, who traveled from Colorado to provide his views on the proposed Hours of Service rule. In addition to Mr. James, our subcommittee will hear directly from other small business owners about how the proposed rule will harm their industries and the difficulties their firms may face to deliver goods and remain viable.

As you may know, Hours of Service trucking regulations are issued by the Federal Motor Carrier Safety Administration at the Department of Transportation and apply to tractor-trailers that engage in interstate commerce that exceed ten thousand pounds in weight. These regulations place limits on the amount of time a commercial truck driver can be on the road, which are meant to increase safety and reduce fatigue-related accidents.

There has been a significant decline in large truck crashes since the 2003 Hours of Service rules were implemented. Since then, according to the Department of Transportation's own data, there has been a reduction in fatal truck-related crashes by over 33 percent and a decline of crashes resulting in injury by 40 percent. During this period, the distance traveled by commercial vehicles increased some 7 billion miles. Despite these major improvements in driver safety, the FMCSA has now proposed complicated and cumbersome travel requirements for drivers meant to increase truck safety by reducing the daily maximum driving limit, decreasing the maximum on-duty time limit, requiring mandatory breaks, and changing the current 34-hour restart provision. The decreased instances of crashes involving commercial trucks over recent years begs the question: is this new rule really necessary?

I find it troubling that the Agency relied on outdated truck-related crash figures to justify the need for such provisions, relying on pre-2004 crash related data to inflate the safety benefits in their proposal rather than using current accident figures. Even more disturbing is that it is estimated that there will be a cost of \$2.5 billion annually on the industry if the proposed Hours of Service regulations are finalized. How are American small businesses expected to survive in this unstable and costly regulatory environment?

The trucking industry provides all Americans with much needed consumer products, food, fuel and other items on a daily basis that are important in maintaining our national economy. It is critical that changes to regulations pertaining to the transportation of these goods be well thought out and strike the proper balance between the need for safety and a fast and effective transportation system. The failure of the Agency to take into account the significant improvements in driver safety over the last seven years has the potential to not only cost small

businesses billions, but also lead to an increase of new and inexperienced drivers on the road to fill the employment holes created by the proposed rule.

I look forward to hearing from our witnesses on the possible implications of the new Hours of Service proposal. I now recognize the Ranking Member for his opening statement.