



New Mexico Trucking Association

“IN THE HEADLIGHTS”

Good stuff.



*The New Mexico Trucking Industry ...
So Much Depends On Us*

Tuesday, August 07, 2012

FMCSA HOLDING LISTENING SESSIONS & EXTENDING COMMENT PERIOD FOR OILFIELD EXCEPTIONS

On Aug. 6, 2012, the Federal Motor Carrier Safety Administration published a [notice](#) in the Federal Register extending the **comment period** for its guidance to the oilfield exceptions to the hours of service rules **until Oct. 5, 2012**. That proposal changed long-standing interpretations of the exception that allows drivers to count waiting time as on-duty time. The change effectively barred trucks hauling sand and water from using the exception at all. The extension responded to comments from ATA, the Colorado Motor Carriers Association, and other industry associations that FMCSA erred both because it represents a material change more akin to a formal rulemaking than interpretive guidance, and by making it effective upon publication.

The notice also announced three public listening sessions. FMCSA will hold its first two sessions in [Denver, Colo. on August 17](#) and [Pittsburgh, Penn. on August 21](#). Another session, in Dallas, Texas, will be held sometime during September 2012. All sessions will take place from 1:00p.m. until 5:30p.m. local time and will be webcast. ATA's comments had also requested that FMCSA rescind the proposed guidance until after it had the opportunity to review all comments and remarks from its listening sessions. Unfortunately, FMCSA failed to address this portion of ATA's comments and therefore the proposed guidance remains in force.

Members are advised to click on the location in which they are interested in testifying for directions etc.