



# REDMAN VAN & STORAGE CO.

Late Tuesday night, President Obama signed the FY 2015 Omnibus Appropriations Bill into law, officially suspending the two restrictions on the use of the 34-hour restart.

As a result, the suspension of the two restrictions on the use of the 34-hour restart – the requirement for two periods of 1 a.m. to 5 a.m. and the limit on using the restart more than once every 168 hours – has gone into effect and FMCSA must now begin a study of the impacts of the restrictions on highway safety.

The suspension is now legally in effect and FMCSA is required to post a notice to its website alerting carriers and law enforcement officials accordingly. FMCSA expects to post it “soon” and will publish a follow-up in the Federal Register in a few days.

Carriers need not wait for FMCSA to post this notice in order to follow the restart rules that were in effect prior to July 1, 2013. However, we anticipate some confusion within the enforcement community. We encourage members to carefully document instances when enforcement officials erroneously cite them for restart issues in violation of the suspension order and, if necessary, file DataQ requests to get such violations vacated. Further, once the notice is published to the FMCSA website, drivers would be well served to carry a copy of it in the event an unaware officer needs to be enlightened.

While we regret the impact this will have on the DataQs process, FMCSA and the lead state agencies have had a long time to anticipate today’s suspension and prepare accordingly.