

NEWS RELEASE



FOR IMMEDIATE RELEASE
January 26, 2018

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Asphalt Industry Gains Relief From Trucking Hours-of-Service Rules

FMCSA Grants NAPA Petition for Limited Regulatory Relief

Lanham, Maryland — The Federal Motor Carriers Safety Administration (FMCSA) has granted the National Asphalt Pavement Association's (NAPA) application for certain exemptions to the agency's Hours of Service (HoS) regulations. The exemption was [published](#) in the *Federal Register* today, Jan. 26.

The exemptions cover two HoS provisions for drivers of all trucking assets associated with the "transportation of asphalt and related materials and equipment," including dump trucks, equipment haulers, water trucks, distributor trucks, and other similar equipment.

First, drivers will not be required to take a mandatory 30-minute break during their work day. Instead, they will be able to use on-duty "waiting time" to meet the 30-minute break requirement. Second, the action extends the maximum allowable on-duty time from 12 hours to 14 hours for those drivers covered under the existing short-haul exception.

"We are grateful FMCSA saw the need to exempt drivers associated with asphalt paving operations from these hours of service regulations," said Chairman and COO of Gallagher Asphalt in Thornton, Illinois. "This allows us to ensure drivers are able to work as needed to deliver a quality product when it is needed."

In petitioning the agency, NAPA noted that asphalt pavement mixture is a perishable product that must be delivered at the right time and at the right temperature. The exemptions are similar to existing exemptions afforded to drivers of ready-mix concrete mixer trucks.

"Because drivers of asphalt-related trucks generally operate within limited areas and spend a good portion of their day waiting to load or unload their trucks, as opposed to driving, these drivers do not face the sort of fatigue factors long-haul truckers face or that HoS regulations were developed to address," said Dr. Howard Marks, NAPA Vice President for Environment, Health & Safety.

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The exemption goes into effect upon publication in the *Federal Register* and will remain valid for five years.

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About The National Asphalt Pavement Association

The National Asphalt Pavement Association (NAPA) is the only trade association that exclusively represents the interests of the asphalt producer/contractor on the national level with Congress, government agencies, and other national trade and business organizations. NAPA supports an active research program designed to improve the quality of asphalt pavements and paving techniques used in the construction of roads, streets, highways, parking lots, airports, and environmental and recreational facilities. The association provides technical, educational, and marketing materials and information to its members; supplies product information to users and specifiers of paving materials; and conducts training courses. The association, which counts more than 1,100 companies as members, was founded in 1955.