HB110

RRURNNM-1

By Representative Bedsole

RFD: Transportation, Utilities and Infrastructure

First Read: 06-Feb-24

SYNOPSIS:

Under existing law, there is an intrastate hours of service limitation applied to drivers of commercial motor vehicles operating in intrastate transportation, within a 75 air-mile radius of their normal work reporting location, following 10 consecutive hours off duty, except when prohibited by federal rule or law.

This bill would increase the air-mile radius for intrastate motor carriers from 75 to 150 to reflect the current federal allowance.

A BILL

TO BE ENTITLED

AN ACT

Relating to commercial motor vehicle drivers; to amend Section 32-9A-6 of the Code of Alabama 1975, to increase the intrastate air-mile radius for which the intrastate hours of service limitation applies.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-9A-6 of the Code of Alabama 1975, is amended to read as follows:

"§32-9A-6

(a) The intrastate hours of service ~~limitations~~

limitation applied to the drivers of commercial motor vehicles operating in intrastate transportation within a ~~75~~150 air-mile radius of their normal work reporting location, following 10 consecutive hours off duty except when prohibited by federal rule or law, shall be the following:

(1) A 12-hour driving limit, provided driving shall be prohibited for any driver of a commercial motor vehicle ~~after~~who has been on duty for ~~having been on duty for~~ more than 15 hours ~~is prohibited~~.

(2) Driving shall be prohibited for any driver who has been on duty 70 hours in seven consecutive days.

(b) An intrastate driver is defined by his or her previous seven days in operation.

(c) All motor carriers operating under the variance provided by this section shall have a satisfactory safety rating with the Federal Motor Carrier Safety Administration (FMCSA) or be unrated. Subsection (a) shall not apply to a motor carrier with a conditional or unsatisfactory FMCSA safety rating.

(d) All motor carriers operating under the variance provided by this section shall require its drivers to comply with the record of duty provisions under 49 C.F.R. ~~Section~~§ 395.8. The driver shall retain a copy of each record of duty status for the previous seven consecutive days, which shall be in his or her possession and available for inspection while on duty."

Section 2. This act shall become effective on October 1, 2024.