I. Summary of Proposed Regulation, including Its Purpose.

This existing regulation adopts relevant portions of the Federal Motor Carrier Safety Administration (“FMCSA”) regulations (49 C.F.R. Part 395) which establish the hours of service requirements for commercial motor vehicle drivers. The proposed amendments to this regulation include edits to reflect minor grammatical and form corrections and recent updates to FMCSA regulations. The amendments to this regulation are proposed on both a temporary and permanent basis.

II. Reason or Reasons the Proposed Regulation is Required, including whether or not the Regulation is Mandated by Federal Law and whether or not the Regulation Exceeds the Requirements of Applicable Federal Law

In addition to minor grammatical and form updates, the proposed amendments to this regulation adopt the current federal 34-hour restart rule found in 49 C.F.R. 395.3. The proposed amendments do not exceed the requirements of applicable federal law.

III. Environmental Benefit Statement.

The Transportation Division of the Commission does not anticipate a direct environmental benefit on the industry, agency, other governmental agencies, or the general public.

IV. Anticipated Economic Impact.

The Transportation Division of the Commission anticipates a slight economic benefit to motor carriers that rely on the 34-hour restart rule because motor carrier drivers will now be able to restart their weekly hours with less delay. The Transportation Division of the Commission is unable to put a specific dollar figure on this benefit. Although Kansas is permitted to retain more stringent regulations than the federal regulations when it comes to intrastate motor carrier operations, for the sake of consistency, the Commission is adopting the federal rule. This will create ease of application by motor carriers and ease of enforcement by the Kansas Highway Patrol.

V. Description of Less Costly Methods Considered Addressing this Issue.

The proposed amendments do not create any cost to motor carriers or other state agencies, and thus, there are no less costly methods to be considered.


This section will be updated after the regulations have been presented to the Joint Committee on Administrative Rules and Regulations, and at the scheduled public hearing.