

From: Yager, Tom [mailto:tom.yager@fmcsa.dot.gov] On Behalf Of MCPSD
Sent: Wednesday, August 31, 2005 2:57 PM
Subject: RE: New HOS Rule and Motor Carrier Safety Act

Whether the SAFETEA-LU provisions regarding utility service vehicles apply to intrastate operations has not been formally addressed by legal counsel. In the absence of customary Congressional expression of the intent to include intrastate operations, the first impression is that the provisions do not or prohibit or restrict State hours of service regulations pertaining to utility service vehicles.

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Dear Tom,
Thanks so much for the response. Just one more question ...

"Does the language in the Safe, Accountable, Flexible, Efficient Transportation Equity Act, section #4132 specifically prohibit the states from enacting and enforcing any law, rule, regulation, or standard that would impose hours-of-service restrictions on purely intrastate drivers?"

Any help you can give me with this would be appreciated.

Thank you!