

ISSUE NUMBER

19-023-DRV

ISSUE NAME

Hours of Service - Definition of Yard Move

STATUS

Closed

Driver-Traffic Enforcement Committee

NAME

Dan Horvath

AGENCY

American Trucking Associations

ADDRESS

950 N Glebe Road
210
Arlington, VA 22201
United States

PHONE

703-838-8804

EMAILdhorvath@trucking.org**SUMMARY OF ISSUE**

The definition of a "yard" is not clearly defined in the regulations. ATA has received requests from multiple members regarding clarification on what a "yard" is. Typically, the common definition of a "yard" is something that has controlled access, however, ATA has been made aware of conflicting guidance from FMCSA as to what qualifies as a "yard".

JUSTIFICATION OR NEED

Carriers wish to remain compliant with all aspects of the hours of service, including, operations that would be defined as "yard moves". In order to do so, a clear definition of what is considered a "yard" should be made available. This is also critical so that enforcement can properly determine if a driver has correctly used this category.

REQUEST FOR ACTION

ATA requests that the CVSA Driver Traffic Enforcement discuss this issue to determine 1. if enforcement disparity exists between enforcement and industry and 2. if so, determine the appropriate course of action to request guidance from FMCSA on this issue.

ACTION TAKEN BY COMMITTEE

The Driver Traffic Committee agreed that currently there is no definition of yard move in the federal regulations. Carriers and roadside inspectors both need a clear definition of a yard move. Currently it's open to interpretation and carriers and roadside inspectors determine what a yard move is on a case by case basis, which hampers uniformity.

The Board of Directors agreed to send a petition to FMCSA to issue regulatory guidance to define what activity constitutes a yard move.

Darrell Ruban indicated that this is on the FMCSA radar. Dan Horvath ATA indicated that this issue can be closed.