

GROWERTALKS

JZ on D.C.

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Industry ADVOCATES: AmericanHort

FMCSA Proposes Changes to Hours of Service Rules

The Federal Motor Carrier Safety Administration (FMCSA) has at last proposed changes to its hours of service (HOS) rules. The notice of proposed rulemaking (NPRM)—which was delayed at the Office of Management and Budget by a few weeks—has received mostly positive coverage since its publication.

Flexibility concerning HOS rules has been a focus of AmericanHort since the implementation of the Electronic Logging Device (ELD) mandate in 2018. FMCSA has heard from many industries regarding the rigidity of these recently enacted regulations and has been in the process of potentially modifying elements of HOS in certain situations. An advanced notice of proposed rulemaking was released last September.

So what changes is FMCSA considering? Below are the areas of proposed change:

- Flexibility for the 30-minute break rule by tying the break requirement to eight hours of driving time without an interruption for at least 30 minutes and allowing the break to be satisfied by a driver using “on duty,” not “driving status,” rather than “off duty.”
- Modify the sleeper-berth exception to allow drivers to split their required 10 hours off duty into two periods: one period of at least seven consecutive hours in the sleeper berth and the other period of not less than two consecutive hours, either off duty or in the sleeper berth. Neither period would count against the driver’s 14-hour driving window.
- Allow one off-duty break of at least 30 minutes, but not more than three hours, that would pause a truck driver’s 14-hour driving window, provided the driver takes 10 consecutive hours off duty at the end of the work shift.
- Modify the adverse driving conditions exception by extending by two hours the maximum window during which driving is permitted.

AmericanHort submitted comments on behalf of the industry. Have thoughts on these changes? Email TalC@AmericanHort.org.

—Tal Coley, Director of Government Affairs, AmericanHort

AmericanHort Meets With Plant Regulatory Officials

Each year in August, the National Plant Board convenes its annual meeting of state plant regulatory officials, along with federal cooperators, including the Departments of Agriculture and Homeland Security. The meeting presents a very useful opportunity for AmericanHort to brief those who inspect and regulate us on the health of the horticulture industry, and to represent the industry and seek solutions to plant health and quarantine challenges.

Topping the list of industry issues we presented on were boxwood blight and *Phytophthora ramorum*. Challenges experienced with both have us and the regulators looking for realistic ways to improve efforts to keep these pathogens out of the nursery trade. In the case of boxwood blight, AmericanHort and the Horticultural Research Institute are initiating a dialogue with key researchers on what's been learned over the last few years, which will support a review and possible revision of the boxwood blight cleanliness program. We also urged extreme vigilance with respect to boxwood plants moving from Canada, where a serious new pest known as Box Tree Moth has been detected in a residential area in Toronto.

In a second presentation, we had the chance to discuss ongoing efforts to develop sterile cultivars of useful, but potentially invasive, landscape plants. We urged the state officials to work to ensure that state-level invasive species restrictions allow for recognition and exemption of sterile plant cultivars.

—Craig Regelbrugge, VP of Government Relations & Research, AmericanHort



Are You Eligible to Receive Updates from PlantPAC?

As we approach another election year, your support of PlantPAC is more important than ever. PlantPAC, the AmericanHort Political Action Committee, gives our industry a voice to support Congressional candidates that back pro-horticulture policies.

Federal law requires us to obtain prior approval from AmericanHort members before informing them about PAC-related activities or requesting they join our effort.

The authorization form, along with more information, is available at www.americanhort.org/page/plantpac.

—Tristan Daedalus, Director of Advocacy & Political Communications, AmericanHort