

## **Industry Hopes 11-Hour HOS Limit Will Hold**

A court's 90-day stay will give federal regulators enough time to issue an interim final rule maintaining an 11-hour limit for truck drivers' hours of service, ATA President Bill Graves said Friday. Safety groups sued to reduce the amount of time drivers can stay behind the wheel continuously, and the ATA countered that safety actually improved last year under the existing rule, according to the Associated Press. The U.S. Court of Appeals for the District of Columbia Circuit last month delayed until late December a requirement that would reduce truckers' hours by one hour. The group Public Citizen - which has sued over the rule before - opposed any stays, arguing that the Federal Motor Carrier Safety Administration used the same tactic two years ago to maintain the old requirements. NASSTRAC has been the shipper association supporting ATA's position.

If the administration issues a final rule inconsistent with the court order, Public Citizen would pursue further legal action, the group's president, Joan Claybrook, told the AP Friday. FMCSA is planning to issue guidance prior to the Dec. 27 deadline, but no final decisions have been made, an agency spokeswoman said, AP reported. The agency and ATA last month separately requested the court issue longer stays of its decision that the daily driving limit be cut to 10 hours for long-haul truckers followed by eight hours of rest. Under the 11-hour driving limit, truckers are required to rest for 10 hours.

## **Rail Traffic Declines**

Freight traffic on U.S. railroads declined in the week ended October 6, according to figures released last week by the Association of American Railroads. Although commodity car loadings were down slightly, year-over-year comparison of intermodal traffic were much worse. The cumulative 40-week total of intermodal traffic for this year to date was 9.5 million containers or trailers, a 2 percent decline compared with last year.

For the most recent week, a 251,000 total was down 3.2 percent compared with the 40th week of 2006. Containers traffic fell the hardest, dropping 2 percent in week 40 while the year-to-date average decline was just 0.9 percent. Intermodal trailer traffic fell 7 percent, but compared with the year-to-date average of 11.2 percent, that was an improvement. Carload freight totaled 336,315 cars, down 0.3 percent from last year, with loadings up 2.0 percent in the West but down 3.2 percent in the East, said AAR. Total volume was estimated at 35.5 billion ton-miles, up 1.1 percent from the comparable week last year as cars are being loaded heavier and more efficient trains are carrying fewer empties.

Among individual carload commodities, coal was flat at 141,690 units. Grain, chemicals and motor vehicles all showed gains above 20,000 carloads each. But crushed stone fell by almost 1,000 carloads and metals fell 11.8 percent with almost 2,000 fewer carloads than last year at this time. Several NASSTRAC members are regular users of rail/intermodal.

## **Industrial Production Growth Slows**

Industrial production increased 0.1 percent in September, according to a report from the Federal Reserve yesterday. The pace of growth has slowed recently as production of construction materials and automobiles and parts fell off, counterbalancing increases in chemicals and aircraft. The total index for production went from 113.5 in June to 114.2 in July, 114.3 in August, and 114.4 in September. The growth rate went from 0.5 percent in June to 0.6, to zero, to 0.1 last month. The output of consumer goods fell 0.3 percent in September. Among durable consumer goods, the production index for automotive products fell 2.8 percent, in part because of a recent strike at

General Motors. Gains in the production of civilian aircraft and related equipment offset lower motor vehicle assemblies.

The production of nondurable non-energy consumer goods increased 0.1 percent, as a third consecutive month of gains in the index for consumer chemical products and a bounce back in the production of paper products more than offset lower output of foods and tobacco. In September, construction supplies declined 0.2 percent for a third consecutive month; the index is 0.7 percent below its year-earlier level. The index for business supplies rose 0.3 percent in September because of higher output of non-energy business supplies; commercial energy products edged down.