

NEWS & INSIGHTS

Speed limiter mandate: When is it coming?

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The trucking industry is about to see a transformative directive that will affect many commercial drivers and have a trickle-down effect on the country's entire supply chain.

The Federal Motor Carrier Safety Administration (FMCSA) is preparing to mandate a controversial rule that all vehicles weighing more than 26,001 pounds gross weight must be equipped with an electronic control unit (ECU) capable of governing the maximum speed to a certain speed to be determined by rulemaking. While the prior September 2023 Significant Rulemaking Report originally proposed limiting the top speed at 68 mph, that document was later altered to reflect no specific maximum speed limit for commercial motor vehicles.

The rule was supposed to go into effect last summer, then was pushed back to December – both dates were missed. Now the FMCSA expects it to go into effect in May, [according to the February update](#). A further delay past May could be possible as the contentious regulation continues to garner negative feedback from some in the trucking industry.

Once the law goes into effect, all trucks over the gross weight limit must be equipped with a device that regulates the maximum speed of the vehicle. While many trucking companies already have similar devices in place, owner-operators and smaller trucking companies are not as likely to have the devices equipped in their commercial motor vehicles. One practical issue would be that in some situations, the speed limit in certain parts of the country would likely be greater than the speed limitation required by the rule. For instance, on certain roadways in Texas, Oklahoma, Montana, Idaho, Wyoming, Utah, Nevada and South Dakota, speed limits can be as high as 80 – 85 mph. Presuming speed limiters would be mandated at a speed less than 80 mph – which is likely based upon the prior rulemaking report, this rule could be dangerous when considering a commercial motor vehicle could not even meet the speed limit on certain roadways.

Proponents of the rule have said the limit will increase road safety, since slower trucks generally mean fewer crashes. Detractors, however, say the speed limit regulation will cause unintended consequences such as more traffic, road rage and increased interaction with other vehicles, which they say will ultimately lead to more crashes. This is even more pronounced with the varying speed limits in many states.

The bottom line, if your truck or trucks do not have a speed limit regulator installed, it is time to start preparing for that reality. Despite the delays in the effective date and the controversy that comes with it, the FMCSA has spent about eight years working on the regulation. And even though it's taking longer than anyone expected, the FMCSA certainly seems determined to follow through with the directive.

If you have questions about the proposed regulation or have any legal questions about the trucking industry in general, [please contact me](#) or any member of the [Saxton & Stump Trucking and Commercial Transportation Group](#).

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