

NEWS & INSIGHTS

Key dates for the trucking and commercial transportation industry

BY: [LANE E. BRODY](#) | [INSIGHTS](#) | [LEGAL UPDATE](#)

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As summer ends, drivers and carriers should keep the following key dates in mind and prepare to comply with upcoming roadchecks, file their HVUT and consider new hours of service regulations going into effect across the country.

Commercial Vehicle Safety Alliance's (CVSA) Brake Safety Week

August 23 - 29, 2020: Enforcement officials will inspect commercial motor vehicles throughout the week and vehicles found to have critical out-of-service brake violations, or other critical vehicle out-of-service inspection item violations, will be restricted from traveling until those violations are corrected. Vehicles that pass eligible inspections may receive a passed-inspection CVSA decal. Brake Safety Week is part of CVSA's [Operation Airbrake](#) program, in partnership with the Federal Motor Carrier Safety Administration (FMCSA) and the Canadian Council of Motor Transport Administrators.

Heavy Highway Vehicle Use Tax (HVUT) Return Due

August 31, 2020: The HVUT is a fee assessed annually on heavy vehicles operating on public highways at registered gross weights equal to or exceeding 55,000 pounds. The gross taxable weight of a vehicle is determined by adding:

- The actual unloaded weight of the vehicle fully equipped for service
- The actual unloaded weight of any trailers or semitrailers fully equipped for service customarily used in combination with the vehicle
- The weight of the maximum load customarily carried on the vehicle and on any trailers or semitrailers customarily used in combination with the vehicle

If the gross taxable weight is from 55,000 to 75,000 pounds, the HVUT is \$100, plus \$22 per 1,000 pounds over 55,000 pounds. For over 75,000-pound vehicles, the maximum HVUT is \$550 per year.

Gross Taxable Weight Heavy Vehicle Use Tax Rates

Below 55,000 lbs.	No tax
55,000-75,000 lbs.	\$100 plus \$22 per 1,000 lbs. over 55,000 lbs.
Over 75,000 lbs.	\$550

The following groups are exempt from the HVUT, including:

- The federal government
- State or local governments, including the District of Columbia
- The American Red Cross
- Nonprofit volunteer fire departments, ambulance associations or rescue squads
- Indian tribal governments (for vehicles used in essential tribal government functions)
- Mass transportation authorities

Additionally, there are some vehicles exempt from the HVUT:

- Commercial vehicles traveling fewer than 5,000 miles annually
- Agriculture vehicles traveling fewer than 7,500 miles annually
- Vehicle not considered highway motor vehicles — e.g., mobile machinery for non-transportation functions, vehicles specifically designed for off-highway transportation, and non-transportation trailers and semitrailers
- Qualified blood collector vehicles used by qualified blood collector organizations

Note that exempt carriers may be required to file tax forms with the Internal Revenue Service (IRS) or notify the local Department of Motor Vehicles (DMV) of the exempt status being claimed. Filers will use [IRS Form 2290](#).

Commercial Vehicle Safety Alliance's (CVSA) International Roadcheck

September 9 - 11, 2020: [CVSA's biggest truck enforcement blitz](#) will be taking place throughout North America. Roadcheck was originally scheduled to take place in May but was [postponed due to COVID-19](#). The focus of this year's Roadcheck will be on "driver requirements." During the 72-hour Roadcheck, it is estimated that an average of 15 trucks or buses will be inspected every minute across the U.S., Canada and Mexico.

New hours of service regulations go into effect

September 29, 2020: Earlier this year, the FMCSA [revised the hours of service regulations](#) to provide greater flexibility for drivers without adversely affecting safety. The changes include:

- **Short-haul exception:** Expands the short-haul exception to 150 air-miles (from 100 air-miles) and allows a 14-hour work shift (from 12-hour work shift) to take place as part of the exception. Note, that the driver must still start and end his/her shift in the same location and have at least eight hours off (passenger carrier) or 10 hours off (property carrier) between duty periods.
- **Adverse driving conditions exception:** Expands the driving window during adverse driving conditions by up to an additional two hours.
- **30-minute break requirement:** Requires a 30-minute break after eight hours of driving time (instead of on-duty time) and allows an on-duty/not driving period to qualify as the required break.
- **Sleeper berth provision:** Modifies the sleeper berth exception to allow a driver to meet the 10-hour minimum off-duty requirement by spending at least seven, rather than at least eight hours of that period in the berth and a minimum off-duty period of at least two hours spent inside or outside the berth, provided the two periods total at least 10 hours, and that neither qualify period counts against the 14-hour driving window.

Seek legal counsel

Saxton & Stump attorneys [Lane Brody](#) and [Mike Traxler](#) are available to further discuss how you can prepare for these upcoming dates and how our [Trucking and Commercial Transportation](#) team can help drivers and carriers comply.

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