



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Motor Carrier  
Safety Administration**

JUN 29 2018

Refer to: MC-PSD

Mr. Richard P. Schweitzer, PLLC  
Attorney at Law  
Counsel to the National Sand, Stone and Gravel Association  
1717 K. Street, NW, Suite 900  
Washington, DC 20006

Dear Mr. Schweitzer:

Thank you for your April 18 letter requesting guidance regarding the scope and applicability of the exemption granted to the National Asphalt Paving Association (NAPA) from certain hours-of-service (HOS) regulations for drivers transporting asphalt and related materials and equipment. The notice granting NAPA's exemption was published in the Federal Register on January 26, 2018 (83 FR 3864).

The phrase "transporting asphalt and related materials and equipment" in the NAPA exemption may be construed to include any material and equipment that is necessary for satisfactory completion of an asphalt paving project. This might include various types of vehicles and material needed to prepare the site, mix products, conduct the paving, and other directly related tasks. It would not extend, for example, to installation of roadway drainage, landscaping, paint striping, and similar tasks that are needed to complete the overall project, but not directly tied to the asphalt paving phase.

I hope this information will be helpful. Should you have any questions, please contact Mr. Thomas Yager, Chief, Driver and Carrier Operations Division, at (614) 942-6477, or by email at [tom.yager@dot.gov](mailto:tom.yager@dot.gov).

Sincerely,

A handwritten signature in blue ink that reads "Larry W. Minor".

Larry W. Minor  
Associate Administrator for Policy