

# Driver Safety Letter

presented by



## ***New Hours of Service Regs***

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On June 1, 2020, the Federal Motor Carrier Safety Administration (FMCSA) published the Hours of Service (HOS) final rule that revises the HOS regulations in 49 CFR Part 395, which prescribe driving limits for commercial motor vehicle (CMV) drivers. The rule includes four changes designed to offer drivers greater flexibility, while maintaining the highest safety standards on our Nation's roads, and was developed based on extensive public and industry input.

The revised HOS regulations are designed to provide greater flexibility for drivers without adversely affecting safety, and are based on thousands of comments FMCSA received from industry, safety advocacy groups, Congress, and the American public.

According to the agency, this final rule will improve efficiency without compromising safety by providing flexibility for drivers in four areas without changing the maximum allowable driving time.

- **Short Haul Exception:** The short-haul exception maximum allowable workday is changing from 12 to 14 hours, and the distance the driver may operate is extending from a 100 air-mile radius to a 150 air-mile radius.
- **Adverse Driving Conditions Exception:** The adverse driving conditions exception is extending the duty day by up to two hours when adverse driving conditions are encountered. This is in addition to the extra two hours of driving time already allowed.
- **30-Minute Break Requirement:** The 30-minute break requirement can now be satisfied by an on-duty, not driving break (in addition to an off-duty break). The requirement for property-carrying drivers is applicable in situations where a driver has driven for a period of 8 hours without at least a 30-minute interruption.
- **Sleeper Berth Provision:** The sleeper berth provision allows drivers to split their 10-hour off-duty period in different ways (e.g., 7/3, 8/2, 7.5/2.5), provided one off-duty period (whether in or out of the sleeper berth) is at least 2 hours long, and the other involves at least 7 consecutive hours spent in the sleeper berth. The periods must add up to 10 hours, and when used together, neither time period counts against the maximum 14-hour driving window.

FMCSA launched a new online tool (<https://eld.fmcsa.dot.gov/HOSRuleTool>) that allows you to enter records of duty status to see if there are potential violations with the new hours of service regulations. The tool, Educational Tool for Hours of Service (ETHOS), is designed to help all of us understand the HOS regulations that went into effect on September 29, 2020. Note that the 60/70-hour limit regulations are not covered by ETHOS.