HOS Compliance
BASIC Factsheet

HOS Compliance Overview

What is the HOS Compliance BASIC? The Hours-of-Service (HOS) Compliance Behavior Analysis and Safety Improvement Category (BASIC) is one of seven categories that the Federal Motor Carrier Safety Administration (FMCSA) uses to determine how a motor carrier ranks relative to other carriers with a similar number of safety events (i.e., inspections, violations, or crashes). Specifically, the HOS Compliance BASIC addresses the requirements within the Federal Motor Carrier Safety Regulations (FMCSRs) at 49 CFR Parts 392 and 395. This BASIC includes violations of the regulations pertaining to records of duty status (RODS) as they relate to HOS requirements and the management of commercial motor vehicle (CMV) driver fatigue. Some example roadside safety violations that may cause a motor carrier to rank poorly in this BASIC include a driver operating more hours than allowed under HOS regulations and falsification of RODS.

How do motor carriers know where they stand? FMCSA's Safety Measurement System (SMS) determines an overall BASIC status for each motor carrier based upon roadside inspection results that are reflected as a percentile rank and/or prior investigation violations. This information can be seen by logging into the **SMS Website (https://ai.fmcsa.dot.gov/sms/)**. Once logged into the SMS Website, a motor carrier with safety compliance problems in the HOS Compliance BASIC will see a warning symbol in that BASIC. You can also view the records of your company's crashes and request a review of any records you think are inaccurate through DataQs. Violations of the regulations related to the HOS Compliance BASIC raise the percentile rank, which indicates lower safety compliance and may lead to safety interventions such as warning letters or investigations.

What documents associated with this BASIC should motor carriers keep? If an investigation is conducted, Safety Investigators (SIs) may request from motor carriers these types of documents: RODS and supporting documents such as bills of lading, carrier pros, freight bills, dispatch records, electronic mobile communication/tracking records, gate record receipts, weigh/scale tickets, and fuel receipts. Motor carriers should keep these documents as required by the FMCSRs, and know that SIs may use them to assess the nature and severity of safety problems.

How can motor carriers and their drivers improve safety performance in the HOS Compliance BASIC? The HOS Compliance BASIC is based on the regulations that require CMV drivers to follow the HOS requirements in the FMCSRs at 49 CFR Part 395 and Part 392 – Driving of Commercial Motor Vehicles. For example, if a driver operates a CMV and falsifies his or her RODS to conceal hours driven, then he or she is not complying with the HOS Compliance BASIC.

Drivers should understand the importance of keeping their RODS current, accurate, and complete. Employers should ensure that their drivers know how many hours they can legally drive before they break HOS rules, and understand how lack of sleep negatively affects their ability to drive safely.

Motor carriers should identify patterns of noncompliance in their drivers and educate them on the regulations and the importance of compliance. Motor carriers should be aware of how long their drivers have been operating on the road and ensure that safety is the top consideration when assigning work to them. Motor carriers should answer drivers' questions and direct them to the information they need, including FMCSA's Websites.

Motor carriers should know that violations related to the HOS Compliance BASIC adversely affect SMS results for 24 months; time and/or inspections with no HOS Compliance violations can improve motor carriers' BASIC percentile ranks. Also, they should check out the "What can a motor carrier do to improve?" section of the SMS Information Center for answers to commonly asked questions about safety performance.

☆ **This is an official U.S. government publication, produced and disseminated by the Federal Motor Carrier Safety Administration.**
CSA is FMCSA's enforcement and compliance program to improve large truck and bus safety and ultimately reduce CMV-related crashes, injuries, and fatalities. For more information about CSA, visit **http://csa.fmcsa.dot.gov**