



KNOW THE FACTS:

UPDATES TO HOURS OF SERVICE RULES

HOURS OF SERVICE FINAL RULE

On June 1, 2020, the Federal Motor Carrier Safety Administration (FMCSA) published the Hours of Service 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.

Web:

<https://www.fmcsa.dot.gov/regulations/hours-of-service>

Email:

hoursofservice@dot.gov

What's Changing?



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 two hours when adverse driving conditions are encountered. This is in addition to the extra two hours of driving time already allowed.

This change applies for both property (14-hour driving window) and passenger (15-hour on-duty limit) motor carriers.



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.

Frequently Asked Questions

When do the changes take effect?

Drivers and carriers must operate under the hours of service (HOS) final rule starting on September 29, 2020, and not before.

Why are the regulations changing?

The revised HOS regulations will 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.

In addition, FMCSA's rule modernizing hours of service regulations is estimated to provide nearly \$274 million in annualized cost savings for the U.S. economy.

Will the changes affect my Electronic Logging Device?

The minimum requirements in the Electronic Logging Device (ELD) final rule do not require ELDs to identify hours of service violations; however, some ELD providers have elected to offer this as an add-on feature. If an ELD provider offers this add-on feature, but does not update their device to reflect the new hours of service rules, the ELD may inaccurately identify hours of service violations. Motor carriers should contact their ELD provider with specific questions about what information their ELD displays.