

New Hours of Service Changes!

When it comes to the Hours of Service (HOS) rules, communication & training for your drivers is of the utmost importance to remain in compliance. The changes in the recently released final rule are not as extreme as originally proposed; the following new changes must be followed and will affect all carriers with full and part time CMV drivers.

1. 11 Hour Rule is retained – Commercial drivers may continue to drive up to 11 hours per day.
2. “On – Duty” definition is changed to exclude any time resting in a parked commercial motor vehicle. The change, effective February 27, 2012, permits a day – cab driver to take a break in the cab without having to log the time as “on – duty”. This does not alter the duty status requirements if the driver has responsibilities for loading and unloading.
3. Required break after 8 hours on-duty. A driver must take a break of at least 30 minutes after 8 consecutive hour’s on-duty. NOTE: This is after coming on duty, not just 8 hours of driving. If a driver starts the day by logging “on-duty” for 2 hours and begins to drive, the driver would have to take a 30 minute break after 6 hours of driving (2 “on-duty” + 6 “driving” = 8 hours after last off-duty period).
4. 34 Hour restart is kept, but in a different form and with limitations. A 34 hour restart may be taken once every 168 hours. If you start your 34 hours off at 6:00 a.m. on a Tuesday, you cannot begin your next 34 hours off before 6:00 a.m. the next Tuesday. Further, the 34 hours off must include 2 periods between 1:00 a.m. and 5:00 a.m. Thus, if a driver starts a restart at 6:00 a.m. on a Tuesday, he would be credited with completing it until 5:00 a.m. on Thursday-47 hours later. KEY: if you start your 34 hours by 7:00 p.m., you can get out in 34 hours.
5. 14 hour rule is unchanged. The current 14 hour work window is unchanged. More importantly, the 13 hour maximum on-duty /driving in the proposed rule were not adopted as it was found to be unnecessarily complicating. Further, the mandated 30 minute break reduces the time on-duty or driving to a maximum 13.5 hours during the work day. FMCSA also did not adopt the requirement that a driver go “off-duty” after the 14 hour work window.

