



Hours of Service Driver Guidelines

The first Hours-of-Service (HOS) regulations were introduced in 1939 by the U.S. Department of Transportation (DOT) for commercial drivers. Since that time, our roads are better designed, constructed and maintained. As a result, they provide greater mobility, accessibility and safety for all drivers. Since vehicles have changed dramatically since the late 1930s and since drivers face more strain and higher fatigue levels than ever, many regulations have changed.

In response to a congressional directive to increase driver alertness and reduce fatigue-related incidents, in 2004, the DOT's Federal Motor Carrier Safety Administration (FMCSA) issued the first significant revision to the HOS regulations in more than 60 years. The updated FMCSA regulations provide an increased opportunity for drivers to obtain necessary rest and restorative sleep while also reflecting operational realities of the motor carrier transportation industry. Since their inception in 2004, these regulations were revised again on October 1, 2005.

REGULATIONS FOR PROPERTY-CARRYING CMV DRIVERS

Under the current regulations, property-carrying CMV drivers may **not** drive:

- More than 11 hours, following 10 hours off-duty.
- Beyond the 14th hour after coming on-duty, following 10 hours off-duty.
- After 60/70 hours on-duty in seven/eight consecutive days; a driver may restart a seven/eight consecutive day period after taking 34 or more consecutive hours off-duty.

Simply stated, this means:

- After 10 hours off-duty, drivers may drive no more than 11 hours.
- Drivers may drive up to 11 hours, but they must do it in a 14-hour duty period.
- The 14-hour duty period may not be extended with off-duty time for meal stops, fuel stops, etc. Only the use of a sleeper berth can extend the 14-hour on-duty period.
- Each duty period must begin with at least 10 hours off-duty instead of the previous regulation of eight hours.
- The 60 hours on-duty in seven consecutive days, or 70 hours on duty in eight consecutive days, remains the same as previous regulations, but drivers can restart the seven- or eight-day period by taking at least 34 consecutive hours off-duty.

REGULATIONS FOR PASSENGER-CARRYING CMV DRIVERS

Under the current regulations, passenger-carrying CMV drivers may **not** drive:

- More than 10 hours, following eight hours off-duty.
- After having been on duty for 15 hours, following eight consecutive hours off-duty.
- After 60/70 hours on-duty in seven/eight consecutive days.

Simply stated, this means:

- After eight hours off-duty, drivers may drive no more than 10 hours.
- Drivers may drive up to 10 hours, but they must do it in a 15-hour duty period.
- The 15-hour duty period may not be extended with off-duty time for meal stops, fuel stops, etc. Only the use of a sleeper berth can extend the 15-hour on-duty period.
- Each duty period must begin with at least eight hours off-duty.

REGULATORY EXCEPTIONS

- **Sleeper Berth Exception:**

Property-carrying CMV drivers using the sleeper berth provision must take at least eight consecutive hours in the sleeper berth plus two consecutive hours either in the sleeper berth, off duty or any combination of the two.

Passenger-carrying CMV drivers using a sleeper berth must take at least 8 hours in the sleeper berth, and may split the sleeper-berth time into two periods provided neither is less than 2 hours.

- **Short-haul Provision:** Drivers of property-carrying CMVs that do not require a Commercial Driver's License for operation and who operate within a 150 air-mile radius of their normal work reporting location:
 - May drive a maximum of 11 hours after coming on duty, following 10 or more consecutive hours off duty.
 - Are not required to keep records-of-duty status (RODS).
 - May not drive after the 14th hour after coming on duty five days a week or after the 16th hour after coming on duty two days a week.
- **Employer must:** Maintain and retain accurate time records for a period of six months showing the time drivers' duty periods began, ended and total hours on duty each day in place of RODS.
- **Industry Exceptions:** Oil field operations; ground water well-drilling operations; construction materials and equipment operations; and utility service vehicle operations must comply with the new 11-hour driving, 10 consecutive hours off-duty and 14 hours on-duty requirements of the revised rule. However, the 24-hour restart provisions applicable to these operations remain in effect.
- **Agricultural Exemption:** Agricultural operations retain their current statutory exemption from driving time requirements for transportation occurring within a 100 air-mile radius of a farm or distribution point during planting or harvesting season within each state, as determined by the state.

16-HOUR EXCEPTION FOR PROPERTY-CARRYING DRIVERS

Drivers may extend the 14-hour on-duty period by two hours if they:

- Are released from duty at the normal work reporting location for the previous five duty tours; AND
- Return to the normal work reporting location and are released from work within 16 hours; AND
- Have not used this exception within the last six days, except following a 34-hour restart of a seven/eight day period.
- **Total Hours Driving May Not Exceed 11 Hours.**

Source: U.S. Department of Transportation