



# TRANSPORTATION LAW UPDATE

## ANNOUNCEMENT



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### NEW FMCSA HOURS OF SERVICE REGULATIONS *JULY 2013*



Timothy J. Abeel

As a service to our clients, we offer the following new **Federal Motor Carrier Safety Administration Hours of Service Regulations**, effective July 1, 2013.

These regulations are courtesy of the U.S. Department of Transportation and **PENNTRUX**.

*~PLEASE SEE NEXT PAGE  
FOR THESE NEW REGULATIONS~*

## New Hours of Service Regulations *Effective July 1, 2013*

FMCSA has published a new Hours-of-Service visor card to summarize the regulation changes.

The visor card is available for download from the FMCSA website at; <http://www.fmcsa.dot.gov/documents/hos/HOS-Regulations-7-1-2013.pdf>.

### SUMMARY OF HOURS OF SERVICE (HOS) REGULATIONS AS OF JULY 2013

#### Changes Compared to Current Rule

PROVISION	CURRENT RULE	FINAL RULE - COMPLIANCE DATE JULY 1, 2013
<b>Limitations on minimum "34-hour restarts"</b>	None.	(1) Must include two periods from 1 a.m. to 5 a.m., home terminal time. (2) May only be used once per week, 168 hours, measured from the beginning of the previous restart.
<b>Rest breaks</b>	None except as limited by other rule provisions.	May drive only if 8 hours or less have passed since end of driver's last off-duty or sleeper berth period of at least 30 minutes. [49 CFR 397.5 mandatory "in attendance" time for hazardous materials may be included in break if no other duties performed]

PROVISION	CURRENT RULE	FINAL RULE - COMPLIANCE DATE FEBRUARY 27, 2012
<b>On-duty time</b>	Includes any time in CMV except sleeper berth.	Does not include any time resting in a parked vehicle (also applies to passenger-carrying drivers). In a moving property-carrying CMV, does not include up to 2 hours in passenger seat immediately before or after 8 consecutive hours in sleeper berth.
<b>Penalties</b>	"Egregious" hours-of-service violations not specifically defined.	Driving (or allowing a driver to drive) more than 3 hours beyond the driving-time limit may be considered an "egregious" violation and subject to the maximum civil penalties. Also applies to passenger-carrying drivers.
<b>Oilfield exemption</b>	"Waiting time" for certain drivers at oilfields (which is off-duty but does extend 14-hour duty period) must be recorded and available to FMCSA, but no method or details are specified for the recordkeeping.	"Waiting time" for certain drivers at oilfields must be shown on logbook or electronic equivalent as off duty and identified by annotations in "remarks" or a separate line added to "grid."

[www.fmcsa.dot.gov/hos](http://www.fmcsa.dot.gov/hos)

FMCSA-ADO-13-006C

### SUMMARY OF HOURS OF SERVICE (HOS) FINAL REGULATIONS

The following table summarizes the HOS regulations for property-carrying and passenger-carrying CMV drivers.

PROPERTY-CARRYING CMV DRIVERS (Valid as of July 1, 2013)
<b>11-Hour Driving Limit</b> May drive a maximum of 11 hours after 10 consecutive hours off duty.
<b>14-Hour Limit</b> May not drive beyond the 14th consecutive hour after coming on duty, following 10 consecutive hours off duty. Off-duty time does not extend the 14-hour period.
<b>Rest Breaks</b> May drive only if 8 hours or less have passed since end of driver's last off-duty or sleeper berth period of at least 30 minutes. [49 CFR 397.5 mandatory "in attendance" time may be included in break if no other duties performed]
<b>60/70-Hour On-Duty Limit</b> May not drive after 60/70 hours on duty in 7/8 consecutive days. A driver may restart a 7/8 consecutive day period after taking 34 or more consecutive hours off duty. Must include two periods from 1 a.m. to 5 a.m. home terminal time, and may only be used once per week, or 168 hours, measured from the beginning of the previous restart.
<b>Sleeper Berth Provision</b> Drivers using the sleeper berth provision must take at least 8 consecutive hours in the sleeper berth, plus a separate 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two.

PASSENGER-CARRYING CMV DRIVERS
<b>10-Hour Driving Limit</b> May drive a maximum of 10 hours after 8 consecutive hours off duty.
<b>15-Hour On-Duty Limit</b> May not drive after having been on duty for 15 hours, following 8 consecutive hours off duty. Off-duty time is not included in the 15-hour period.
<b>60/70-Hour On-Duty Limit</b> May not drive after 60/70 hours on duty in 7/8 consecutive days.
<b>Sleeper Berth Provision</b> 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.

For more information visit [www.fmcsa.dot.gov/hos](http://www.fmcsa.dot.gov/hos)

CMV drivers should always use safe driving practices - Scan this QR code with your smart phone when you are not driving to learn more about hours-of-service regulations.



U.S. Department of Transportation  
Federal Motor Carrier Safety Administration



Note: See 49 CFR 395.1 (h) for State of Alaska HOS Regulations.