



# FMCSA PUBLISHES FINAL HOS RULE

The Federal Motor Carrier Safety Administration (FMCSA) has published its long-awaited final rule on changes to hours-of-service (HOS) regulations in an effort to provide greater flexibility without compromising safety for drivers subject to those rules.

The final rule, effective September 11, 2020, 120 days after the date of publication in the Federal Register, includes 4 revisions to issues truckers have voiced concerns about.

## The Rule;

- 1 EXTENDS THE MAXIMUM DUTY PERIOD ALLOWED UNDER THE SHORT-HAUL EXCEPTION FROM 12 HOURS TO 14 HOURS AND EXTENDS THE MAXIMUM RADIUS IN WHICH THE SHORT-HAUL EXCEPTION APPLIES FROM 100 TO 150 AIR-MILES.**
- 2 EXTENDS THE DRIVING WINDOW FOR ADVERSE DRIVING CONDITIONS BY UP TO TWO HOURS, AND MODIFIES THE DEFINITION OF ADVERSE DRIVING CONDITIONS SO THAT THE EXCEPTION MAY BE APPLIED BASED ON THE DRIVER'S (IN ADDITION TO THE DISPATCHER'S) KNOWLEDGE OF THE CONDITIONS AFTER BEING DISPATCHED.**
- 3 REQUIRES A 30-MINUTE BREAK AFTER 8 HOURS OF CONSECUTIVE DRIVING, ALSO ALLOWING THE BREAK TO BE SATISFIED BY ON-DUTY NOT DRIVING STATUS, AS WELL AS OFF-DUTY STATUS OR SLEEPER BERTH TIME.**
- 4 MODIFIES THE SLEEPER BERTH REQUIREMENTS TO ALLOW DRIVERS TO DIVIDE THEIR REQUIRED 10 HOURS INTO TWO PERIODS SO LONG AS ONE OFF-DUTY PERIOD, WHETHER IN OR OUT OF SLEEPER BERTH, IS 2 HOURS AND THE OTHER CONSISTS OF AT LEAST 7 HOURS IN THE SLEEPER BERTH. (8/2 SPLIT OR A 7/3 SPLIT). NEITHER PERIOD WILL COUNT AGAINST THE DRIVERS 14-HOUR DRIVING WINDOW.**

Though the final rule does not increase the maximum allowable driving time, by changing the hours worked or driven in a given shift it allows for increased flexibility to mitigate certain variables and take breaks without penalty.

To read the full final ruling click [here](#).

For additional information visit our [website](#) or contact [George Pappas](#), [Steven Grubbs](#), or [William Collins](#) to discuss your matter.