



Hours of Service of Drivers

(Docket# FMCSA-2018-0248)

Please submit comments by October 7, 2019 to: <http://www.regulations.gov>

Purpose of the NPRM:

The NPRM presents our proposed changes to the HOS regulations and an opportunity for you to provide feedback whether you believe the changes would improve flexibility without compromising safety.

DISCUSSION OF THE PROPOSED RULEMAKING

A. Short-Haul Operations

Today's Proposal

- Extending the driving window from 12 hours to 14 hours and extending the distance from 100 air miles to 150 air miles

Questions

- Will this change impact motor carrier's ability to comply with HOS rules? What enforcement difficulties may arise from expanding both the time and distance requirements?
- Will drivers drive further or longer in the driving window under the short haul exception?
- What cost savings are expected from not having to comply with the ELD requirements?
- Should drivers using the short-haul exception be allowed to end the work shift at a different location than the one from which they were dispatched?

B. Adverse Driving Conditions

Today's Proposal

- Extending by 2 hours the maximum window during which driving is permitted.

Questions

- Will this change drivers' behavior when encountering adverse conditions? How so?
- Understanding adverse conditions cannot be predicted, will drivers utilize this provision more often after this change?
- Should the knowledge of the existence of adverse conditions rest with the driver rather than the dispatcher. Should the current definition of "adverse driving conditions" be modified to address other circumstances?

C. 30-Minute Break

Today's Proposal

- Requiring a break after 8 hours of driving time (instead of on-duty time),

- Allowing the requirement to be satisfied by an on-duty break from driving, rather than requiring an off-duty break

Questions

- Do you expect to still take a 30-minute break if you have less than 8 hours of drive time? If so, would you take that break on-duty or off-duty?
- If you no longer need to take a 30-minute break, how do you expect to spend this additional time?
- What would be the safety impact of eliminating the required break, potentially allowing up to 11 consecutive hours of driving?

D. Sleeper Berth

Today's Proposal

- Allowing drivers to split their required 10-hours off duty into two periods: one period of at least 7 consecutive hours in the sleeper berth and the other period of not less than 2 consecutive hours, either off duty or in the sleeper berth

Questions

- How often do you use the sleeper berth provision under the current regulations? Will you use the sleeper berth provision more or less if the proposed changes are finalized?
- Would you expect to get the same amount of sleep in the 7 hour period then the current 8 hours?
- Do you expect to drive more miles or hours based on this change? Do you expect to be able to complete additional "runs"?

E. Split-Duty Period

Today's Proposal

- Allow one off-duty break of at least 30 minutes, but not more than 3 hours, that would pause a truck driver's 14-hour driving window, provided the driver takes 10 consecutive hours off-duty at the end of the work shift.

Questions

- How will this provision impact the number of driving hours during a single driving window? How will this provision impact your total driving hours during a given week or year?
- What are the expected benefits from utilizing the 3 hour pause? Congestion, Fatigue, Rush Hour, Scheduling?
- Do you anticipate any fatigue impacts on driving up to the 17th hour of a duty day? How would the up to 3 hour break impact that fatigue level?
- What operations would benefit from multiple off-duty periods totaling 3 hours?

H. Compliance Date for the Rulemaking

Specifically, the Agency seeks comment on whether a 6- month or 12-month timeframe would provide sufficient time for ELD manufacturers and the motor carrier industry to conform to the proposed changes.