



# SAFETY FOCUS | HOURS OF SERVICE FINAL RULE

## 30-MINUTE INTERRUPTION of DRIVING TIME REQUIREMENT

### HOS Changes

#### HOURS of SERVICE FINAL RULE

On June 1, 2020, the Federal Motor Carrier Safety Administration (FMCSA) published the Hours of Service (HOS) final rule that revises the HOS regulations in 49 CFR Part 395, which prescribe driving limits for commercial motor vehicle (CMV) drivers.

The HOS final rule provides greater flexibility and productivity for drivers without adversely affecting safety.

Drivers and carriers must operate under the HOS final rule starting **September 29, 2020** at 12:01 AM EST, and not before.

### 30-Minute Interruption of Driving Time Requirement

The 30-minute interruption of driving time requirement can now be satisfied by an on-duty, not driving break (in addition to an off-duty break). The requirement for property-carrying drivers is applicable in situations where a driver has driven for a period of 8 hours without at least a 30-minute interruption.

#### Previous

8 hours **on-duty**

**30-minute break is satisfied by time:**

- ✓ Off-duty
- ✓ In sleeper berth

#### New

8 hours of **driving** without at least a 30-minute interruption of driving time

**30-minute interruption of driving time is satisfied by time:**

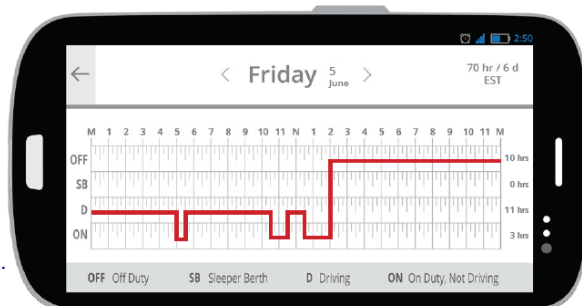
- ✓ Off-duty
- ✓ In sleeper berth
- ✓ On-duty, not driving

30 minutes must be consecutive, but can be satisfied by any combination of the above activities

### Examples

In this example, there are **no violations**.

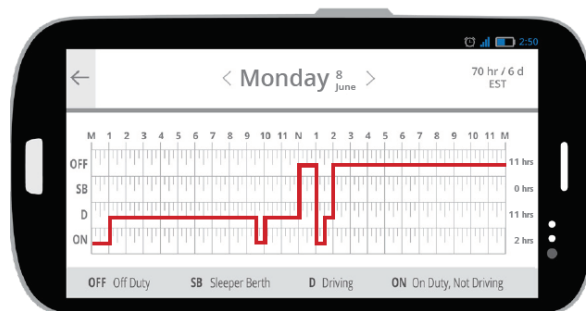
After 10 hours off-duty the driver comes on-duty at midnight and drives for 5 hours, goes on-duty (not driving) for a ½ hour, drives for 5 more hours, goes on-duty (not driving) for 1 hour, drives for 1 hour, goes on-duty (not driving) for 1 ½ hours, and then takes 10 consecutive hours off-duty.



Under the new HOS rule, the 30-minute on-duty break taken between 5 and 5:30 a.m. will suffice for the mandatory 30-minute interruption of driving time, and driver is allowed to drive up to the maximum of 11 hours (6 more hours in this example), before needing 10 consecutive hours off-duty.

In this example, there is a **violation** between 9 and 9:30 a.m.

After 10 hours off-duty, the driver comes on-duty (not driving) at midnight for 1 hour, drives for 8 ½ hours, goes on-duty (not driving) for a ½ hour, drives for 2 hours, goes off-duty for 1 hour, goes on-duty (not driving) for a ½ hour, drives for a ½ hour, and then takes 10 consecutive hours off-duty.



The violation occurs at 9 a.m., as the driver drives for more than 8 consecutive hours without at least a 30-minute interruption of driving time. A consecutive 30-minute interruption of driving status may be satisfied either by off-duty, sleeper berth, or on-duty (not driving) time; or by a combination of off-duty, sleeper berth, and on-duty (not driving) time. That did not happen in this example, which led to the violation.