

FMCSA Publishes Proposal to Increase

Hours of Service Flexibility for Drivers

AUTHOR: LAWRENCE HALL

The proposed rule changes are as follows:

1. Increase flexibility of 30-minute break rule by allowing it to be satisfied by a driver using on duty, not driving status, rather than off duty.
2. Modify the sleeper-berth exception to allow drivers to split the required 10 hours off duty into two periods: one period of at least seven hours and the other period of not less than two consecutive hours, either off duty or in the sleeper berth.
3. Allowing one off-duty break of at least 30 minutes, but not more than three hours, that would pause the driver's 14-hour driving window.
4. Extending the adverse driving conditions exception by extending the maximum window which driving is permitted by two hours.
5. Extending the short-haul exception available to certain commercial drivers by extending the drivers' maximum on-duty period from 12 to 14 hours and extending the distance limit from 100 air miles to 150 air miles.

These modifications are welcome news for drivers and industry advocates as a way to allow commercial motor vehicle operators to listen to their bodies and rest when necessary while not losing driving and on-duty time. We encourage our clients and others in the industry to provide honest feedback to the FMCSA to encourage rules that promote safety on America's roadways.

For more information <https://www.fmcsa.dot.gov/newsroom/federal-motor-carrier-safety-administration-publishes-hours-service-proposal-improve-safety>