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U.S. Department of Transportation Modernizes Hours-of-Service Rules to Improve Safety and Increase Flexibility for America's Truckers

WASHINGTON – The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) today published a final rule updating hours of service (HOS) rules to increase safety on America's roadways by updating existing regulations for commercial motor vehicle (CMV) drivers.

"America's truckers are doing a heroic job keeping our supply chains open during this unprecedented time and these rules will provide them greater flexibility to keep America moving," said U.S. Transportation Secretary Elaine L. Chao.

"The Department of Transportation and the Trump Administration listened directly to the concerns of truckers seeking rules that are safer and have more flexibility—and we have acted. These updated hours of service rules are based on the thousands of comments we received from the American people. These reforms will improve safety on America's roadways and strengthen the nation's motor carrier industry," said FMCSA Acting Administrator Jim Mullen.

First adopted in 1937, FMCSA's hours of service rules specify the permitted operating hours of commercial drivers. In 2018, FMCSA authored an Advanced Notice of Proposed Rulemaking (ANPRM) to receive public comment on portions of the HOS rules to alleviate unnecessary burdens placed on drivers while maintaining safety on our nation's highways and roads. Subsequently, in August 2019, the Agency published a detailed proposed rule which received an additional 2,800 public comments.

Based on the detailed public comments and input from the American people, FMCSA's final rule on hours of service offers four key revisions to the existing HOS rules:

1. The Agency will increase safety and flexibility for the 30-minute break rule by requiring a break after 8 hours of consecutive driving and allowing the break to be satisfied by a driver using on-duty, not driving status, rather than off-duty status.
1. The Agency will modify the sleeper-berth exception to allow drivers to split their required 10 hours off duty into two periods: an 8/2 split, or a 7/3 split—with neither period counting against the driver's 14-hour driving window.
1. The Agency will modify the adverse driving conditions exception by extending by two hours the maximum window during which driving is permitted.

1. The Agency will change the short-haul exception available to certain commercial drivers by lengthening the drivers' maximum on-duty period from 12 to 14 hours and extending the distance limit within which the driver may operate from 100 air miles to 150 air miles.

Key: FMCSA's final rule is crafted to improve safety on the nation's roadways. The rule changes do not increase driving time and will continue to prevent CMV operators from driving for more than eight consecutive hours without at least a 30-minute break.

In addition, FMCSA's rule modernizing hours of service regulations is estimated to provide nearly \$274 million in annualized cost savings for the U.S. economy and American consumers. The trucking industry is a key component of the national economy, employing more than seven million people and moving 70 percent of the nation's domestic freight.

The new hours of service rule will have an implementation date of 120 days after publication in the Federal Register.

- The complete final rule is available here: <https://www.fmcsa.dot.gov/regulations/hours-service/hours-service-drivers-final-rule>

Truckers have played a key role in getting America through the COVID-19 public health emergency. FMCSA has provided regulatory relief to commercial drivers to get critically important medical supplies, food, and household goods to Americans in need. The nation's truck drivers have been on the front lines of this effort and are vital to America's supply chain. The latest information, declarations, and resources on FMCSA's response to the COVID-19 are available at <https://www.fmcsa.dot.gov/COVID-19>