

J.B. Hunt

# Hours of Service Regulations

## Changes Compared to Current Rule

In December 2011, the FMCSA amended the hours-of-service (HOS) safety requirements for commercial truck drivers. Some provisions of the HOS Final Rule become effective February 27, 2012; others July 1, 2013. FMCSA's Final Rule will have a negative impact on productivity. J.B. Hunt is currently evaluating the impact of the Final Rule on various segments of our operation and will communicate with customers as information from our analysis is completed.

Provision	Current Rule	February 27, 2012 Compliance	Overview
On-duty time	Includes any time in commercial motor vehicle (CMV), except sleeper-berth.	Does not include resting time in a parked CMV. In moving CMV, does not include up to two hours in passenger seat immediately before or after eight consecutive hours in sleeper-berth. Applies to passenger-carrying drivers.	Requires driver to be released from all responsibility for the vehicle while waiting to be loaded or unloaded. Drivers must be free to pursue activities of their own choosing to record as off-duty while in cab of tractor. Two-hour passenger seat provision is helpful to team operations but is unlikely to affect productivity.
Penalties	"Egregious" hours of service violations not specifically defined.	Driving (or allowing a driver to drive) three or more hours beyond the driving time limit may be considered an egregious violation and subject to the maximum civil penalties. Applies to passenger-carrying drivers.	Maximum penalty for each offense: \$11,000 per occurrence for carriers and \$2,750 per occurrence for drivers.
Oilfield exemption	"Waiting time" for certain drivers at oilfields (off-duty, but extends 14-hour duty period) must be recorded and available to FMCSA, but details are not specified for recordkeeping.	"Waiting time" for certain drivers at oilfields must be shown on logbook or electronic equivalent as off duty and identified by notations in "remarks" or a separate line added to "grid."	
Provision	Current Rule	July 1, 2013 Compliance	Overview
Limitations on minimum "34-hour restarts"	None.	Must include two periods between 1 a.m. and 5 a.m. home terminal time. May only be used once per week.	Reduces maximum hours driver can work in a week by 12 hours, or 15%. Night operations and/or drivers assigned night shifts will be most affected.
Rest breaks	None, except as limited by other rule provisions.	May drive only if eight hours or less have passed since the end of driver's last off-duty period of at least 30 minutes (HM 397.5 mandatory "in attendance" time may be included in break if no other duties are performed).	Reduces available daily work hours within the 14-hour driving window to 13 or 13.5 hours depending on whether one or two breaks is required. Adds complexity to HOS rules. This may require off duty breaks at customer locations before departing a facility.

\*No change was made to the 11 hour rule; however, Advocates for Auto and Highway Safety have indicated they may continue to challenge this in court.

### For more information

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