



## **FMCSA Releases Final Rule on HOS Changes**

On May 14, 2020, the Federal Motor Carrier Safety Administration (FMCSA) announced that the **Final Rule** on the proposed changes to the Hours-of-Service regulations was being sent over to the Federal Register today for printing. The actual **final rule** will be published sometime next week and will take effect 120-days from the date of the publication.

This is a **rule** that the Agency began working on a little over two years ago to provide truck drivers with more flexibility in terms of their HOS. There were over 8,000 comments submitted to the notice of proposed rulemaking (NPRM). The following changes incorporate those comments and suggestions and have been made part of the Final Rule, following the 120-day period:

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.
2. 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 and a 7/3 split—with neither period counting against the driver's 14-hour driving window.
3. The Agency will modify the adverse driving conditions exception by extending by 2 hours the maximum window during which driving is permitted.
4. 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.

The **new rule** would not increase driving time and would continue to prevent CMV operators from driving for more than 8 consecutive hours without at least a 30-minute change in duty status.

TIA's Highway Logistics Conference discussed the issue and drafted comments which were submitted to the NPRM in support of increasing flexibility in the driver's time. If you have any questions, please contact TIA's Government Affairs team at [advocacy@tianet.org](mailto:advocacy@tianet.org).