

## Revisions made to Hours-of-Service regulations

The Federal Motor Carrier Safety Administration revised the Hours-of-Service (HOS) regulations in August 2005. The new HOS regulations for property carriers and drivers took effect on October 1, 2005.

Drivers that carry passengers are not subject to the new HOS rules. These drivers must continue to comply with the HOS limitations specified in 49 CFR 395.5.

Important changes were made in three areas.

1. To use any of the HOS provisions regarding sleeper berths, a driver must now have one of the following:

*“Continuous Sleeper Berth Provision:* At least 10 consecutive and uninterrupted hours in the sleeper berth.

*Sleeper Berth Provision:* The equivalent of at least 10 consecutive hours off-duty (equivalent means at least eight hours but less than 10 consecutive hours in a sleeper berth and separate period of at least two hours but less than 10 consecutive hours either in the sleeper berth or off-duty, or any combination of both).

*Continuous Off-Duty and Sleeper Berth Provision:* At least 10 consecutive hours sleeper berth and off-duty time combined and uninterrupted.”

2. Operators of commercial motor vehicles that don't require a commercial driver's license to operate who are operating within a 150 air-mile radius of their normal work reporting location and return to their normal work reporting location at the end of their duty tour are now covered by a separate HOS provision.

“Drivers meeting these conditions are not eligible for the existing 100 air-mile radius provision in § 391.1(e) or the current 16-hour exception in § 395.1(o), since those conflict with this new ‘Non-CDL, 150 Air-Mile Radius’ provision. These drivers are required to comply with the following:

(a) The 11 hours driving, minimum 10 hours off-duty, 14 consecutive hour duty period, 60/70 hours in 7/8 days, 34-hour restart all apply.

(b) On any two days of every 7 consecutive days, the driver may extend the 14-hour duty period to 16 hours.

(c) There is no requirement that the driver be released from duty at the end of the 14- or 16-hour duty periods. The driver may continue to perform non-driving duties, which would be counted against the 60/70 hour weekly limitation.

(d) Time records may be used in lieu of records of duty status (RODS).”

3. Previously, a driver was required to be in compliance with the “60/70 on-duty hours in 7/8 days” limitation before the driver could start counting a 34-hour restart period. Now the 34-hour restart period may begin at the start of any consecutive 34-hour off-duty period.

For more information, visit the Federal Motor Carrier Safety Administration's website at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov), or contact CTSI at 303-861-0507.

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