

SUMMARY OF 2011 HOS FINAL RULE PROVISIONS
Changes Compared to Current Rule

| PROVISION | CURRENT RULE | FINAL RULE COMPLIANCE DATE JULY 1, 2013 |
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| Limitations on minimum “34-hour restarts” | None. | (1) Must include two periods between 1 a.m. – 5 a.m. home terminal time. (2) May only be used once per week. |
| Rest breaks | None except as limited by other rule provisions. | May drive only if 8 hours or less have passed since 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 performed] |
| PROVISION | CURRENT RULE | FINAL RULE COMPLIANCE DATE FEBRUARY 27, 2012 |
| On-duty time | Includes any time in CMV except sleeper-berth. | Does not include any time resting in a <u>parked</u> vehicle (also applies to passenger-carrying drivers). In a moving property-carrying CMV, does not include up to 2 hours in passenger seat immediately before or after 8 consecutive hours in sleeper-berth. |
| Penalties | “Egregious” hours of service violations not specifically defined. | Driving (or allowing a driver to drive) more than 3 hours beyond the driving-time limit may be considered an egregious violation and subject to the maximum civil penalties. Also applies to passenger-carrying drivers. |
| Oilfield exemption | “Waiting time” for certain drivers at oilfields (which is off-duty but does extend 14-hour duty period) must be recorded and available to FMCSA, but no method or details are specified for the recordkeeping. | “Waiting time” for certain drivers at oilfields must be shown on logbook or electronic equivalent as off duty and identified by annotations in “remarks” or a separate line added to “grid.” |