

SUMMARY OF 2011 HOS FINAL RULE PROVISIONS

Changes Compared to Current Rule

PROVISION	CURRENT RULE	FINAL RULE COMPLIANCE DATE JULY 1, 2013
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) 3 or more 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.”