



Summary of the 2014 HOS Final Rule Provisions

In December 2014, Senator Susan Collins (R-Maine) introduced an amendment to revise certain provisions of the hours-of-service regulations, which essentially forced FMCSA and the States to revert back to the enforcement of the pre-July 1, 2013, 34 hour restart provisions, which allowed drivers to take a 34 hour restart with no restrictions on how often the restart may be used within the 7 or 8 day period and which did not include a requirement for early morning off-duty periods.

The suspension will remain in effect until FMCSA has completed a study called for in the legislation, which will compare the operational, safety, health, and fatigue impacts of the current restart provisions and the previous restart provisions. The final report must include a recommendation on whether the current restart provisions have a greater net benefit than the previous restart provisions.

Provision	Previous Rule	Current Rule
Limitations on minimum "34-hour restarts"	(1) Must include two periods between 1 a.m. - 5 a.m. home terminal time. (2) May only be used once per week.	Suspends enforcement of the in-use requirements of the previous 34-hour restart regulations: <ul style="list-style-type: none">• Must include two periods from 1:00 a.m. – 5:00 a.m. (home terminal time). (49 CFR 395.3(c))• May only be used once per week (once every 168 hours), calculated from the beginning of the previous restart period. (49 CFR 395.3(d))
Rest breaks	May drive only if 8 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 performed]	No change
Provision	Previous Rule	Current Rule
On-duty time	Does not include any time resting in a parked vehicle. In moving CMV, does not include up to 2 hours in passenger seat immediately before or after 8 consecutive hours in sleeper-berth. Also applies to passenger-carrying drivers.	No change
Penalties	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.	No Change
Oilfield exemption	"Waiting time" for certain drivers at oilfields must be shown on RODS (Same as it appears in final rule and in the paragraph to the left.) logbook or electronic equivalent as off duty and identified by annotations in "remarks" or a separate line added to "grid."	No Change