

Safety Drives Success

Hours of Service – What Counts?

We begin the monthly topic communications by focusing on what counts as “On-Duty, Not Driving” status/work and how to count it toward hours of service. The topic is timely as both United and Mayflower remain on alert status for the Hours of Service BASIC under the CSA program. It is also timely because changes to the 34-hour restart and the requirement for a 30 minute rest break prior to driving past the eighth hour since coming on duty take effect July 1, 2013.

What counts as “On-Duty, Not Driving” status/work?

These actions count as “On-Duty, Not Driving” status and must be reflected as such on van operators’ logs or time records:

- Working at a local, intra or interstate level for any motor carrier
- Performing any compensated work for a person who is not a motor carrier (i.e. if a van operator has a part time job at a hardware store, the time spent working is considered “On-Duty, Not Driving” and must be properly recorded)
- Loading and unloading or supervising the process at a customer’s home, warehouse, etc.
- Waiting for a vehicle to be loaded or unloaded, unless released from all responsibility for the vehicle
- Waiting to be dispatched at a plant, terminal, facility, property of a motor carrier or shipper or any public property unless released from all responsibility for the vehicle
- Handling paperwork
- Inspecting, servicing or conditioning equipment (includes pre-trip and post-trip)
- Waiting for repairs, obtaining assistance or remaining in attendance upon a disabled commercial motor vehicle
- Submitting to drug and alcohol testing (includes travel time to and from the collection site)
- Being at the scene of an accident
- Refueling
- Participating in required training

How work is counted in the logbooks and toward the 11, 14 and 70 hour rules:

- **11-hour:** Only time spent driving within the 14-hour duty period is counted for the 11-hour rule.
- **14-hour:** Van operators must count all hours spent driving, performing “On-Duty, Not Driving” activities like those listed above, and off-duty periods of less than 10 hours of sleeper berth periods of less than eight hours toward the 14-hour duty limit rule.
- **70-hour:** Includes all “On-Duty, Not Driving” and driving time (Lines 3 and 4) over a period of eight consecutive days, i.e. 12 a.m. Monday to 12 a.m. the following Tuesday.

How can agents help van operators remain compliant with the hours of service rules?

The more time spent doing “On-Duty, Not Driving” activities, the less available time van operators have to drive which affects both their business and yours. Use these tips to help van operators maximize their driving time, remain within the hours of service regulations and safely deliver customers’ belongings:

- Check the van operator’s available hours at the assignment’s start and daily throughout the trip.
- Remind van operators that they should not self impose limits of reaching a certain point on a given day, but must be mindful of the total number of hours they have available.
- Make sure van operators have a plan for when and where they will stop and that their end-of-day location is safe and will allow them to be uninterrupted for their rest period.
- Ask van operators to keep you informed of any issues that may affect their schedule.
- Re-evaluate hours of service each time an assignment changes.
- Verify van operators provide a record of the hours worked during the seven days prior to beginning or returning to, interstate service.
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- Take into account all of the usual van operator responsibilities and possible delays they could experience while en route.
- Plan loads to hours of service requirements, not based solely on established delivery dates.
- Use a realistic average rate of legal speed for the number of miles to allow a reasonable driving time for trip miles. (A best practice is to project driving time with averages of at least 10 mph below the highway speed and allow more time for non-interstate travel. Also note that the Department of Energy measured the average interstate speed to be 52.8 to 59.2 mps. Average speeds in major metropolitan areas are far less.)
- Encourage van operators to make a tick mark on their log at the time they come on duty for the day (after 10 consecutive hours of off duty/sleeper berth) and 14 hours from that time as a reminder of when their work day is finished.
- Remind van operators to use the boxes at the bottom right of their log to track on-duty and driving time throughout the week to remain compliant with the 70-hour rule.
- Remember that to use the new 34-hour restart rule, van operators must have at least two overnight off duty/sleeper berth periods between 1 and 5 a.m. and may only use the restart once within any seven day (168 hours) period.

Hours of Service Resources:

FMCSA Website: <http://www.fmcsa.dot.gov/rules-regulations/topics/hos/index.htm>

Hours of Service Final Rule: <http://www.fmcsa.dot.gov/rules-regulations/administration/rulemakings/final/HOS-Final-Rule-12-27-11.pdf>

Interstate Truck Driver's Guide to Hours of Service: http://www.fmcsa.dot.gov/documents/hos/Interstate-Truck-Driver-Guide-to-HOS_508.pdf

Logbook Examples: <http://www.fmcsa.dot.gov/documents/hos/logbook.pdf>