

## FMCSA FINAL RULE - RULE COMPARISON CHART

Created December 2010

	FMCSA's CURRENT HOS RULE	<i>FMCSA's PROPOSED HOS RULE December 2010</i>
	All Property Carrying Drivers and Motor Carriers	All Property Carrying Drivers and Motor Carriers
<b>Minimum Off-Duty Hours Between Shifts</b>	10 consecutive hours	<i>Same as current rule.</i>
<b>Total On-Duty Window in Each Shift</b>	14 consecutive hours	<i>Significant Changes - 14 consecutive hours with release from duty required at end of driving window; Only 13 hours of the 14 hour window are productive work due to new "rest break" requirements described below; 14 hours window is extendable to 16 hours twice a week to accommodate for issues such as loading and unloading at terminals or ports, however, drivers are still limited to 13 hours on-duty.</i>
<b>Total Hours (On-Duty+Off-Duty+Rest)</b>	24 hours	<i>24-26 hours</i>
<b>Maximum Driving Hours</b>	11	<i>10 hours of maximum driving time and 11 hours of maximum driving time are proposed for comment; FMCSA's "currently preferred option" is 10 hours.</i>
<b>Limit on Consecutive Hours Driving</b>	None	<i>May drive only if it has been 7 hours or less since last off-duty or sleeper berth period of at least 30 minutes</i>
<b>Mandatory Rest Break During Shift</b>	None	<i>At least 60 minutes of rest break time during each On-Duty Window; may be taken in one block or broken up into two 30 minute rest breaks</i>
<b>Maximum Cumulative On-Duty</b>	60 hours in 7 days 70 hours in 8 days* (*for carriers that operate 7 days a week)	<i>Same as current rule.</i>

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<b>Cumulative On-Duty "Restart"</b>	<b>Voluntary: 34 consecutive hours off-duty resets a drivers cumulative on-duty back to zero (or restarts a drivers 60 hour weekly clock) at any point in a driver's 7 day cycle</b>	<b><i>Voluntary: The length of the restart period is variable since it must include two consecutive off-duty periods from midnight to 6:00 a.m. Drivers would be allowed to use this restart only once during a seven-day period.</i></b>
<b>Sleeper Berth: Splitting Off-Duty Time</b>	<b>Team and Solo Drivers: 2 periods totaling <math>\geq 10</math> hours; 1 period must be at least 8 hours in the sleeper berth; second period of time may be spent either in or out of the sleeper berth.</b>	<b><i>Same as current rule</i></b>
<b>On-Board Recorders</b>	<b>Voluntary Use</b>	<b><i>Same as current rule.</i></b>
<b>Federal Exceptions &amp; Exemptions</b>	<b>All existing exemptions and exceptions remain.</b>	<b><i>Slightly modified Oilfield exemption, and removed 16 hour provision in 395.1(o).</i></b>