

Proposed Changes to Hours of Service Regulations Released by U.S. DOT

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The long awaited proposed changes by the U.S. Department of Transportation to the Hours of Service regulations are set to be published tomorrow in the Federal Register. A summary of the relevant proposed changes to 49 CFR PART 395 are listed below:

1. **30-Minute Rest Break Provision:** The break will be required after 8 hours of driving time (as compared to 8 hours after coming on duty) and will be logged as on-duty, not driving (as compared to previously being off-duty).
2. **Split Sleeper Berth Provision:** 7/3 hour splits would now be allowed (previously 8/2 split).
3. **Adverse Driving Conditions:** On-duty time may be extended to accommodate 2 additional hours of driving when encountering adverse conditions. (Further clarification on adverse conditions has been requested.)
4. **Short-Haul Exception to Record of Duty Status for CDL Drivers:** Short haul CDL drivers will be able to operate within a 150 air-mile radius and up to 14 hours (previously 100 air miles and 12 hours).
5. **14 Hour On-Duty Period:** A driver would be allowed to “pause” his or her 14 hour on-duty period once, up to 3 hours during the duty day period.

The U.S. DOT is seeking comment on these proposed changes as they are not yet final. At first glance, the proposed changes should create more flexibility in the driver’s ability to manage his or her hours by allowing the driver to adjust to loading/unloading delays, traffic delays, and other common hurdles throughout the work day.

For more information on the impact of the proposed changes, please contact Matt Selby or anyone on the Benesch [Transportation & Logistics Practice Group](#). Stay tuned for further updates.