

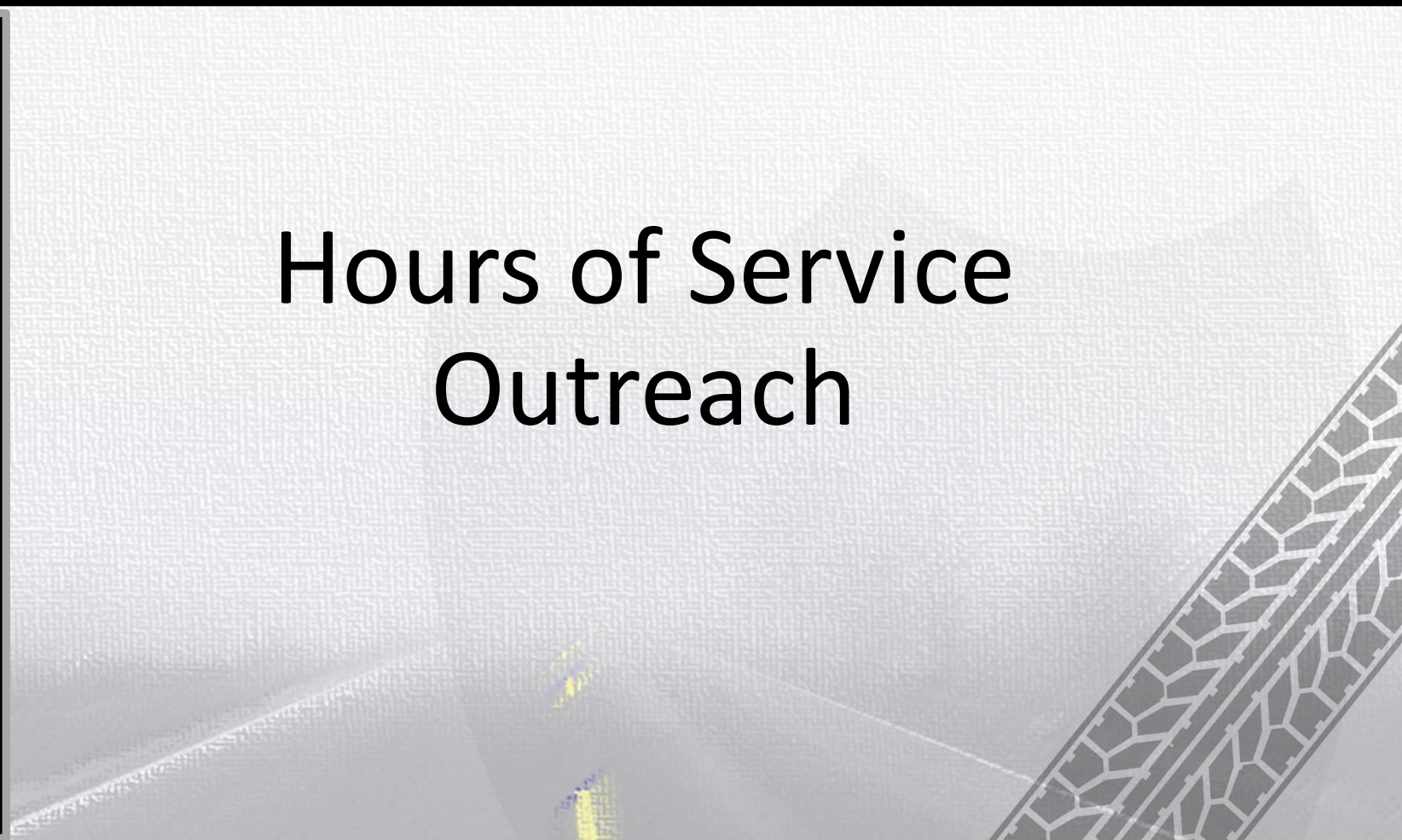
Hours of Service

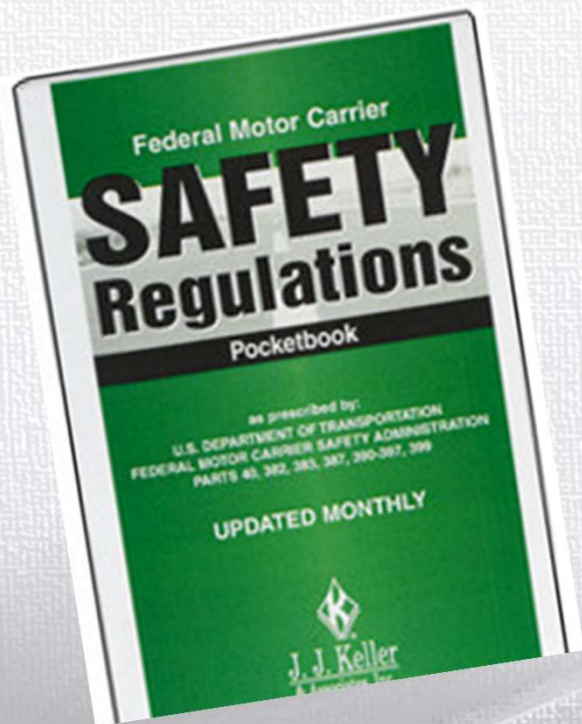
MoDOT / Motor Carrier Services

Safety & Compliance

MODOT
Motor
Carrier
Services

Hours of Service Outreach





Session objectives

- Review Safety Regulations
- Discussion & Questions
- Overview of various resources

MoDOT Motor Carrier Services

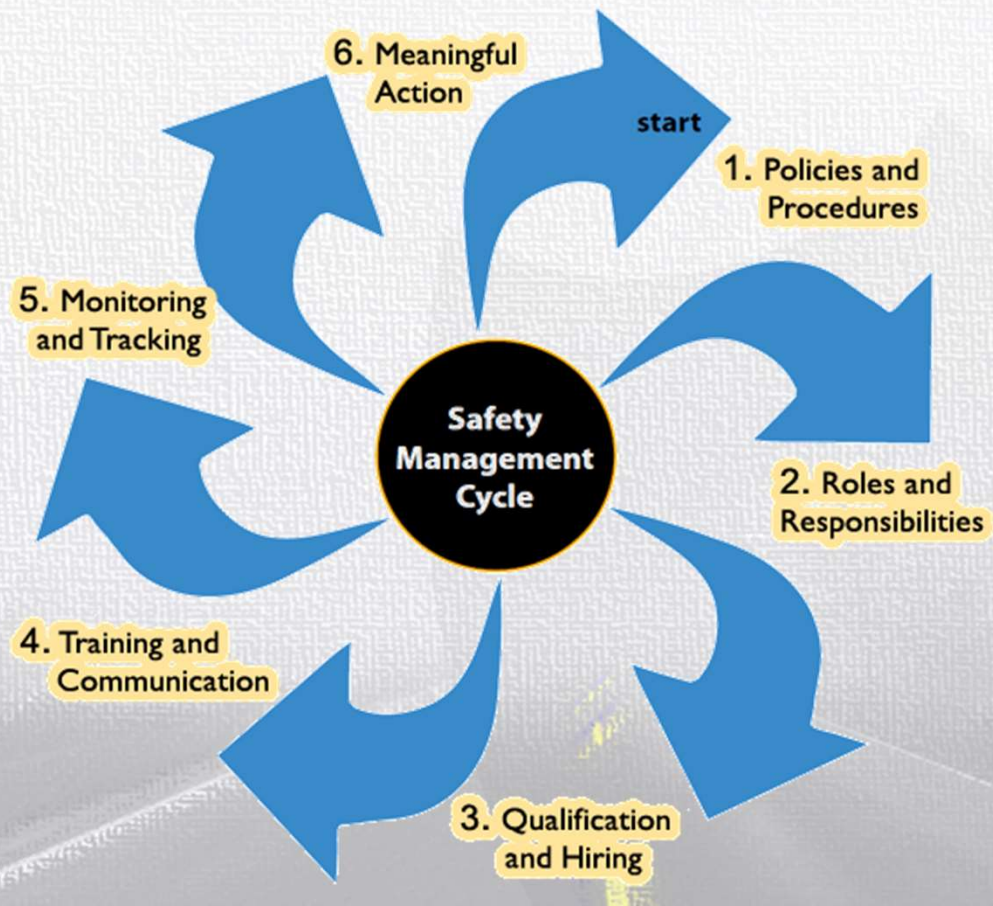
Who we are & what we do

- New Entrant Safety Audits
- Missouri State Safety Audits
- Complaint Investigations
- Outreach presentations and Customer Service
- Interventions
 - ✓ Warning letter
 - ✓ Off-site investigation
 - ✓ On-site focused investigation
 - ✓ On-site comprehensive investigation

BASICs

Behavioral
Analysis
Safety
Improvement
Categories

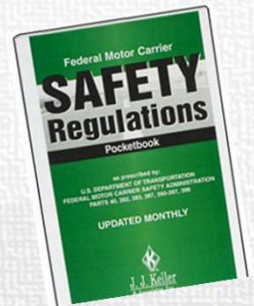
<u>Unsafe Driving</u> (Parts 392 & 397)
<u>Hours of Service Compliance</u> (Parts 392 & 395)
<u>Driver Fitness</u> (Parts 383 & 391)
Controlled Substance/Alcohol (Part 382)
Vehicle Maintenance (Parts 392, 393 & 396)
Hazardous Materials Compliance (Parts 397 & HM Violations)
Crash Indicator



Safety Regulations

You are subject to safety regulations in **Interstate** commerce if:

- Cross state lines **AND**
 - GVWR /GCWR/ GVW/GCW is 10,001 pounds or more
- OR**
- Hauling an amount /type of hazardous materials requiring placards.
 - Designed to transport/ transporting 9 or more passengers for compensation
 - Designed or used to transport 16 or more passengers

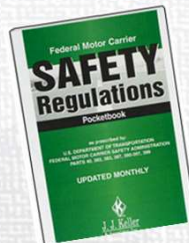


Safety Regulations

Safety Regulations apply when in Intrastate commerce if:

Operating wholly within state borders

- GVWR/ GCWR/GVW/GCW is 26,001 pounds or more
- OR
- Hauling hazardous materials in a vehicle with a GVWR / GCWR/ GVW/GCW of at least 10,001 pounds
- OR
- Operating vehicle designed to/ or transporting 9 or more passengers inclusive of the driver for compensation
- OR
- Operating vehicle designed to/ or transporting 16 or more passengers inclusive of the driver



Hours of Service

Part 395

Part 395 Hours of Service



Definitions

- On duty time
- Driving time
- Driver
- Sleeper berth
- Adverse driving conditions

Part 395 Hours of Service



2 Sets of Rules

Passenger carriers

- 10 / 15 Hour rules

Property carriers

- 11 / 14 Hour rules
- We will only discuss the property carrier rules in this outreach.

Part 395 Hours of Service



Property Carrier Maximum Driving Time

- 11 Hour Rule
 - 11 hours driving / 10 hours off duty
- 14 Hour Rule
 - 14 hours after coming on duty / 10 hours off duty
 - Off Duty hours cannot extend your workday (split sb)
- 60 / 70 Hour Rules
 - 60 hours on duty / in 7 days
 - 70 hours on duty / in 8 days

Part 395 Hours of Service



30 Min break requirement

- Requires a 30-minute break only when a driver has driven for a period of 8 hours without at least a 30-minute interruption.
- Does not apply to passenger carriers
- Does not apply to 150 air-mile radius drivers
- Can be taken in either off duty, sleeper berth, or on duty – not driving period options.

Part 395 Hours of Service



Rest period options

- 10 hours consecutive off
- 10 hours consecutive sleeper berth
- 10 hours consecutive combined off-duty & sleeper berth
- Sleeper berth provision

Part 395 Hours of Service



34 Hour Restart Provision

- Property carriers only
- Restarts 7/8 consecutive day period
- Can be used as many times as driver wants

Part 395 Hours of Service



Record of Duty Status

- Applicability
 - Every motor carrier who operates CMVs
- Exceptions
 - Private motor carriers of passengers (non-business)
 - Short haul carriers operating within 150 air mile radius (i.e. time sheets)
- Must record each 24 hour period using the ELD recording method unless exempted.
- Retention
 - RODS and supporting documents for 6 months

Part 395 Hours of Service



ELD General Information

- **Who does this impact?**
ALL drivers who are required to prepare RODS.
- **What vehicles does this impact?**
All makes and models year 2000 and newer
- **Effective Date?**
Effective 12/18/2017
AOBRDs no longer allowed as of 12/16/2019
- **Which device to use?**
ELD Registry <https://csa.fmcsa.dot.gov/ELD/List>

Part 395 Hours of Service



ELD Exceptions:

- Local drivers who operate no more than 8 days in a 30 day period which require RODS
- Driveaway / Towaway operations/ Livestock & insect haulers
- Vehicles older than 2000 manufacture year engine model year 1999 or older are exempt
- Leased vehicles during the first 8 days of lease period. Lease agreement MUST be present

Part 395 Hours of Service



ELD Additional Information

AOBRDs

AOBRDs can continue to be used if otherwise exempted from ELDs, but Part 395 is still applicable.

Malfunction Procedures

Must be reported by driver within 24 hours of occurrence

Can only utilize paper logs for a maximum of 8 days unless an extension has been granted

Request for extension must be filed by 5th day after malfunction has taken place

Part 395 Hours of Service



Daily Hours of Service

Employee Name: *Dave Driver* Month/Year *Feb 2022*

Each day provide the following Information:

1. Time you report for work each day
2. Time you left work each day
3. Total hours worked each day

DO NOT WORK MORE THAN 14 HOURS.

DO NOT DRIVE MORE THAN 11 HOURS.

YOU MUST BE "OFF DUTY" 10 CONSECUTIVE
HOURS BETWEEN WORK PERIODS.

MUST STAY WITHIN 150 AIR-MILE RADIUS.

HOURS OF SERVICE				
DATE	START	END	TOTAL HOURS	
1	7:30 AM	4:30 PM	9	
2	8:30 AM	5:00 PM	8.5	
3	11:00 AM	3:00 PM	4	
4	:	:		
5	:	:		
6	:	:		

Part 395 Form & Manner



U.S. DEPARTMENT OF TRANSPORTATION		DRIVER'S DAILY LOG (24-H CALENDAR DAY = 24 HOURS)		ORIGINAL - Submit to carrier within 15 days DUPLICATE - Driver retains possession for eight days																																																																																																																																																								
01/03/2022 (MONTH) (DAY) (YEAR)		300 miles (2) (TOTAL MILES DRIVING TODAY)		Truck #3/ TL #24 (VEHICLE NUMBERS - (SHOW EACH UNIT))																																																																																																																																																								
Show Me Carriers (NAME OF CARRIER OR CARRIERS)		Sedalia MO (MAIN)		<i>Lane Trucker</i> (DRIVER'S SIGNATURE, IN FULL) NO co driver (NAME OF CO-DRIVER) (HOME TERMINAL ADDRESS)																																																																																																																																																								
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PTI- KC MO

RECAP	
DAY NO.	
DRIVING HRS. TODAY TOTAL LINE 3	
DRIVING VIOLATION TODAY	
ON DUTY HRS. TODAY TOTAL LINES 3 & 4	
70 HR/8 DAY DRIVERS	
A.	
TOTAL HRS. ON DUTY LAST 7 DAYS, INCL. TODAY	
B.	
TOTAL HRS. AVAILABLE TOMORROW: 70 HRS. MINUS A	
C.	
TOTAL HRS. ON DUTY LAST 8 DAYS, INCL. TODAY	
60 HR/7 DAY DRIVERS	
A.	
TOTAL HRS. ON DUTY LAST 8 DAYS, INCL. TODAY	
B.	
TOTAL HRS. AVAILABLE TOMORROW: 60 HRS. MINUS A	
C.	
TOTAL HRS. ON DUTY LAST 7 DAYS, INCL. TODAY	

Part 395 Hours of Service



Miscellaneous HOS topics

- Train your drivers and document
- Remember to account for other/2nd jobs on time records.
- Have a driver statement for first time or intermittent drivers (see Compliance Manual for example).

Part 395 Hours of Service



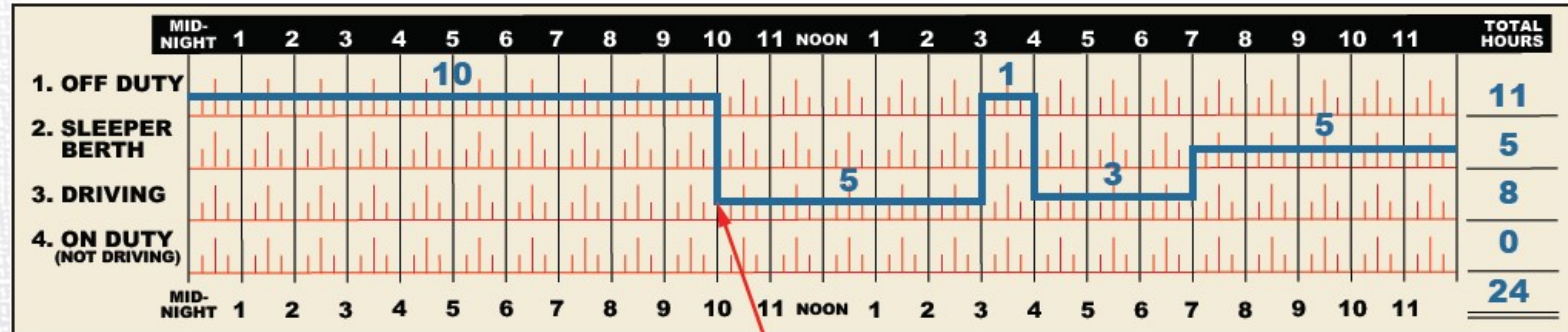
Applying the 11-hour rule

Three step process

1. Determine last 10 hours of rest.
2. Determine next ten hours of rest
3. Count only “driving time” between those two periods.

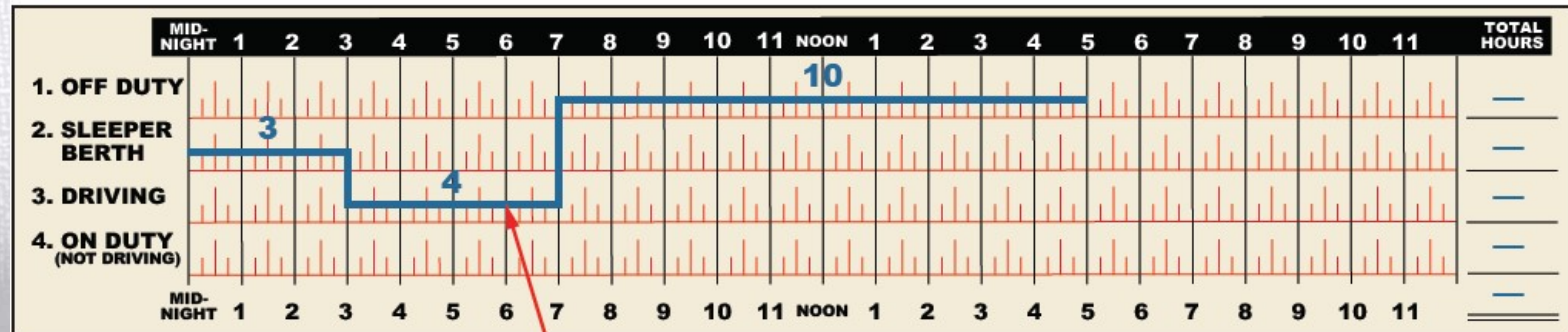
Part 395 11 Hour Rule

Day 1



CP

Day 2



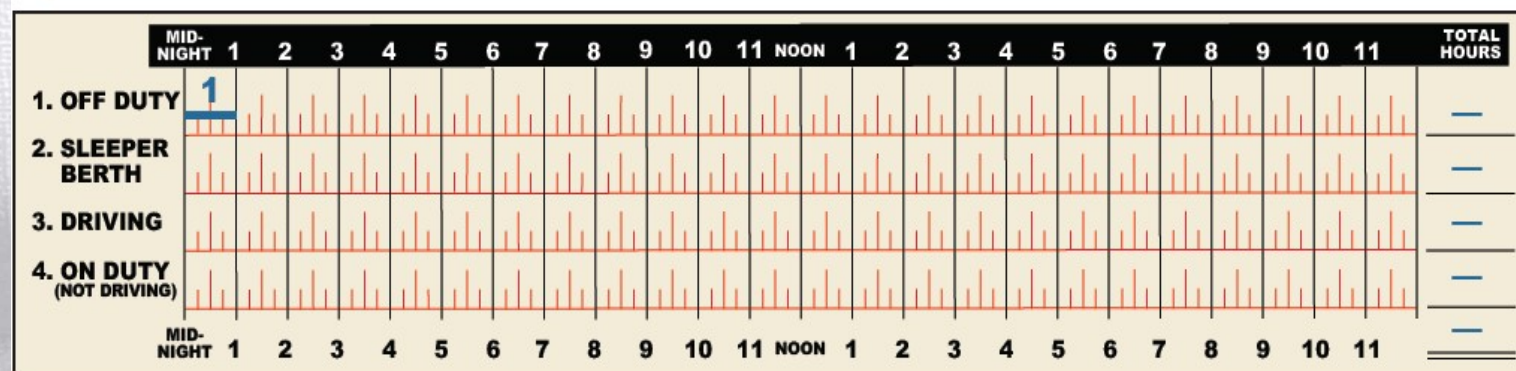
11-HOUR VIOLATION

Part 395 Hours of Service



Applying the 14-hour rule

1. Determine last 10 hours of rest.
2. Count all time except for time credited towards a qualifying split sleeper berth.
3. Violations begin when the driver drives the vehicle after the end of the 14th hour, after coming on duty following 10 consecutive hours off-duty.



Part 395 60 Hour Rule



Date

Time

1/4

11

1/5

10

1/6

10

1/7

10

1/8

12

1/9

8

1/10

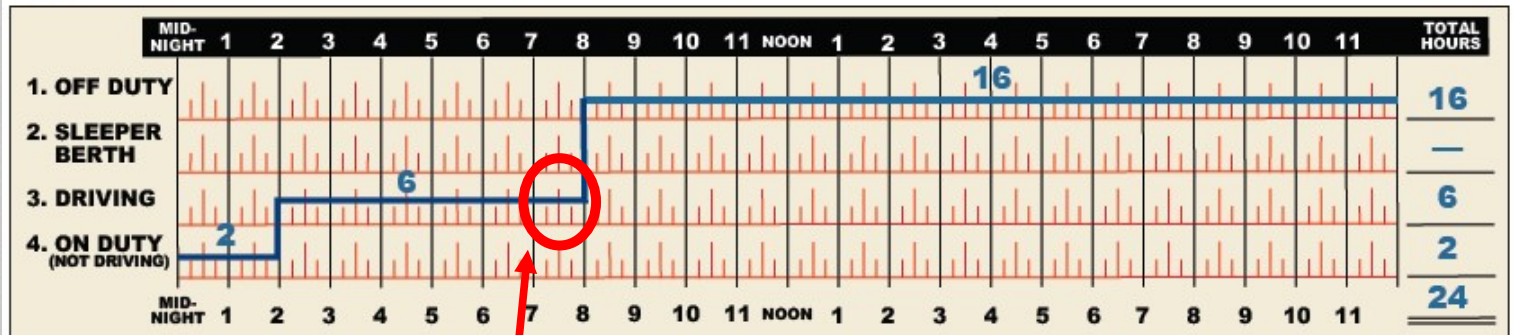
7

Total = **68** Hours

Part 395 60 Hour Rule



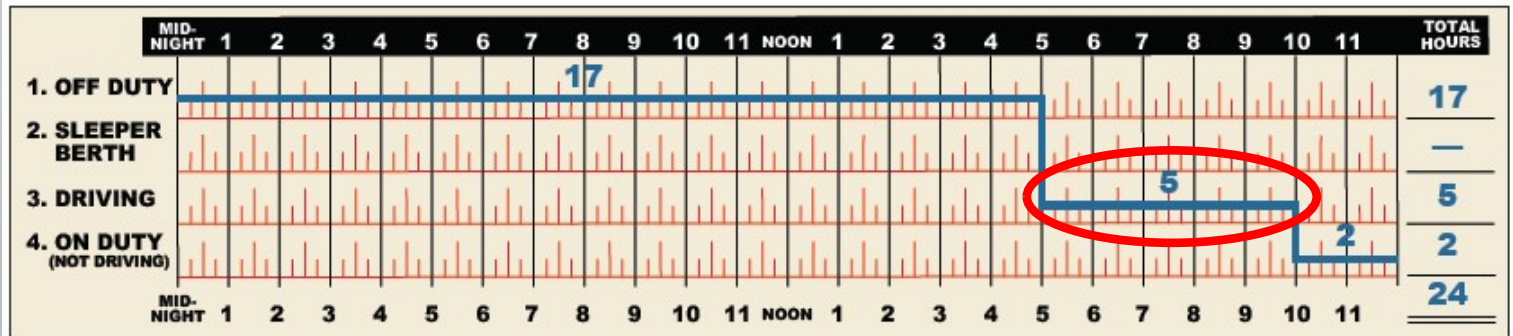
Day 6



60th hour

60 HOUR VIOLATIONS

Day 7



Part 395 Hours of Service



FOR MORE INFORMATION:

Educational materials regarding the Hours of Service regulations are posted on the FMCSA web site found at the following links:

www.fmcsa.dot.gov

<https://www.fmcsa.dot.gov/hours-service/elds/faqs>

Part 395 Hours of Service



Knowledge check

- Can “On-Duty Not Driving” be used to meet the 30 Minute Rest Break?
- You come across a receipt for tire repair when you compare the locations the driver’s log shows him nowhere near the location on the receipt. What should you do?
- RODS and supporting documents should be kept for 6 months. (True/False)
- Off-Duty time can be used while waiting to be loaded. (True/False)

Slide 30

TDE7

1. False - some exceptions see if they can remember them all. Custom harvesting, Beekeepers, Farm straight truck and articulated, PMCP Non-Business.
2. False – 21 for CDL but Class E can be 18 in Missouri.
3. False, Owners included in definition of driver.
4. True – MVR with medical info with suffice for copy of actual medical certificate per 391.51(b)(7)(ii).

Travis D. Ellis, 12/20/2021

ADDITIONAL REGULATIONS



ADDITIONAL REGULATIONS

- Part 387- Financial Responsibility
- Part 390 - Applicability
- Part 392 - Safe Driving

Part 387 Financial Responsibility

Part 387 Insurance

- ✓ Interstate For-Hire Motor Carriers
- ✓ Interstate Private Motor Carriers transporting HM

MCS-90, MCS-90B, MCS-82, MCS-82B

- Found in Your Policy
- Legal Name
- Marked Primary
- Signed by representative of underwriter not agents

- ✓ Special topic – internal combustible engines

Missouri For-Hire Intrastate – Form E required and higher levels of B.I.P.D., Public Liability, Cargo coverage, etc.

Part 390

- Accident register
- Vehicle marking requirements
- Motor carrier identification report - **MCS 150 Form**

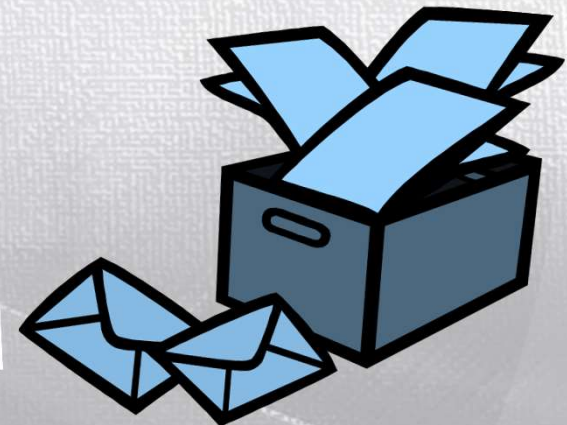


Accident Register

[illegible]

Employer Note: It is recommended, but not required, to keep a copy of all insurance and police reports.

Part 390.15



Part
390.15

Accident Register, when required:

- Fatality
- Bodily injury involving immediate medical treatment away from the scene; or
- One or more vehicles requiring tow away as result of accident

Interstate

- Legal name
- “USDOT” followed by number
- If name of person/ company other than carrier on vehicle, “operated by” preceding name of motor carrier operating CMV.

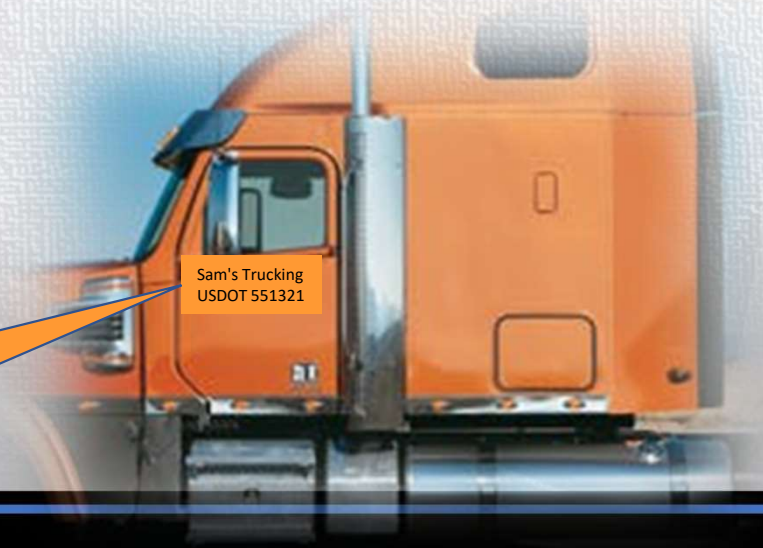
Part 390.21

Display

Appear on both sides
Contrasting color
Legible from 50 feet
Maintained legibility

**SAM's Trucking
USDOT 551321**

Sam's Trucking
USDOT 551321



Solely Intrastate for-hire

- Legal name
- “USDOT” followed by number
- For-hire intrastate carriers must have the letters “MO” directly following the USDOT number.

Part 390.21

Display

- Appear on both sides
- Contrasting color
- Legible from 50 feet
- Maintained legibility

SAM's Trucking
USDOT 55132 IMO

Sam's Trucking
USDOT 551321



Intrastate marking private carriers

RSMO 301.330

- Name of owner
- Address from which operated
- Each local CMV shall conspicuously place the word “local”



Part 390.19T

Motor Carrier Identification Reports

- Applicable to interstate carriers and intrastate for-hire carriers
- MCS-150
- Assigns carrier a USDOT number
- Before operations begin, and update every 24 months

Part 392

Safe Driving

Unsafe Driving

- Failure to use Seat Belt
- Cellphone usage/ texting
- Speeding
- Improper lane change
- Ill or fatigued
- Drugs/ alcohol- under the influence or possession





Do You Need Help?

TEXT 233733 (BE FREE)
1-888-3737-888 (US)

**Truckers
Against
Trafficking**



Truckers Against Trafficking (TAT) seeks to educate, equip, empower and mobilize members of the trucking industry to combat human trafficking as part of their regular jobs.

Impact of Trafficking:

- There are **21 million** victims of human trafficking globally. (International Labor Organization)
- Human trafficking is a **\$150 billion** industry. (International Labor Organization)
- Thousands of children are at risk of forced prostitution in the US each year. (National Center for Missing and Exploited Children)

How You Can Help

Call and report what you know!

- Truckers are the eyes and ears of our nation's highways and are the number one demographic of calls into the national hotline

Develop and incorporate training for drivers specific to identifying and reporting suspected trafficking

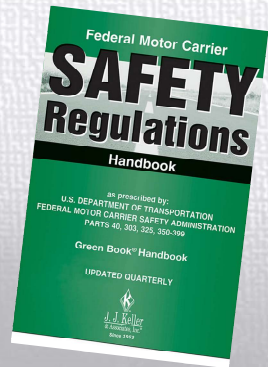
- Training materials and resources can be found on the TAT website

Make the Call, Save Lives.

1-888-3737-888

www.truckersagainsttrafficking.org

Additional Compliance Resources



MCS Partners

Roadside CMV Enforcement

- Kansas City Police Department
- St. Louis Police Department
- St. Louis County Police Department
- Missouri Highway Patrol

Regulatory Agency

Federal Motor Carrier Safety Administration

www.fmcsa.dot.gov

1-800-832-5660

MCS Credentials Contact Information

MoDOT Carrier Express Link:

<http://www.modot.org/mce>

Motor Carrier Services Homepage:

<http://www.modot.org/mcs>

Motor Carrier Services Toll Free #:

1-866-831-6277

- OSOW – Option 1
- IFTA and IRP – Option 2
- Missouri Operating Authority – Option 3
- Payment – Option 4
- UCR – Option 5
- Safety & Compliance – Option 6



Safety Regulations by Section

Part 380 –
Entry Level
Driver Training

Part 382 - Drug
and Alcohol
Testing

Part 383 -
Commercial
Drivers License

Part 387 -
Insurance
Requirements

Part 390 –
General
Applicability

Part 391 -
Driver
Qualification

Part 392 –
Driving of a
CMV

Part 395 -
Hours of
Service

Part 393 / 396 -
Maintenance

* Red segments were reviewed in today's training.