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New Hours-of-Service Regulations Effective Today, July 1, 2013

Legal Alert: The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) announced that new federal regulations designed to reduce truck driver fatigue took full effect today, July 1, 2013.

Trucking companies were provided 18 months to adopt the new hours-of-service rules for truck drivers. First announced in December 2011 by FMCSA, the rules limit the average work week for truck drivers to 70 hours to ensure that all truck operators have adequate rest. Only the most extreme schedules will be impacted, and more than 85% of the truck driving workforce will see no changes.

FMCSA's new hours-of-service final rule:

- Limits the maximum average work week for truck drivers to 70 hours, a decrease from the current maximum of 82 hours;
- Allows truck drivers who reach the maximum 70 hours of driving within a week to resume if they rest for 34 consecutive hours, including at least two nights when their body clock demands sleep the most - from 1-5 a.m.; and
- Requires truck drivers to take a 30-minute break during the first eight hours of a shift.

The final rule retains the current 11-hour daily driving limit and 14-hour work day.

Companies and drivers that commit egregious violations of the rule could face the maximum penalties for each offense. Trucking companies and passenger carriers that allow drivers to exceed driving limits by more than three hours could be fined \$11,000 per offense, and the drivers themselves could face civil penalties of up to \$2,750 for each offense.

Further information, including "Hours of Service Logbook Examples," is available on FMCSA's web site at www.fmcsa.dot.gov/HOS.

*For additional information on legal issues in the Trucking Industry,
please contact **TAMMY MEADE ENSSLIN** at 859-368-8747.*

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