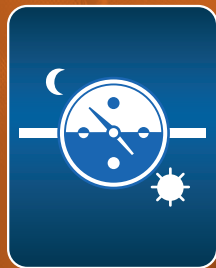


# HOS COMPLIANCE

## CSA BASIC

# eWORKBOOK



**ASSESS | MANAGE | IMPROVE**

“**Best-in-class safety culture companies often *increase* their compliance budget rather than lowering it when the desired goals are met because they want to realize even greater returns.**

Conversely, carriers that take a “hope for the best” approach are playing a dangerous game of roulette.

The regulations require compliance and imply that carriers must have safety programs to mitigate risk without spelling out what those programs look like.

Without absolutes in the regulations, e.g., you must audit a certain number of logs or DQ files in a month, a plaintiff’s attorney can paint a picture of what a carrier’s safety and compliance program should have looked like.

And they won’t be using an average carrier’s program — they will be using best-in-class carrier programs.”



**Daren B. Hansen**  
Senior Editor – Transportation Safety  
J. J. Keller & Associates, Inc.

Daren Hansen, CTP, is a Senior Editor and one of J. J. Keller’s experts on transportation safety. Since starting in 1996, he’s had his finger on the pulse of industry trends. His deep understanding of the FMCSRs makes him the go-to guy for all things trucking safety.

He loves sharing what he knows with our customers and has helped thousands of motor carriers with their toughest compliance questions. His knowledge is often showcased in the articles, handbooks, training materials, and newsletters he’s created. Daren’s work has also been featured in various trade publications.

Daren stays involved in the trucking industry as a member of the National Private Truck Council’s (NPTC) Legislative and Regulatory Advisory Committee. In 2022, Daren proudly earned NPTC’s Certified Transportation Professional (CTP) credential.

## TABLE OF CONTENTS

<b>INTRODUCTION</b>	<b>3</b>
<b>RISK EXPOSURE - FATIGUE &amp; HOS NON-COMPLIANCE</b>	<b>4</b>
Fatigued Driving is Impaired Driving	5
Crash Risk	5
Civil Litigation	7
Enforcement Penalties	7
<b>FATIGUE &amp; HOS RULES</b>	<b>9</b>
Overarching Rule	9
HOS Limits	10
<b>STEPS TO IMPROVEMENT</b>	<b>14</b>
Policies and Procedures	15
Roles and Responsibilities	15
Qualification and Hiring	16
Training and Communication	16
Monitoring and Tracking	17
Meaningful Action	17
<b>HOS DRIVING WORKSHEETS</b>	<b>18</b>
<b>WHAT’S NEXT</b>	<b>27</b>



# HOS COMPLIANCE



The Federal Motor Carrier Safety Administration (FMCSA) makes a direct correlation between fatigue, the hours-of-service rules (HOS), and crash rates. The agency's methodology demonstrates that increased compliance with the HOS rules reduces the risks of fatigue-related crashes attributable, in whole or in part, to patterns of violations of the HOS rules.<sup>1</sup>

Fatigued operation and hours-of service violations by [commercial motor vehicle](#) (CMV) drivers were cited over 357,000 times in 2024.<sup>2</sup> Nearly 42% of all driver violations were attributed to either fatigue or HOS.<sup>2</sup> Those were the behaviors caught by enforcement, yet unfortunately, they represent a mere fraction of total fatigued operation and hours-of service events that happen every year.



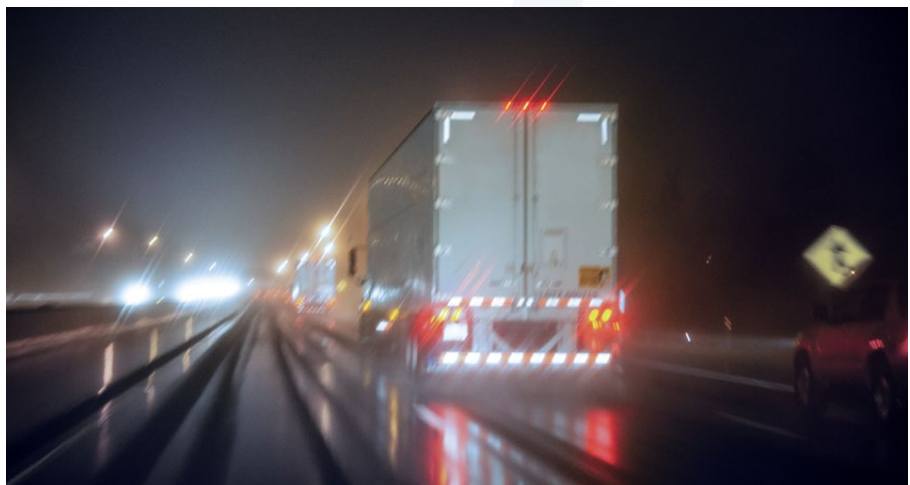
# RISK EXPOSURE

## FATIGUE AND NON-COMPLIANCE

Drivers and carriers may view the hours-of-service rules as unnecessary. They may feel that drivers know when they are tired and will stop operating a CMV before anything bad happens. History of [collisions](#) at high speeds and studies indicate that is not the case.

Operating fatigued is a huge risk. Operating a CMV, or a carrier requiring or permitting a driver to operate a CMV, while the driver's ability or alertness is impaired or likely to become impaired through fatigue that makes it unsafe for the driver to begin or continue to operate is prohibited by the regulations. Costly accidents can and do occur. While metal, brick, and mortar can be replaced, lives and limbs cannot be.

Ignoring or violating the HOS limits will increase the risk of fatigued operation, the likelihood of a crash, negatively impact insurance rates, and provide ammunition to a plaintiff's attorney's argument of negligence.





## FATIGUED DRIVING IS IMPAIRED DRIVING

Nearly everyone can agree that operating under the influence of [drugs or alcohol](#) is unsafe. Reaction time, alertness, focus, mental acuity, field of vision, as well as time and distance perception can be negatively affected. What some do not realize is that fatigue can mimic the very same symptoms in drivers.

Because fatigued driving can be as dangerous as operating under the influence of alcohol or a controlled substance, a study was done using driving simulators. The study found that drivers who were awake for 18 hours performed similarly to drivers with a blood alcohol concentration of .05. If drivers were awake for twenty-four or more hours, the degradation in skills was equivalent to someone being at or above the legal limit.<sup>3</sup>

Drivers may think they know when they are tired, but testing has shown people are not particularly good at recognizing their own fatigue.

## CRASH RISK

Fatigue could be due to a lack of restful sleep, time of day, medical conditions, long work hours, strenuous work (whether for the carrier or personal), or a combination of these factors. The FMCSA and the National Highway Traffic Safety Administration (NHTSA) conducted a study<sup>4</sup> to determine the root cause of crashes. They found:

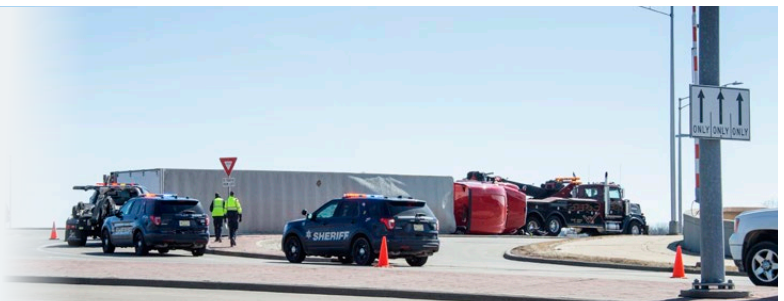
- Thirteen percent of commercial motor vehicle (CMV) drivers were considered fatigued at the time of the crash, and
- Fatigue was included with illness, and drug use reflecting the condition of the driver before the crash.

Fatigue is difficult to quantify as a direct accident cause. A driver typically needs to admit that they were operating while being tired. As a result, the rate of fatigue as an accident cause is likely higher than the study indicates.

Another study conducted to review the cause of crashes where the commercial driver died, indicated that fatigue was the likely probable factor in nearly 1/3 of the accidents.<sup>5</sup>

### ENCOMPASS ACCIDENT TRACKING

- Identify DOT reportables
- Track insurance claims easily
- Retain relevant records





Fatigue is often an underlying cause of an accident. Since reporting is dependent on a driver's statement, the accident may be attributed to inattentive driving that caused the driver to:

- Deviate from their lane into oncoming traffic or off the roadway;
- Miss a traffic control device such as a stop or yield sign, railroad crossing, stop light, etc.; or
- Run into the rear of stopped or slowed traffic with little or no braking.

These accidents are often severe because the vehicle is operating at full, or near full, speed.

A recent crash investigation found a carrier's failure to enforce its own safety policies likely contributed to the fatal incident.

The crash occurred in June of 2021, when a milk hauler drove his tractor-trailer into a line of stopped traffic at 62 miles per hour, without braking. There were eight vehicles engaged in the crash, four persons were killed, and eleven were injured.

In a meeting held in the Spring of 2023, the National Transportation Safety Board (NTSB) concluded that the probable cause of the crash, ultimately, was the truck driver's fatigue<sup>6</sup>. The driver generally worked 13-14 hours per day, did not arrive home until early morning on a shifting schedule, and had fewer than 6 hours of sleep on the day of the crash. Further, the agency found that the carrier had no fatigue management program that would have reduced the risk of fatigued operation by its drivers.



## CIVIL LITIGATION

Fatigued drivers or hours of service violations can lead to large civil litigation awards after a serious property damage, injury, or fatal accident. Both drivers and carriers can be held liable in a lawsuit. Neither the carrier or the driver needs to have caused the accident or to be “at fault” to lose big. An argument that may be made is that if the driver was fatigued or over any legal limit, they are not allowed on the road operating a commercial motor vehicle (CMV). As the argument goes, if the driver were not on the road, the accident would have never happened.

**With lawsuits resulting in millions of dollars becoming a common occurrence, it is a risk few can afford to take. A recent study found that the when the issue of hours of service or logbook violations were alleged against the defendant in a courtroom, of the cases reviewed, the defendant lost 100% of the time.<sup>7</sup>**

Most everyone has watched someone on television being read their rights: “You have the right to remain silent, anything you say can and will be used against you ...” This reading of rights when arrested is known as receiving a Miranda warning. At a [roadside inspection](#) or traffic stop, drivers typically do not receive a reading of their rights, but those **violations and citations “can and will” be used against the driver and the carrier in a civil case**, an enforcement action, or a criminal case.

## ENFORCEMENT PENALTIES

While not as extreme as litigation awards and settlements, penalties after an [investigation](#) can be high. The rules allow the FMCSA to impose the following maximum fines. Citation remains the same<sup>8</sup>:

VIOLATION DESCRIPTION	FINES
<b>Failing to prepare or maintain a required record</b> e.g., not completing or keeping logs, ELD records, time records, supporting documents, etc.	<b>\$1,584/day</b> <b>\$15,846/max</b>
<b>Falsifying, destroying, or changing records</b> to hide violations e.g., improper use of personal conveyance or not accurately recording duty status	<b>\$15,846</b>
<b>Non-recordkeeping violations by a:</b>	
Company	<b>\$19,246/violation</b>
Driver e.g., exceeding an HOS limit	<b>\$4,812/violation</b>





The preceding violations can accumulate. The FMCSA publishes the amount carriers settled for after an investigation. In the period of January 2021 through December 2024, the following assessments were settled due solely to hours-of-service infractions.<sup>9</sup>

**Property carrying driver operating a CMV past the 14th consecutive duty hour**

AMOUNT	DATE	CARRIER TYPE
\$72,300	January 3, 2022	Interstate for-hire property carrier
\$71,280	March 20, 2023	Interstate for-hire property carrier
\$53,010	January 22, 2021	Interstate for-hire property carrier

**Property-carrying driver operating a CMV past the 11-hour driving limit**

\$91,620	November 8, 2022	Interstate for-hire property carrier
\$51,060	April 14, 2021	Interstate for-hire property carrier
\$46,230	April 20, 2022	Interstate for-hire property carrier

**No or incorrect method used to record HOS**

AMOUNT	DATE	CARRIER TYPE
\$72,900	July 19, 2021	Interstate for-hire property carrier
\$41,910	March 24, 2022	Interstate for-hire property carrier

**False report in connection with a duty status**

\$40,420	September 30, 2021	Interstate for-hire property carrier
\$37,230	April 23, 2023	Interstate for-hire property carrier
\$36,720	September 29, 2022	Interstate for-hire property carrier







# FATIGUE AND HOURS OF SERVICE RULES

The FMCSA has an overarching rule regarding the fatigued operation of commercial motor vehicles and to assist drivers from operating a CMV, the agency has set limits.

## OVERARCHING RULE

In addition to the limits, the FMCSA has a prohibition from operating a CMV while fatigued, it simply states:

“No driver shall operate a commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a commercial motor vehicle, while the driver’s ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle.”

**The rule makes the prevention of fatigued operation a joint responsibility between the driver and the carrier.** The driver may not operate fatigued, and the carrier cannot make, permit, or allow a driver to operate a CMV while fatigued. But the rule goes much further by inserting the words or “likely to become impaired, through fatigue.” This means that drivers need to shut down before they are actually fatigued. This is a much higher level of responsibility to meet than the limits themselves.





## HOS LIMITS

Once reached, the HOS limits restrict only the operation of a CMV. The FMCSA places no limits on the hours in a day, week, month, or year that a driver can work, nor do they place a limit on the number of consecutive days an interstate driver can work. Drivers that operate strictly in intrastate commerce follow the HOS rules of the state.



The purpose of the hours-of-service regulations is to help reduce or eliminate the type of drowsiness or fatigue that can lead to accidents.

## OFF DUTY

Drivers must have enough time off duty to obtain necessary rest before starting a shift that will include the operation of a CMV. Property carrying drivers are required to have at least 10-consecutive hours off duty while passenger carrying drivers must have a minimum of 8-consecutive hours off-duty.

## ON DUTY

Long days lead to fatigue. Beginning with the first activity that is considered on duty after a consecutive 8- or 10-hour off-duty period, a duty clock begins. For a property carrying driver, the duty clock is 14-consecutive hours and for a passenger carrying driver the limit is 15-total on-duty hours.

Due to the 14-hour rule, if a property carrying driver begins their first on duty activity at 7:00 a.m., no operation of a CMV is allowed after 9:00 p.m.

Since a passenger carrying driver's on-duty clock is not continuous in that only driving a CMV and any other on-duty activity counts toward the 15-hour period, any off-duty time extends the 15-hour window. For instance, if a passenger carrying driver's first on duty activity is at 7:00 a.m. but the driver had 3-hours off duty during the day, the driver's 15-hour clock would not be up until 1:00 a.m. the following day.

## DRIVING

A property carrying driver is allowed to operate a CMV up to 11-total hours within their 14-hour on-duty window. A passenger carrying driver may operate a bus, coach, or shuttle up to 10-total hours within their 15-hour on-duty window.



# J. J. KELLER® ELDS

## A Three-Part Solution with a One-Track Mind: **Safe Drivers**



1

### J. J. KELLER® ELD

The patented VT100 telematics device captures engine data and complies with the U.S. mandate (certification pending for Canada).

- Multiple vehicle class flexibility
- Easy to install
- Over-the-air updates
- 24/7 GPS vehicle tracking



2

### ENCOMPASS® ELD MOBILE APP

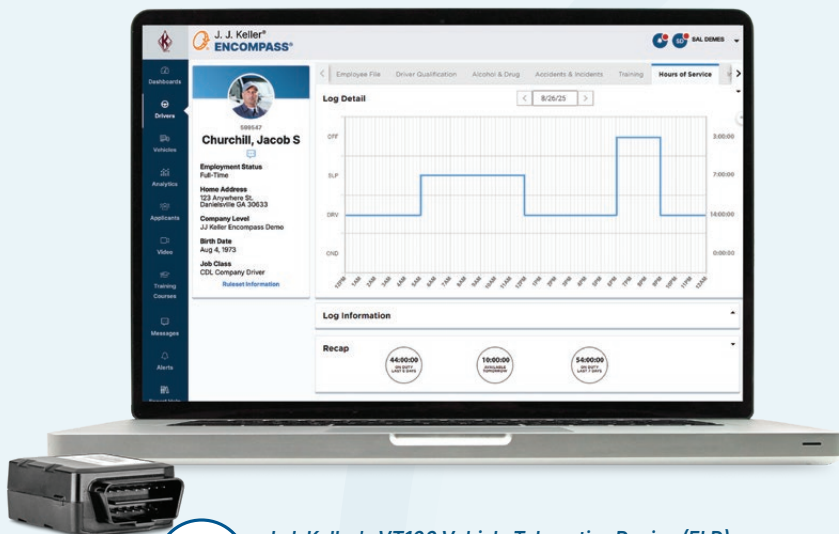
Our ELog mobile app installs easily on drivers' smart devices, helping them see their current hours and plan.

- Accurate, reliable, driver-friendly, and easy-to-use
- Compatible with iPhone®, iPad®, and Android™ devices, including the J. J. Keller® Compliance Tablets
- Features include team driving and hyrail
- Customizable eDVRs for quick defect resolution

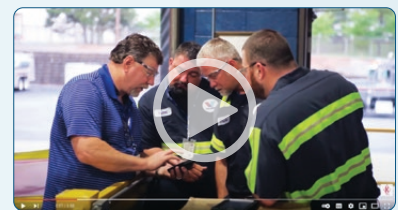
3

### ENCOMPASS® FLEET SAFETY & COMPLIANCE PLATFORM

Encompass is a risk-mitigation tool that gives you oversight to hours of service, driver behaviors, and all DOT-required recordkeeping.

TWO  
DEVICES IN  
ONE

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## INTERRUPTION OF DRIVING

Driving many hours in a shift can lead to fatigue. This rule specifies when a property carrying operator needs to take a break from the activity of driving and for how long.

Only drive time is counted. The rule requires an interruption of driving time of at least 30-consecutive minutes once the driver accumulates a total of 8 hours of driving since the last break from driving of 30 minutes or more. The driving interruption does not have to be off-duty time. It can be off duty, on duty, or a mix of both, but the interruption must be at least 30-consecutive minutes.

## MAXIMUM ON-DUTY LIMIT

Property and passenger carrying drivers have the same maximum on-duty time in a 7- or 8-day period. The days are not a calendar week but rather any consecutive or rolling 7- or 8-day period.

The 60-hour limit states a driver must not operate a CMV after they have accumulated 60-hours of on-duty time in a 7-day period. This rule applies to any driver who works for a carrier that does not operate CMVs every day of the week.

The 70-hour limit states an operator must not drive a CMV after they have accumulated 70 hours of on-duty time in an 8-day period. This limit applies to drivers who drive for carriers that operate at least one CMV every day of the week at any of the carrier's locations.

The 60-hours in 7 days is the standard limit. If a carrier operates vehicles every day of the week, the carrier gets to decide which, if any, drivers will use the limit.

All driving time and all on-duty time are counted toward the 60- or 70-hour limit. As with the all the HOS limits, a driver may continue non-driving duties after the limit has been reached.

## RESTARTS

Drivers of property-carrying CMVs involved in interstate commerce have an option that allows them to reset their accumulated on-duty time. This option is often referred to as a 34-hour restart. Once a driver has achieved a qualifying break of at least 34-consecutive hours, they may "restart" the 7- or 8-consecutive day period. After the 34-hour period, the on-duty hours that were worked before the break no longer are considered when calculating the 60- or 70-hour limit. In other words, the



accumulated on-duty time is “reset” back to zero.

## HOS LIMIT MATRIX

The limits can be confusing in a text format, the following chart simplifies the limits:

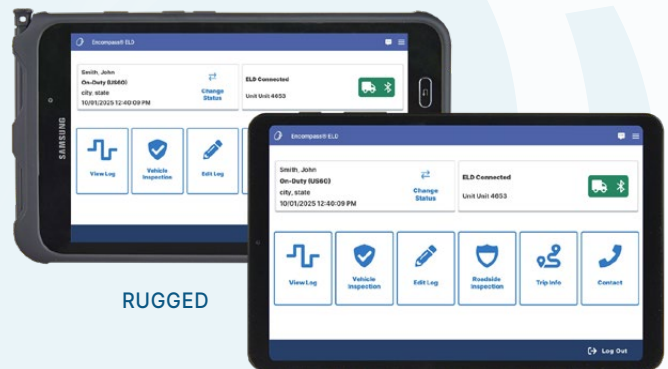
HOS DRIVING LIMITS		
LIMIT	PROPERTY §395.3	PASSENGER §395.5
Off-duty	10 hours	8 hours
On-duty	14-consecutive hours	15-total on-duty hours
Driving	11 hours	10 hours
Maximum	60/7 or 70/8	60/7 or 70/8
Restart	34-consecutive off-duty hours	None
Driving interruption	30-minute / 8 hours	Not required

# COMPLIANCE MADE EASY

J. J. Keller® Compliance Tablets offer a simple, flexible solution for quickly integrating ELogs, and DVIRs — without using drivers’ personal smart devices.

The Compliance Tablet comes with 5G data and is preloaded with the Encompass® ELD mobile app — so you can use it right out of the box. It consolidates billing of hardware, data plans, and Encompass to one invoice.

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# STEPS TO IMPROVEMENT

No matter how safe a carrier thinks they are operating, there is always room for improvement. When evaluating carriers during an audit or compliance review, the FMCSA determines whether or not the operation has sufficient “safety management controls” in place.

The agency defines safety management controls as:

*The systems, policies programs, practices, and procedures used by a motor carrier to ensure compliance with applicable safety and hazardous materials regulations which ensure the safe movement of products and passengers through the transportation system, and to reduce the risk of highway accidents and hazardous materials incidents resulting in fatalities, injuries, and property damage.*

Although the FMCSA doesn't require a specific set of safety management controls, they have created the Safety Management Cycle (SMC) as their recommended approach.

**We'll use the Unsafe Driving BASIC to demonstrate how the SMC incorporates the following six steps:**

- 1 Policies and Procedures
- 2 Roles and Responsibilities
- 3 Qualification and Hiring
- 4 Training and Communication
- 5 Monitoring and Tracking
- 6 Meaningful Action







## POLICIES AND PROCEDURES

Policies and procedures define the “what” and “how” of a motor carrier’s operations. Policies establish the guidelines for how motor carriers and their employees behave in a given situation. Procedures explain how to accomplish those policies.

**EXAMPLE:** Accurate hours-of-service records policy:

Hours-of-service records must be an accurate representation of drivers’ duty statuses. The record, whether a time record, paper log, or electronic (ELD), must be certified accurate by the driver and reviewed by the driver’s supervisor using any available supporting documents.

Inaccurate records will be edited to be accurate. Any deliberate attempts to falsify a record is grounds for immediate termination.



Click for corresponding worksheet.



## ROLES AND RESPONSIBILITIES

Roles and responsibilities clearly define what each employee should do to implement the policies and procedures successfully.

**EXAMPLE: Company Speed Limit for the Drivers Procedures**

**Dispatcher:** Before assigning any driver a movement, the dispatcher will determine whether the driver is able to legally meet the customer’s delivery date and time expectation based on the driver’s available hours, distance, and other responsibilities required.

**Drivers:** Upon receipt of a work assignment, the driver will review the assignment, complete an initial trip plan, and report back to the dispatcher the driver’s estimated safe and legal arrival time to the pick-up location, any stops, and the final destination.

**Safety Manager:** Safety Manager will audit drivers’ time records and logs (electronic and paper).



Click for corresponding worksheet.



## QUALIFICATION AND HIRING

Driver qualification and hiring tasks cover recruiting and screening applicants to fulfill the roles and responsibilities for positions.

**EXAMPLE:** Before a driver hiring decision is made, the recruiting team will verify and review the driver's FMCSA Pre-Employment Screening Program (PSP) ensuring the driver had no more than four hours-of-service violations or more than a single HOS related out-of-service violation in any of the previous three years.

While the above are driver qualification and hiring requirements, the section applies to any associate named in the responsibility section. For instance, a safety manager may need to have log auditing skills that are evaluated before a hiring decision is made.



Click for corresponding worksheet.



## TRAINING AND COMMUNICATION

Training and communication functions outline a motor carrier's communication of its policies, procedures, roles, and responsibilities so that everyone understands the expectations and has the adequate skills and knowledge to perform their assigned function. Training can also be a result of an otherwise successful candidate missing an expected hiring qualification or a result of a corrective action (see meaningful action).

### EXAMPLE:

All drivers, regardless of experience level or assignment, will be provided with and [trained on the hours-of-service limits](#), applicable hours-of-service exceptions, and the acceptable use of personal conveyance and yard moves. If it is determined that a driver has violated an hours-of-service limit by more than 15 minutes and the driver had no more than two minor violations in the last 30 days, the driver will be provided corrective action training (CAT) specific to the limit exceeded.



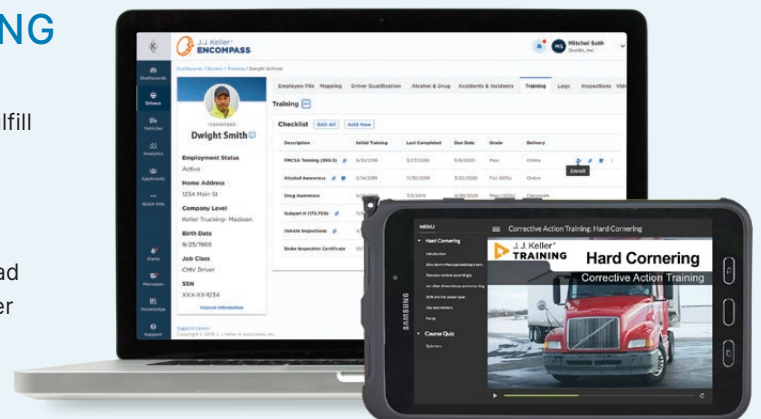
Click for corresponding worksheet.

## J. J. KELLER® ENCOMPASS® TRAINING

Many carriers struggle to manage safety and training proactively. **Encompass® Training** and recordkeeping provide a better way to fulfill DOT compliance requirements and maintain efficient operations.

With Encompass, you can quickly assign remote interactive training to your drivers via email or text. Drivers complete training at their convenience using the J. J. Keller® Training mobile app — on the road or at home. They can even download courses to complete them later without an internet connection!

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## MONITORING AND TRACKING

Focuses on the need to have a system to monitor and track employee performance that enables companies to be aware of their employees' safety performance and compliance with its policies and procedures. Monitoring represents the motor carrier looking at the performance of the operation, and tracking is assessing the data collected.

### EXAMPLE:

The safety manager will track and trend the Hours-of-Service Compliance BASIC violations by driver, driver manager, and terminal on a monthly basis. The report will be submitted to senior leadership on a quarterly basis.



[Click for corresponding worksheet.](#)



Motor carriers also need the means to measure and evaluate current drivers' and applicants' motor vehicle records (MVRs). If you establish standards with a company policy, it must be strictly adhered to by your safety managers and driver recruiters who review the drivers' driving records. If you have numerous locations, each must follow your corporate standards.

Before beginning the scoring process, you will need to answer a few questions:

- **What do you consider the most severe traffic offenses?** These have the greatest assessed point value. Gauge all of your lesser violations on how heavily you weighed the most severe incidents.
- **What do you consider somewhat severe traffic offenses?** These have points assessed in the middle ground, matched proportionally with the most severe and least severe offenses.
- **What offenses are least severe?** These have the least points assessed, matched proportionally with the most severe offenses and somewhat severe offenses.
- **Are there offenses that are assessed at zero or one point?**



[Click for MVR corresponding worksheet.](#)

## MEANINGFUL ACTION



The meaningful action component of the Safety Management Cycle gives motor carriers the tools to correct or improve employee behavior. This could include refresher training and positive reinforcement, such as rewards or bonuses, to improve the motor carrier's overall safety.

It could also mean starting the cycle again. For instance, perhaps a policy, as written, was fine but lacked the necessary consequences that should be found in the procedures.



[Click for corresponding worksheet.](#)



# HOS COMPLIANCE DRIVING WORKSHEETS

**Assess your level of risk more accurately in the Hours-of-Service Compliance BASIC with the following interactive worksheets.**

- ▶ Use the interactive worksheet to find areas of opportunity.
- ▶ Look for questions left blank or answered “no” or “unsure.” Often, it is in these areas that the greatest opportunities reside.

**These worksheets will help you establish the practices your fleet should have in place to ensure compliance with the regulations, reduce crash risk, lower insurance premiums, and protect your bottom line.**





## POLICIES AND PROCEDURES

Do you have policies and procedures related to the following HOS areas?

### PROPERTY CARRYING RULES

10-hours off-duty before beginning shift	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
14-consecutive hour on-duty period	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
11-hour driving limit	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
8-hour interruption of driving	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
60- or 70-hour maximum on-duty period	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
34-hour restart	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE

### PASSENGER CARRYING RULES

8-hours off-duty before beginning shift	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
15-hour on-duty period	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
10-hour driving limit	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
60- or 70-hour maximum on-duty period	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE

### AUDITS

Short-haul time records	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Manual or paper logs	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Electronic logging device (ELD)	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
ELD Unassigned driving events	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
ELD Edits	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Exempt drivers	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Use of supporting documents	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE



## POLICIES AND PROCEDURES

**Do you have policies and procedures related to the following HOS areas? (cont.)**

### EXEMPTIONS

Short haul	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
16-hour (property-carrying "long day")	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Adverse driving	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Oilfield	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Agriculture	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Utility service vehicle	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Other _____	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Other _____	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE

### GENERAL

Record falsification	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Fatigued operation prohibition	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Use of personal conveyance	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Use of yard movement	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Safe and legal work assignments	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
HOS record retention	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Driver trip plan responsibilities	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE





## ROLES AND RESPONSIBILITIES

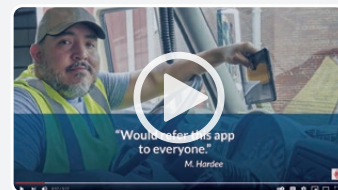
In your procedures, who is assigned to address the following areas?	HR, Driver, Manager, Safety, Leadership, Other, or Unsure
HOS record audits	
Assigning or explaining unassigned driving events	
Monitoring ELD alerts	
Supporting document compilation	
Reviewing and trending HOS roadside inspection violations	
Ensuring assignments can be completed on-time, safely, and legally	
Reviewing preemployment screening program (PSP) for HOS violation trends	
Purging HOS records after retention period	



## BEST-IN-CLASS U.S.-BASED SUPPORT & IMPLEMENTATION SERVICES

Encompass is dedicated to keeping your drivers moving and making fleet management easier. Whether it's initial system set-up, driver or staff training, or on-the-road support for your drivers, our techs answer the call.

- Roadside inspection hotline
- 24/7 driver support
- Encompass & ELD implementation services
- Expert help
- DataQs assistance
- Robust online support site with how-to's, training, and videos
- 100+ support specialists



**ELECTRONIC HOS  
FOR EVERY FLEET**



## QUALIFICATIONS AND HIRING

Candidates	List the qualifications your candidates are expected to have regarding the Hours-of-Service Compliance BASIC.	
Driver		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
Driver Manager Dispatcher		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
Safety		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
Leadership		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
Human Resources		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train
		<input type="checkbox"/> Before hire <input type="checkbox"/> Will train



## TRAINING AND COMMUNICATIONS

List specific training used at your company that addresses the HOURS OF SERVICE BASIC	When used?			Does training documentation list trainer, trainee, date, topic, material used, and include a check for learning?
	Onboarding	Recurring	Incident	
<b>PROPERTY CARRYING LIMITS</b>				
10-hours off-duty before beginning shift				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
14-consecutive hour on-duty period				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
11-hour driving limit				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
8-hour interruption of driving				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
60- or 70-hour maximum on-duty period				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
34-hour restart				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
<b>PASSENGER CARRYING LIMITS</b>				
8-hours off-duty before beginning shift				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
15-hour on-duty period				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
10-hour driving limit				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
60- or 70-hour maximum on-duty period				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
<b>EXEMPTIONS</b>				
Short haul				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
16-hour (property-carrying "long day")				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Adverse driving				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Oilfield				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Agriculture				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Utility service vehicle				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Other _____				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Other _____				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
<b>GENERAL</b>				
Record falsification				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Fatigued operation prohibition				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Use of personal conveyance				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Use of yard movement				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Safe and legal work assignments				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
HOS record retention				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Driver trip plan responsibilities				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE



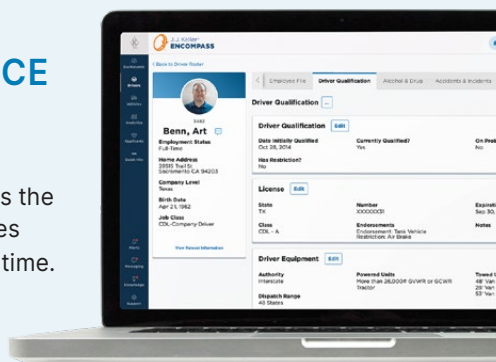
## MONITORING AND TRACKING

We monitor and track:	By Driver	By Manager Dispatcher	By Terminal
Missing Logs	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
HOS roadside inspection violations	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
HOS out-of-service	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Audit limit violations	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Audit falsifications	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Inappropriate Personal use	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Inappropriate Yard move	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
ELD Edits	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
ELD unassigned events	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Supporting document submission	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE
Accidents where fatigue was a factor	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE

### THE FLEET PROFESSIONAL'S CHOICE

The Encompass® Fleet Safety & Compliance Platform is the fleet professional's choice because it takes the complexity out of compliance, reduces risk, improves operations, and saves time.

[KellerEncompass.com](http://KellerEncompass.com)



Encompass provides:

- ✓ Online application & consent forms
- ✓ 500+ training topics
- ✓ DOT compliance checklists
- ✓ Track drug & alcohol testing results
- ✓ eDVIRs & defect resolution tracking
- ✓ HOS, vehicle costs & utilization
- ✓ Maintenance tracking & scheduling
- ✓ Fleet legalization
- ✓ Optional MVR monitoring



## MVR SCORING POLICY

Assess values to each HOS violation based on how your company weights the severity of the offense and change verbiage if the states have different terminology for the same conviction. An example might be 12 points assessed for each violation under the most severe category, 6 for somewhat, and 3 for least severe. Or you could use 6, 4, 2; 5, 3, 1; or any other combination you feel appropriate.

You will also need to determine the maximum accumulation of points within a set time frame that will be held against a driver. For example, will you examine a 3-year period or expand the time to include offenses occurring within the last five years, as many insurance carriers do?

You will also have to determine if an accident results in a citation if you will count the accident and violation as one incident and take the higher of the two point values (either the points assessed for the accident or the points assessed for the violation), or if you will consider them two incidents and use the points from both.

CONVICTION / INCIDENT	ASSESSED POINTS
HOS roadside inspection violations	
HOS OOS violations	
Supporting documentation not submitted per policy	
HOS records not submitted per policy	
Personal conveyance used inappropriately	
Yard move used inappropriately	
Log falsification	
ELD forced malfunctions	
[ Insert additional offense ]	
[ Insert additional offense ]	

## SAMPLE POLICY LANGUAGE

The following language can be used as the basis for your company's policy on the scoring of HOS convictions and incidents.

*Applicants must have no more than [##] points assessed (from company scoring formula) based on convictions for moving traffic violations within [##] years. The points assessed are based on company policy, not state licensing criteria.*



## MEANINGFUL ACTION

We take action regarding:	Action Level	We take action each...						
		Day	Next Day	Week	Month	Quarter	Year	Unsure
HOS roadside inspection violations	Driver							
	Manager Dispatcher							
	Terminal							
HOS OOS violations	Driver							
	Manager Dispatcher							
	Terminal							
Supporting documentation not submitted per policy	Driver							
	Manager Dispatcher							
	Terminal							
HOS records not submitted per policy	Driver							
	Manager Dispatcher							
	Terminal							
Personal conveyance used inappropriately	Driver							
	Manager Dispatcher							
	Terminal							
Yard move used inappropriately	Driver							
	Manager Dispatcher							
	Terminal							
Log falsification	Driver							
	Manager Dispatcher							
	Terminal							
ELD forced malfunctions	Driver							
	Manager Dispatcher							
	Terminal							

# WHAT'S NEXT

The FMCSA tracks fatigue and hours-of-service violations found during investigations, crashes, and [roadside inspections](#) using the CSA program. While perfection is not expected, the data is trended. When the carrier is flagged for intervention, the agency expects improvement. If none is noted, interventions will escalate.

## USE A FLEET MANAGEMENT SYSTEM

The surest way to run safer and mitigate hours HOS risk is to use a compliant ELD and supporting fleet management system (FMS), like the J. J. Keller® Encompass® Fleet Management System, so you are alerted to risk and can take corrective action when needed. This is particularly true to fight fatigue and ensure hours-of-service compliance.

Effective fleet management systems are designed to get your key metrics into a single source, parse the data automatically, and create alerts for the assigned responsible associate to take action.

## TAKE MEANINGFUL ACTIONS

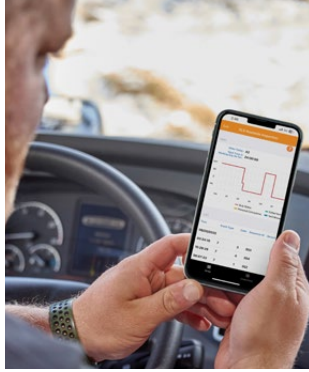
While the safety management cycle has six process steps, the most often overlooked is taking meaningful action. Sometimes, meaningful action requires examining where one of the previous five steps was missed. Possibly, you don't have a policy that is well defined, or that has enforcement teeth, or you may not have the right associate with the needed skills assigned to be responsible for the task. Often though, meaningful action can be taken by immediately providing [corrective action training \(CAT\)](#) following the behavior that does not support the desired outcome.

## ESTABLISH A PROACTIVE MINDSET

**Fatigued driving can, and should, be addressed proactively.** To do so, you must:

- Have a clear vision of what success looks like
- Succinctly communicate that vision to the entire organization
- Monitor for deviations from the expectation and correct
- Monitor for compliance with the expectation and reward the desired performance





## LEVERAGE CURRENT TECHNOLOGY

Best practice solutions to monitor fatigued driving include ELDs and dash cameras. ELDs accurately manage hours of service, alert you to violations, can automate vehicle inspections and fuel tax, and track other risky behaviors, like speeding and tailgating.

Driver-facing cameras let you view a driver's actions before and after the event, giving you a comprehensive understanding of the root cause of a behavior. Sometimes, including views of a triggered event with a driver-facing camera and a road-facing camera provides a more thorough evaluation of the driver's performance. J. J. Keller dash cams offer in-cab audible alerts for specific events, including fatigued and distracted driving.

With either ELDs or cameras, don't forget to take the next step — corrective action training — with J. J. Keller Training. With the Encompass back office, you get notification of behaviors that put you at risk. Encompass delivers all this along with analytics and historical tracking of performance that helps you plan, saves you time, tracks your efforts, results, and improvements, and a lot more. Talk with a compliance specialist today at 833-708-4634 or visit [KellerEncompass.com](https://www.kellerencompass.com) to learn more.

## CONCLUSION

Calculating ROI is difficult. Don't take the short-sighted view of some that assert the ROI of safety and compliance does not bring any revenue into the door. Rather, take the long view:

**The immediate ROI of compliance and safety programs is ensuring that the hard-earned revenue actually makes it to the bottom line and stays there.**

Because carriers that invest in safety and compliance see significant ROI, there is an inverse but counterintuitive relationship between a carrier's actual safety and compliance results to investment in their safety culture.

Carriers that appear to need safety and compliance programs based on accident and violation history are the least likely to invest in their safety culture. In contrast, carriers that appear to "have it all together" in their safety and compliance programs make and increase investments into their culture of safety.

Is it time to implement, expand, and secure your safety program ROI? Talk with a J. J. Keller compliance specialist about getting started.



<sup>1</sup> Page 78352, Federal Register, Volume 80, Number 241, December 16, 2015

<sup>2</sup> FMCSA's Analysis and Information page [https://ai.fmcsa.dot.gov/EnforcementPrograms/Inspections?type=AllViolations&time\\_period\\_id=2&report\\_date=2024&vehicle\\_type=1&acute\\_critical=19&state=NAT&domicile=ALL](https://ai.fmcsa.dot.gov/EnforcementPrograms/Inspections?type=AllViolations&time_period_id=2&report_date=2024&vehicle_type=1&acute_critical=19&state=NAT&domicile=ALL)

<sup>3</sup> Arnedt, Wilde, Munt, Maclean, Simulated driving performance following prolonged wakefulness and alcohol consumption: separate and combined contributions to impairment, December 2001

<sup>4</sup> Large Truck Crash Causation Study (LTCCS), February 2005

<sup>5</sup> National Transportation Safety Board (NTSB) Safety Study: Fatigue, Alcohol, Other Drugs, and Medical Factors in Fatal-to-the-Driver Heavy Truck Crashes (Volume 1), February 1990

<sup>6</sup> NTSB Investigation HWY21MH008, <https://www.nts.gov/investigations/Pages/HWY21MH008.aspx>

<sup>7</sup> American Transportation Institute (ATRI), Understanding the Impact of Nuclear Verdicts on the Trucking Industry, June 2020

<sup>8</sup> 49 CFR 386, Appendix B

<sup>9</sup> FMCSA Analysis & Information Online website. <https://ai.fmcsa.dot.gov/EnforcementPrograms/EnforcementCases/Index?type=ClosedCases>

<sup>10</sup> 49 CFR 385.3

<sup>11</sup> 49 CFR 385.5(g)



Recordkeeping & Alerts | DOT Compliance & Safety | Regulatory Guidance | Driver & Vehicle Management | Training Library

ELDs | Dash Cams | Vehicle Trackers | EDVIRs

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