

# Hours of Service

This is an unofficial interpretation of the federal 'Commercial Vehicle Drivers Hours of Service' regulations that take effect on January 1, 2007.



# Hours of Service

**Accurate reference is on the Internet at:**

**Federal Commercial Vehicle Drivers Hours  
of Service Regulations SOR/2005-313**

**Transport Canada website**

[www.tc.gc.ca](http://www.tc.gc.ca)

(Roads>Roads Quick Links>Acts and Regulations)

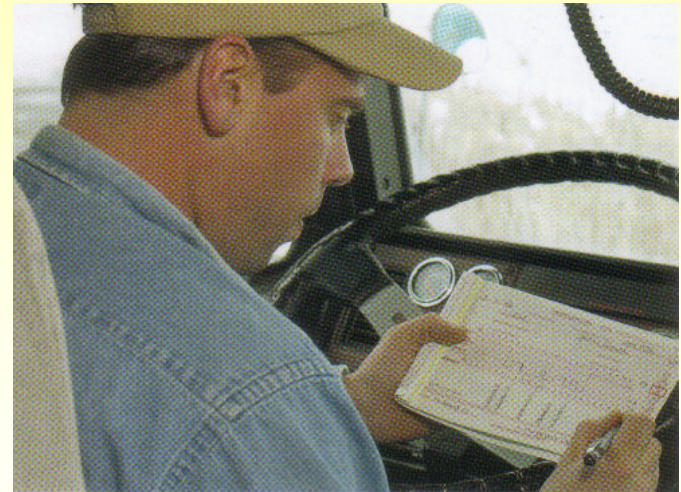
**CCMTA website**

**Commercial Vehicle Drivers Hours of Service  
Regulations **Application Guide****

[www.ccmta.ca](http://www.ccmta.ca)

(A look At>What's New)

**Refer to the official volumes of  
the Commercial Vehicle Drivers  
Hours of Service Regulations,  
made under the Motor Vehicle  
Transport Act**



# History

- ◆ Current regulations were first introduced as a countermeasure to fatigue in the late 80's and were based on the American hours of service rules.
- ◆ Hours of Service refers to legal limitations on the hours a commercial vehicle driver can drive/work for a motor carrier on a daily/weekly basis.

# Objective of the New Rules

The main objective of the new Regulations is to reduce the risk of fatigue-related commercial vehicle collisions by providing drivers with the opportunity to obtain additional rest.



# Rationale for the New Rules

The new rules incorporate current sleep and fatigue research that takes into consideration the body's circadian rhythm, driver's health (opportunity to obtain restorative sleep), irregular work shifts and sleep deprivation.



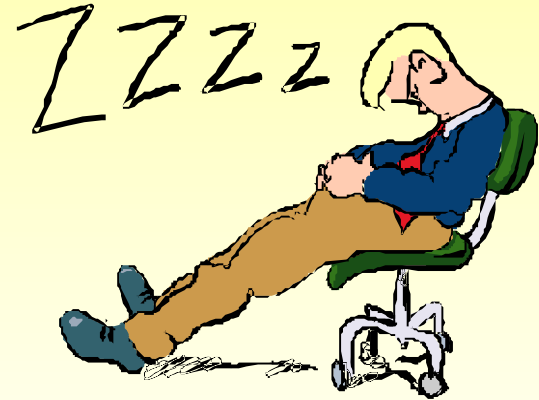
# Issues under Current HOS Rules

There must be greater emphasis upon rest. The *Current* HOS rules:

- are not based on a day (24 hour period);
- allows 16 hours of driving in a 'day';
- allows 26 hours of driving in a 30 hour period (using off duty time reduction);
- places no limit on a drivers work shift;
- would permit a driver to work everyday; and
- forces Driver and Carrier alone to assume all responsibility for compliance.

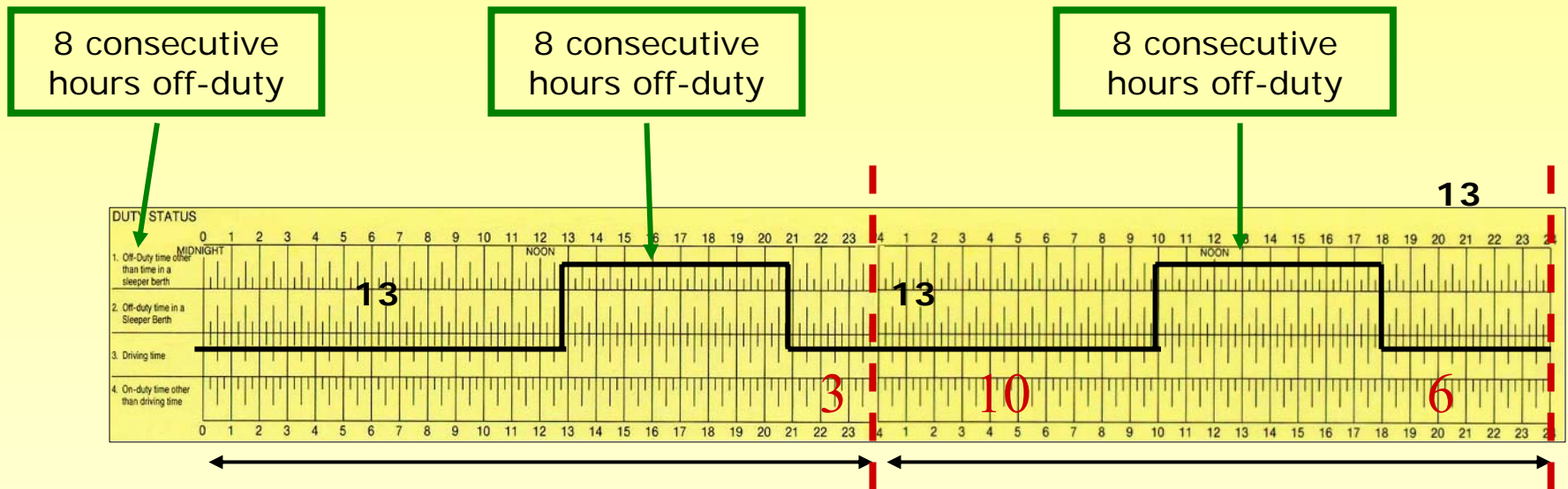
# Factors of Driver Fatigue

- Number of hours awake
- Irregular working hours
- Health of the driver
- Work load and practices
- Time of day and/or night
- Insufficient or poor quality sleep



# Principal problems with current rules

Little rest, long working hours and irregular rest periods.



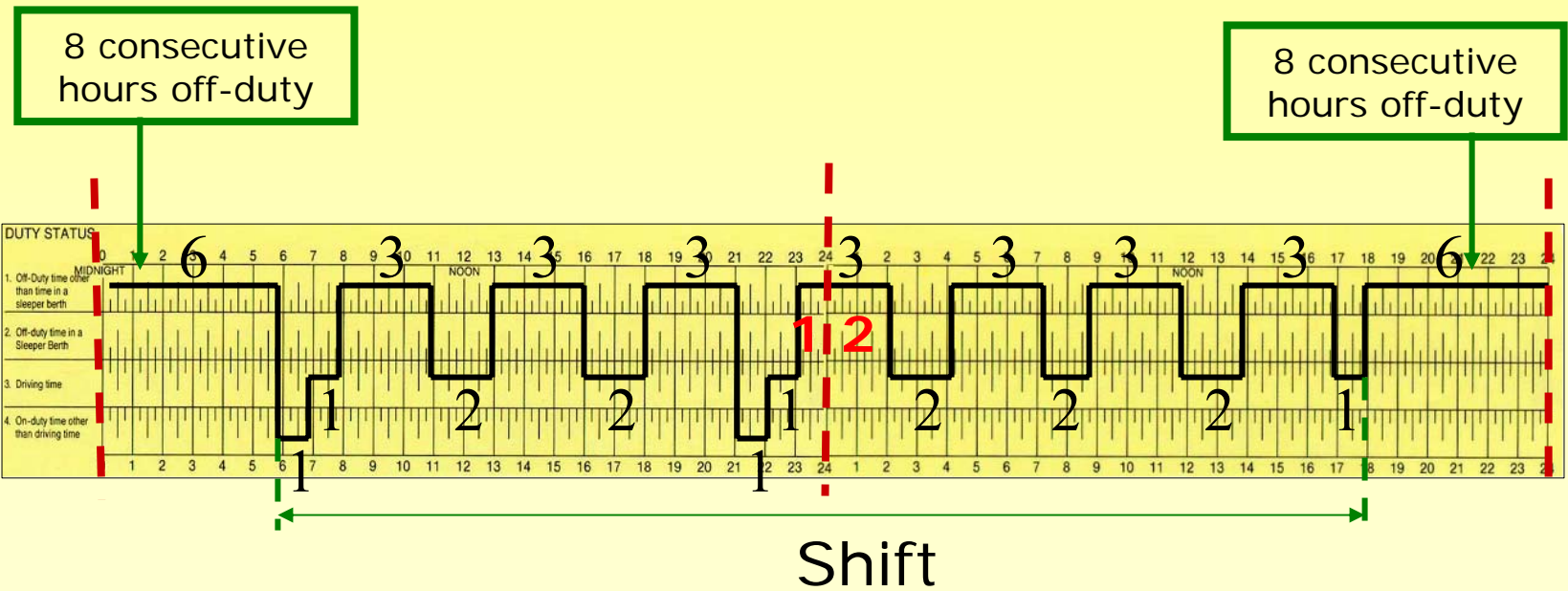
**24-hour period**  
 Off-duty: 8 h  
 Driving : 16 h (13+3)

**24-hour period**  
 Off-duty : 8 h  
 Driving : 16 h (10+6)



# Principal problems with current rules (con't)

## Length of the 'Work-Shift' (36 hours)



Shift  
 Length: 36 hours  
 Off-duty: 21 hours  
 Driving: 13 hours  
 Work: 15 hours

# The New Hours of Service

- The new federal regulation has been enacted and will be proclaimed on January 1, 2007.
- Manitoba plans to adopt these new regulations to mirror the federal hours of service rules.
- Hours of Service regulations are spelled out in federal legislation under the Motor Vehicle Transportation Act (MVTA), applicable to extra-provincial operations.

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# The Major Changes

1. require/increase minimum daily **off-duty time** by 25% (8hrs to 10hrs)
2. reduce daily **driving time** by 18% (16 hrs to 13 hrs)
3. eliminate 8 day cycle
4. increase 7 day cycle to 70 hours
5. eliminate the “Short Change” (once-a-week)
6. allow flexibility with use of 2 hour deferral provision every 2<sup>nd</sup> day
7. restrict driver’s **work shift** to 16 hours

# The Major Changes (con't)

8. requirement for carrier to elect a cycle
9. provides for “reset” of a cycle
10. standards for **sleeper berths** (design, construction)
11. different rules for single and team drivers when using the sleeper berth provision
12. requirement to take at least 24 consecutive hours off once in every 14 day period

# The Major Changes (con't)

13. increased record keeping requirements
14. increased information required on log page
15. allowing drivers to use a CMV for **personal use** (with restrictions)
16. now **shared responsibility** for compliance (shipper; carrier; consignee; or other person)
17. new powers for enforcement officers – '**out-of-service**' orders

# What's New

There are **TEN** new reference points:

1. Day
2. Work-shift
3. Deferral of off duty
4. Cycle (7 day & 14 day)
5. Reset
6. Sleeper Birth – Single & Team Drivers
7. 14 day requirement
8. Personal Use
9. Log Page
10. Time Records for local drivers

# Day

- **A 24-hour period** beginning at the time designated by the carrier
- Each 'day' is independent, and there are certain on-duty; off-duty & driving limits for each 'day'
- The start time of the day remains the same throughout each cycle
- **To change the start time of the day:**
  - Reset and Start a new cycle



# Day (con't)

## Current Rules (Limits)

- ⊙ Drive up to 16 hours in a day
- ⊙ On duty – no limit
- ⊙ No specified off-duty time for a day
- ⊙ No Driving after 15 hours of on duty in a day

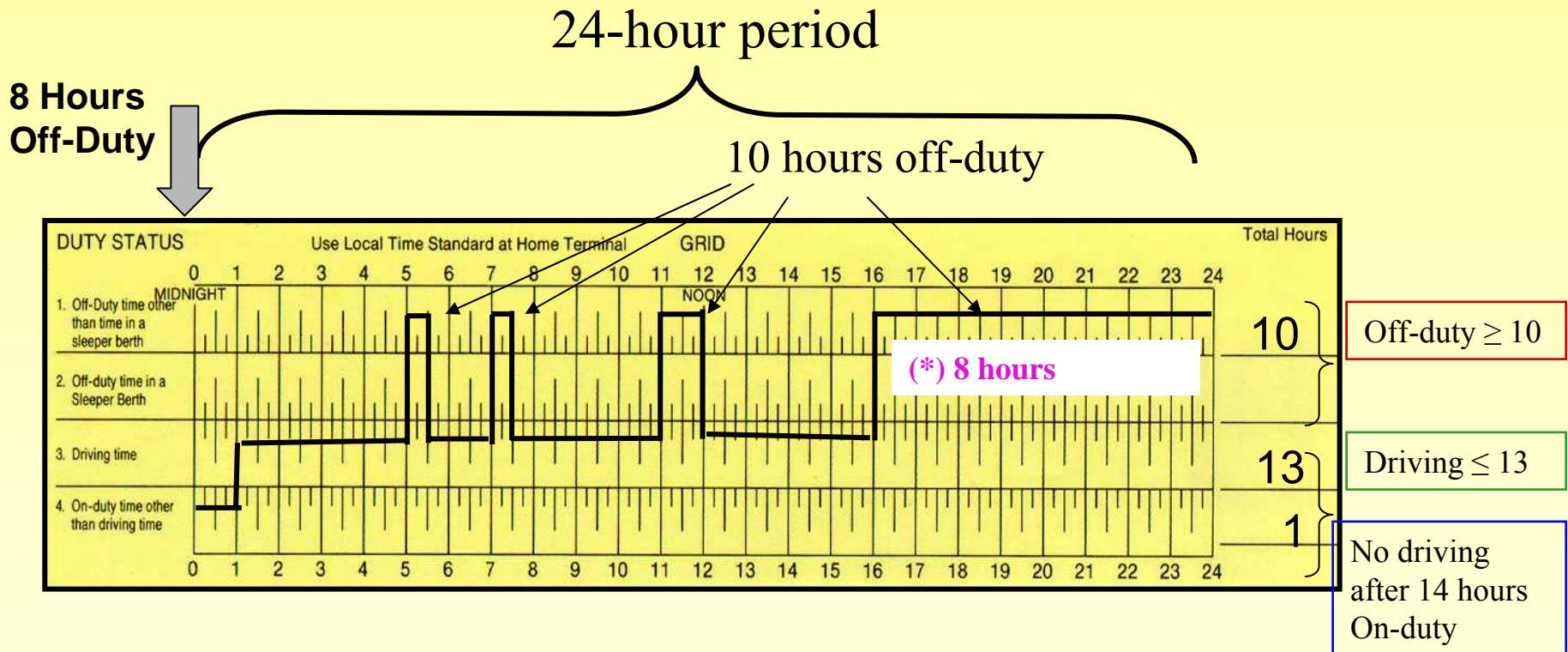


## Rules

- ⊙ Minimum of **10** hours of off-duty must be taken every day
- ⊙ Off-duty periods – minimum 30 minute increments
- ⊙ Maximum of **13** hours driving in a day
- ⊙ No driving after **14** hours of on-duty in a day

# Day

## Daily Limits - a simple 3-point check for compliance

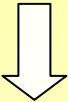


(\* 8 consecutive hours is not required in the rules for the 'Day'

# Day

## Daily Limits - Further Example

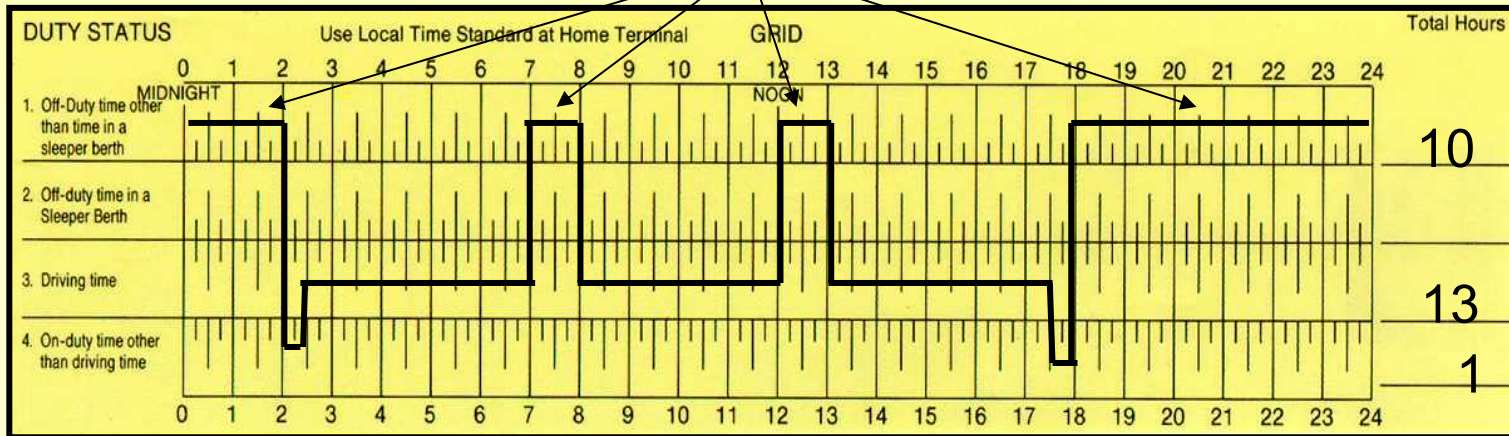
8 consecutive  
Off-Duty Hrs



10 hours off duty  
Example: 2 + 1 + 1 + 6 = 10



8 consecutive  
Off-Duty Hrs



# Day

## Daily Requirements



# Work-shift

## Current

- \* After 13 hours of driving you have to take 8 consecutive hours off duty before you can drive again
- \* After 15 hours of on duty you have to take 8 consecutive hours off duty before you can drive again

## New Rules



- \* After 13 hours of driving you have to take a minimum 8 consecutive hours off duty before you can drive again (*same as current rules!*)
- \* After **14** hours of on-duty you have to take a minimum 8 consecutive hours off duty before you can drive again

# Work-shift (con't)

## Current

- \* No restriction on length of work shift
- \* Short off-duty periods extend the time between rest breaks



## Rules

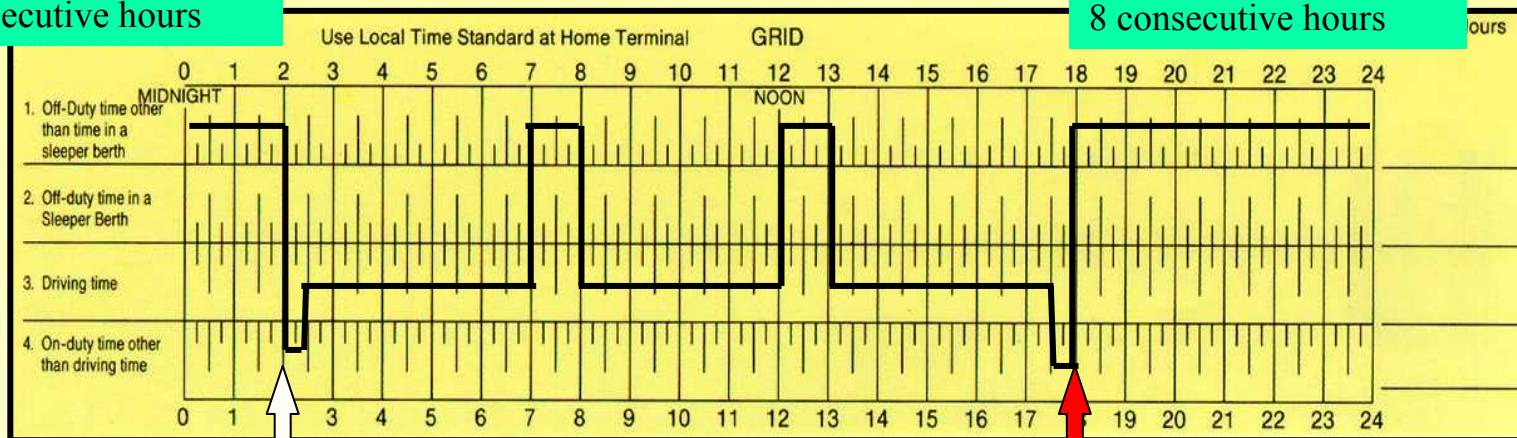
- \* Maximum of 16 hours (elapsed time)
- \* Time period which starts the instant you are on duty after having just taken minimum 8 hours off duty
- \* Includes all time
- \* 8 consecutive hours off-duty resets the work shift.
- \* Sleeper berth rest periods are not counted in the 16 hour duty period when they qualify for the sleeper berth rest provision

# Work-shift

## What are the Rules for the Work-Shift?

8 consecutive hours

8 consecutive hours



Shift Reset

End

- No driving after 16 hours of elapsed time
- Driving time  $\leq$  13 hours
- No driving after 14 hours on-duty

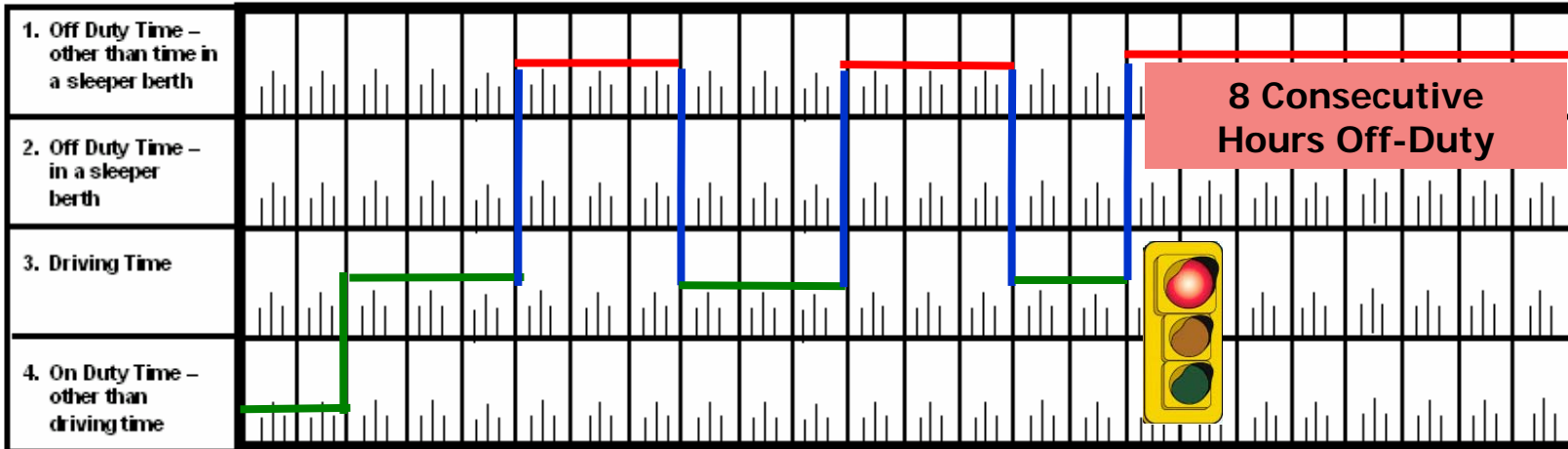
# Work-shift

## Mandatory Off-Duty Time After 16 Hour Work-Shift

**8 Hours  
Off-Duty**

**WORK SHIFT**

Midnight 0 1 2 3 4 5 6 7 8 9 10 11 12 Noon 13 14 15 16 17 18 19 20 21 22 23 24 Midnight



**8 Consecutive Hours Off-Duty**

Total Hours

**14**

**8**

**2**



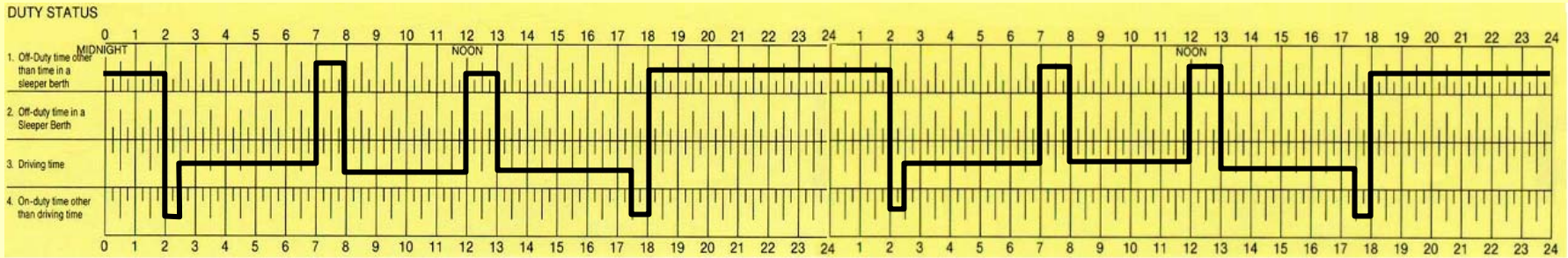
# Work-Shift

## Application of Work-Shift Over 2 Days

8 hours Off-Duty

8 hours Off-Duty

8 hours Off-Duty



- Work Shift  $\leq 16$
- Driving  $\leq 13$
- No driving after 14 hours on duty

- Work Shift  $\leq 16$
- Driving  $\leq 13$
- No driving after 14 hours on duty

# Deferral of Off Duty

## Current Rule

- ◆ May reduce the 8-consecutive hour off-duty period to a minimum of 4 hours-once in a 7 day period

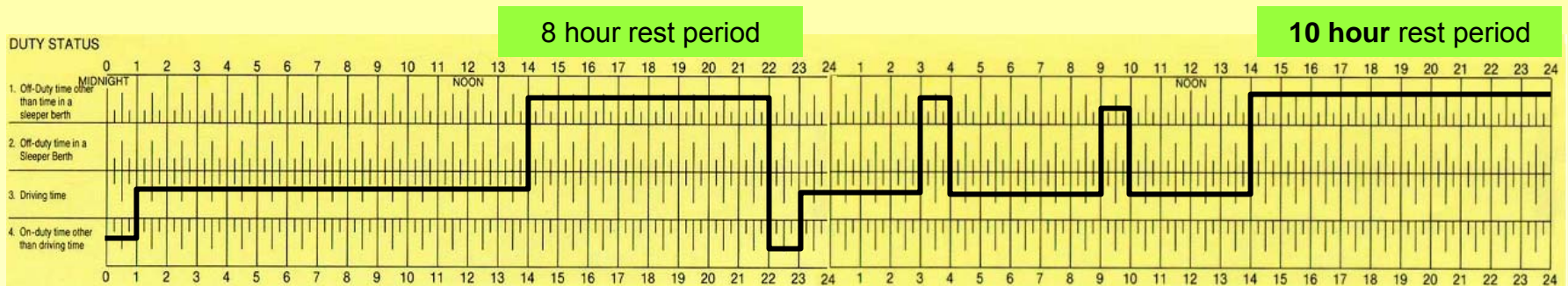


## Rules

- ◆ 48 hour averaging allows a driver to reduce the daily off duty requirement of 10 hours by up to 2 hours provided the 2 hours is not part of the 8 consecutive hours
- ◆ This time is added to the 8 consecutive hours on the second day
- ◆ This provision may be exercised every 2nd day if a driver chooses.

# Time Deferral (Up to 2 hours per day)

Driver has 'deferred' 2 hours from Day #1 to Day #2



Notes: Day #1 Day #2

- 1) The 2 hours 'deferred' from Day #1 are added to the 8-hour rest period on the following day (Day #2 - 1400-1600)
- 2) On Day #2 – Must still have the 2 'Off-Duty' Hours that are not part of any mandatory 8-hour off-duty block (0300-0400) & (0900-1000).

# Cycles



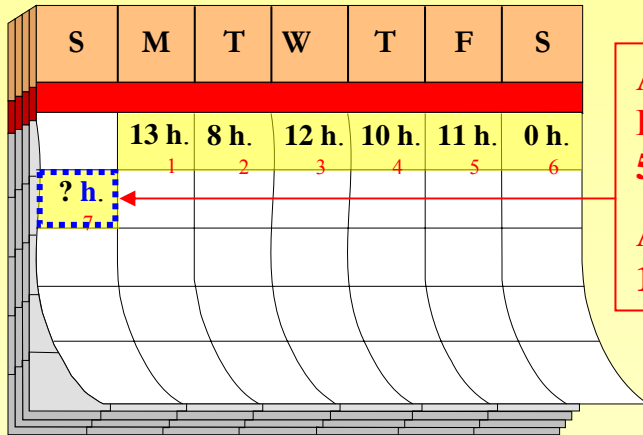
## Current Rule

- ◆ Must be in compliance with 1 of the 3 cycles which are:
  - 60 hours/7 days,
  - 70 hours/8 days,
  - 120 hours/14 days (24-hour off-duty prior to 75th hour on-duty)
  
- ◆ Switching allowed

## Rules

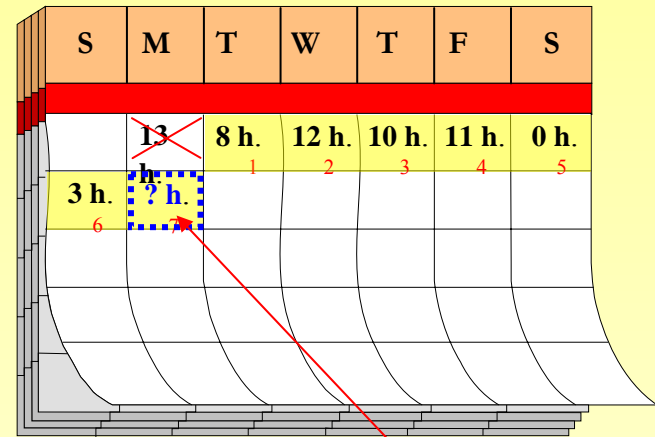
- ◆ Two cycles (*must* elect one):
  - Cycle 1 is 70 hours/7 days,
  - Cycle 2 is 120 hours/14 days (also must take 24 consecutive hours off-duty prior to accumulating 70 hours of on-duty time)
  
- ◆ Cycle switching only allowed after completing required off-duty period
  - Cycle 1: 36 consecutive hours off duty
  - Cycle 2: 72 consecutive hours off duty

# Illustration of Cycle 1 (70 hrs/7 days)



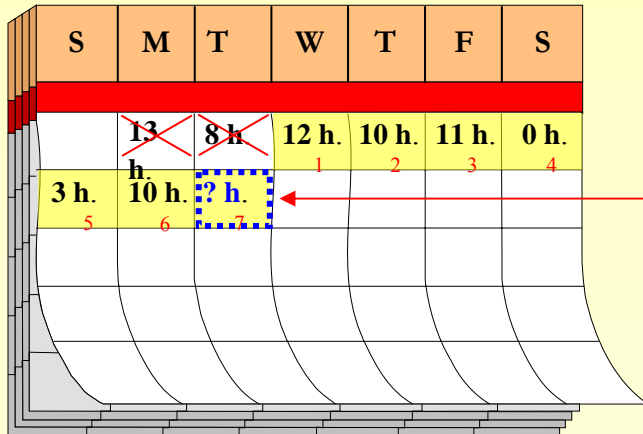
Accumulated  
Day 1-6:  
**54 h**

Available:  
**16 h**



Accumulated  
Day 1-6:  
**44 h**

Available:  
**26 h**



Accumulated  
Day 1-6:  
**46 h**

Available:  
**24 h**

# Reset Provision

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Driver can reset a cycle at any time by taking:

1. 36 consecutive hours off to reset Cycle 1
2. 72 consecutive hours off to reset Cycle 2

# Illustration of Cycle 2 (120 hrs/14 days)

<i>Date</i>	<i>Hours Worked</i>
April 1	12
2	0
3	0
4	0
5	14
6	13
7	10
8	12
9	13
10	0
11	13
12	11
13	11
14	14
15	8

**Reset Taken**

72 Off-Duty Hours Taken (Reset)

119 Hours On-Duty

# Illustration of Cycle 2 (Before 70<sup>th</sup> Hour)

<i>Date</i>	<i>Hours Worked</i>
April 1	10
2	8
3	0
4	9
5	10
6	10
7	10
8	9
9	10
10	10
11	0
12	11
13	6
14	10
15	9

No Reset Taken

24 Hours Off-Duty Hours  
Before Reaching 70 On-  
Duty Hours (68 Hours)

Apr 01/14 Cycle:  
113 Hours  
Apr 02/15 Cycle:  
112 Hours



# Off Duty Split in Sleeper Berth

## Current Rule

- ★ Commercial motor vehicle (CMV) drivers using a sleeper berth must take 8 hours off-duty, but may split the sleeper-berth time into two periods provided neither is less than 2 hours.



## Rules

- ★ *Single* drivers using a sleeper berth must use two separate periods totalling 10 hours off-duty, provided neither period is less than 2 hours
- ★ *Team* drivers using a sleeper berth must use two separate periods totalling 8 hours off-duty, provided neither is less than 4 hours (10 hours off must still be taken in a day)

# Off-Duty Split in Sleeper Berth

## Further Conditions All Drivers (Team or Single) Must Follow:

❁ No driving after accumulating (total before and after each sleeper berth period):

➔ 13 hours driving

➔ 14 hours on-duty



No driving time occurs after the 16<sup>th</sup> elapsed hour in the work-shift

# Off-Duty Split in Sleeper Berth

## All Drivers Must Also Comply with 'Daily' Requirements



Maximum 13 driving hours in each 'Day'



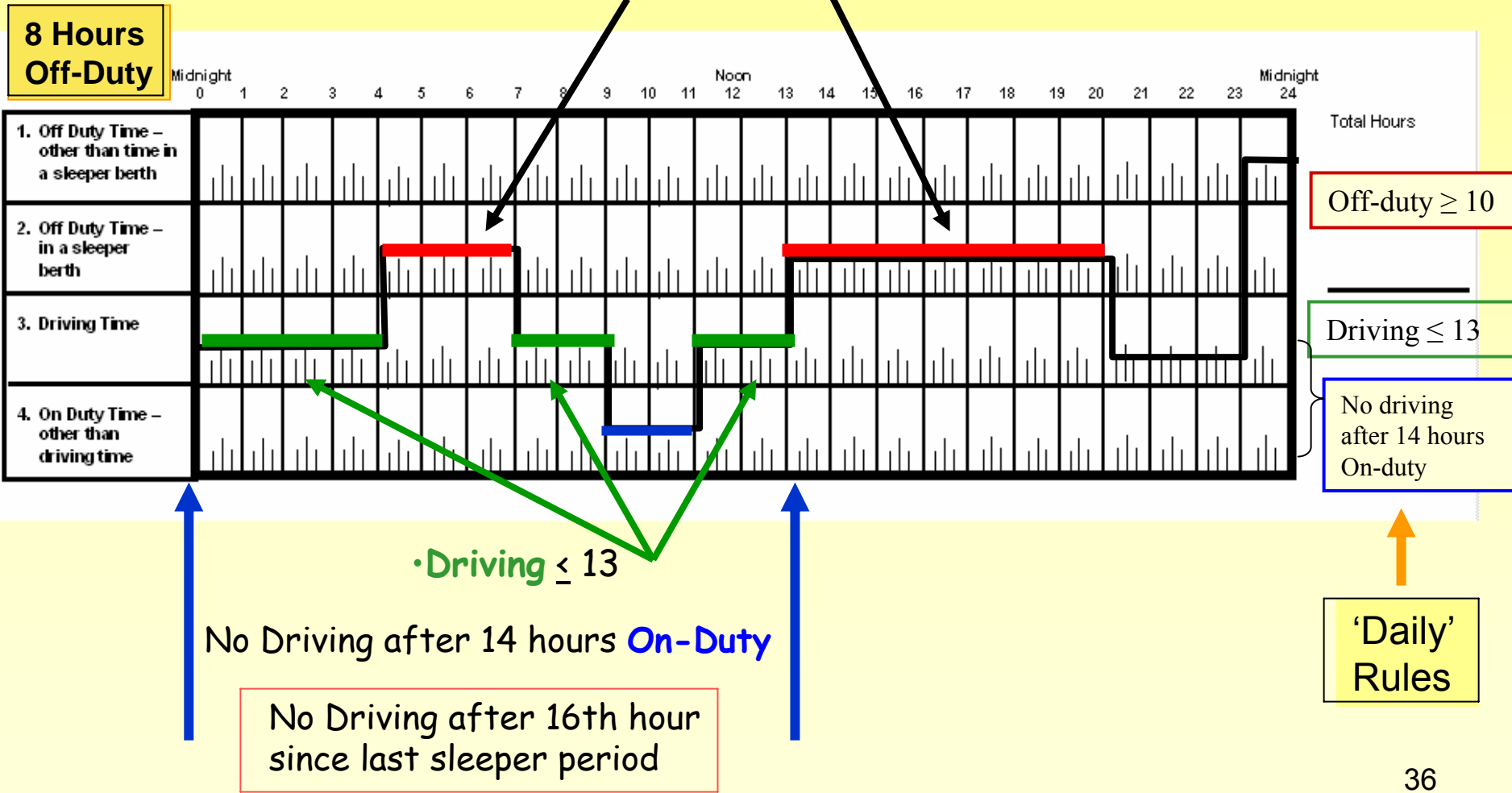
No Driving after 14<sup>th</sup> On-Duty hours in each 'Day', and



10 Off-Duty hours must be taken by driver in each 'Day'

# Sleeper Berth (Single Driver)

3 + 7 = 10 hours (Sleeper Berth)

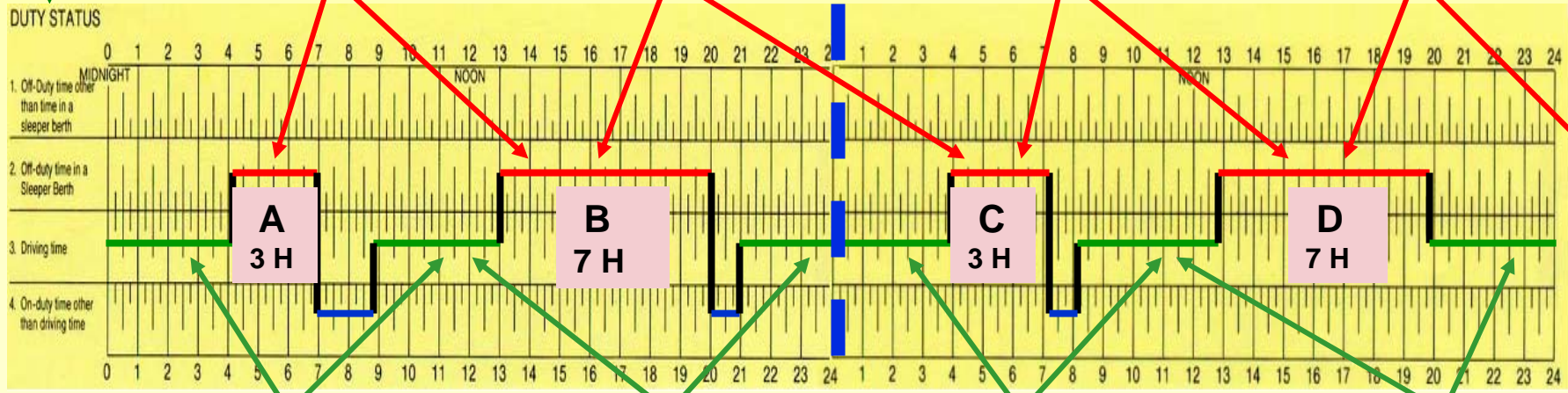


# Sleeper Berth Over 2 Days (Single Driver)

8 consecutive hours off-duty

Day #1

Day #2



Driving ≤ 13

Driving ≤ 13

Driving ≤ 13

Driving ≤ 13

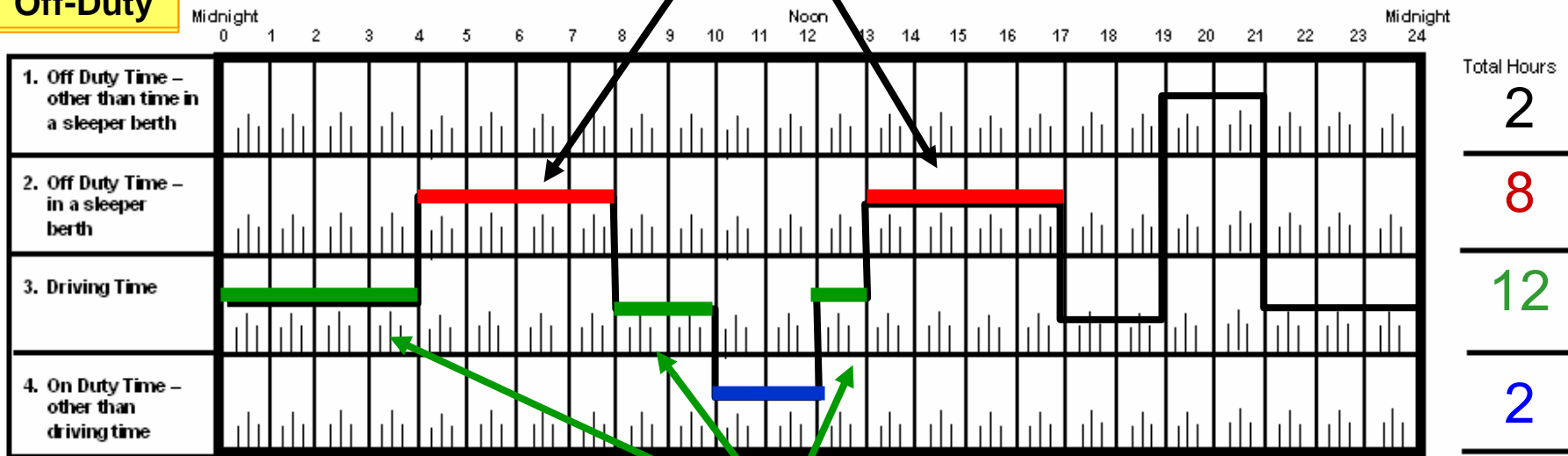
**For ALL periods before and after each sleeper berth:**  
No Driving After Reaching 14 On-Duty Hours.

- Rules for Both Day #1 & Day #2**
- Driving time ≤ 13 hours
  - No driving after 14 hours on-duty
  - Off Duty ≥ 10 hours

# Sleeper Berth (Team Driver)

4 + 4 = 8 hours (Sleeper Berth)

8 Hours  
Off-Duty

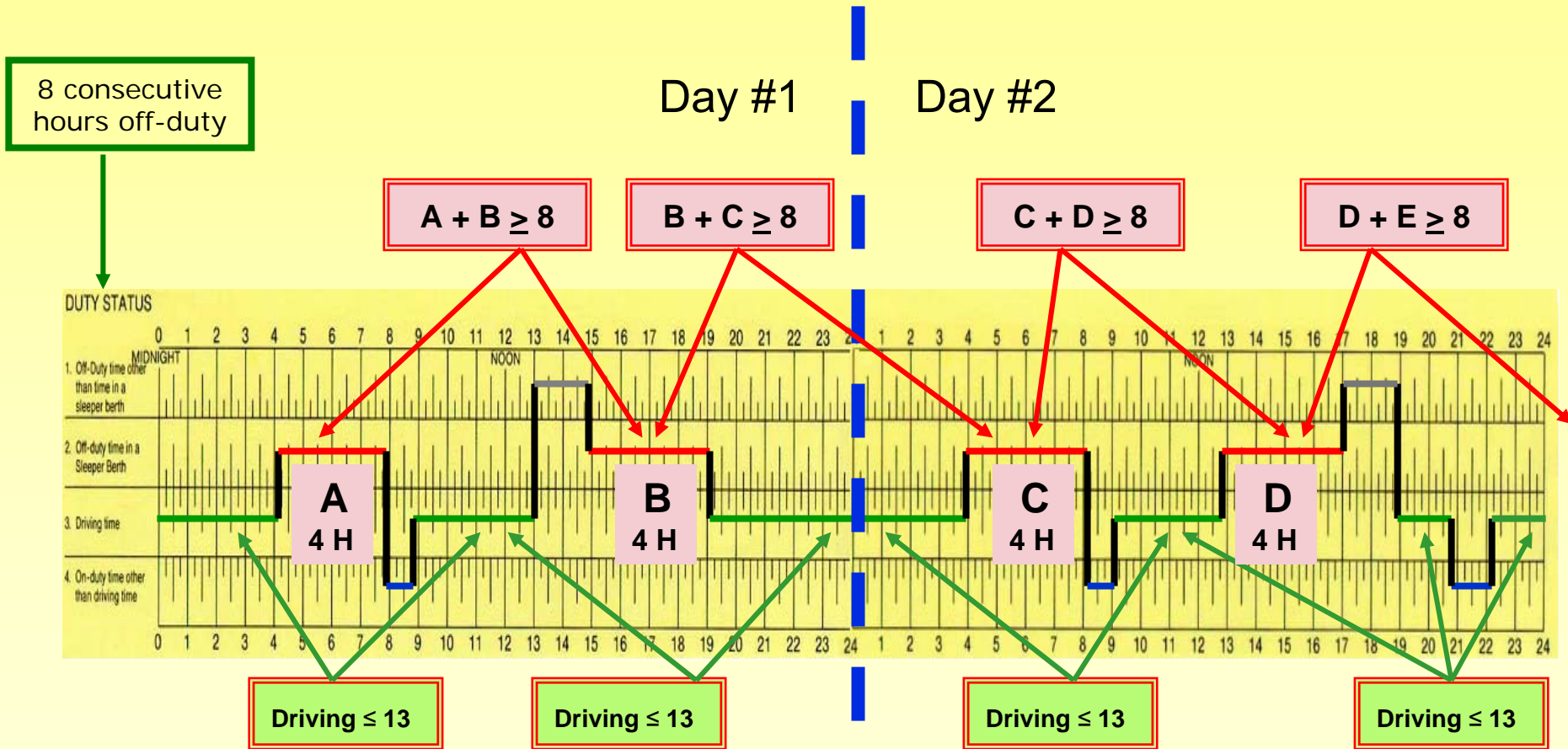


• Driving  $\leq$  13

No Driving after 14 hours  
On-Duty

No Driving after 16th hour  
since last sleeper period

# Sleeper Berth Over 2 Days (Team Driver)



**For ALL periods before and after each sleeper berth:**  
 No Driving After Reaching  
 14 On-Duty Hours.

**Rules for Both Day #1 & Day #2**

- Driving time  $\leq 13$  hours
- No driving after 14 hours on-duty
- Off Duty  $\geq 10$  hours

# Sleeper Berth Specifications

## Current Rule

- ◆ Suitable accommodation, constructed and maintained for sleeper



## Rule

- ◆ Must meet prescribed standards specified in Schedule 1



# 14 Day Requirement

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## Mandatory 24 Hours Off-Duty

### Current Rule

Only required for the 14 day cycle



### Rule

Mandatory 24 consecutive hours off duty in preceding 14 days (regardless of cycle)

# 14 Day Requirement

## Mandatory 24 hours Off in 14-days (regardless of cycle)

- to address perceived problem of driving every day of the year
- driver must have at least one 24-hour consecutive off-duty period in preceding 14 days
- applies regardless of amount of on-duty time accumulated

The calendar for January 2005 illustrates a 14-day cycle. Days 1, 14, and 28 are marked with a red octagonal STOP sign, indicating mandatory 24-hour off-duty periods. All other days (2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31) are marked with a black checkmark, indicating on-duty days. The cycle repeats every 14 days.

January 2005							
2007				Thursday	Friday	Saturday	Sunday
					STOP	1 ✓	2 ✓
3 ✓	4 ✓	5 ✓	6 ✓	7 ✓	8 ✓	9 ✓	10 ✓
11 ✓	12 ✓	13 ✓	14 ✓	15 ✓	16 ✓	17 ✓	18 ✓
19 ✓	20 ✓	21 ✓	22 ✓	23 ✓	24 ✓	25 ✓	26 ✓
27 ✓	28 ✓	29 ✓	30 ✓	31 ✓	STOP		

# Personal Use Exemption



Driving Commercial Vehicle for personal use is not considered to be “On Duty” provided that:

- ⊙ CMV is unloaded
- ⊙ Not towing a trailer
- ⊙ Maximum of 75 km/day
- ⊙ Odometer readings are recorded and
- ⊙ Driver is not subject of an OOS declaration

# The Log Page (New Additions)



## Additions to the Log Page are:

- ① Odometer Reading End of Day
- ② Statement of Day#1 or Day #2
- ③ When Off-Duty Deferral is being used
- ④ Declaration of Cycle 1 or Cycle 2 (Cumulative)
- ⑤ Start & End Odometer Readings when
- ⑥ Commercial vehicle used for personal use
- ⑦ Principal Place of Business
- ⑧ Report On & Off Duty when Log Page Not Required

# Log Page New Additions (con't)



**In the 'Remarks' section, the following information is required:**

- ⑨ If you extend your driving, on-duty or elapsed time (work shift) because of an emergency or adverse driving conditions, you must record the reason for doing so in the "Remarks" Section
- ⑩ On *any* day during the previous 14-day period when a Log Page is not required, the total number of on duty and off duty hours must be clearly identified in the "Remarks" Section for each day

# MOTOR VEHICLE OPERATOR'S DAILY LOG

DATE  
 Day Month Year

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Vehicle Numbers (Show All Units)

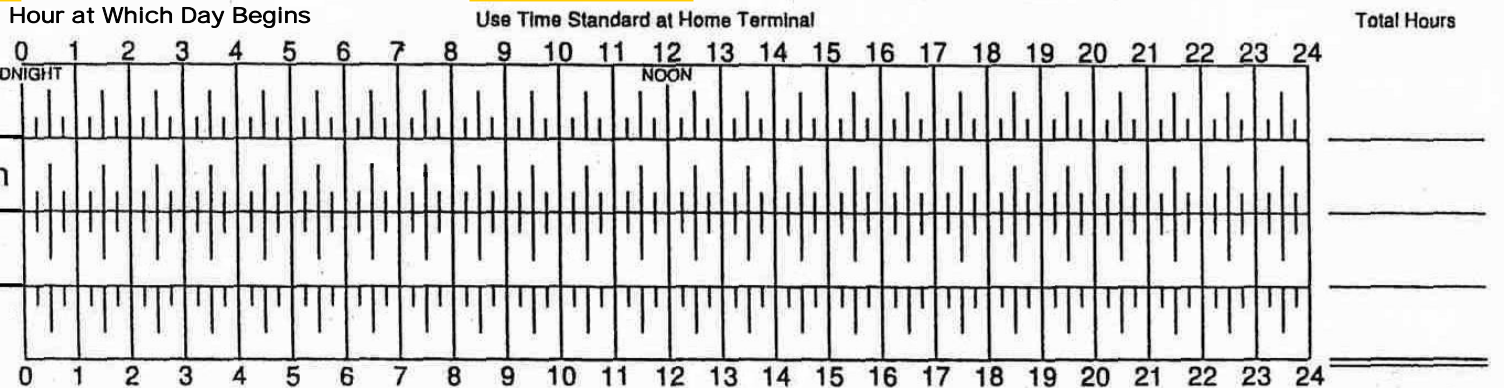
Carrier Name \_\_\_\_\_ Odometer Finish \_\_\_\_\_

Home Terminal Address \_\_\_\_\_ Odometer Start \_\_\_\_\_

Principal Place of Business Address (if different from above) \_\_\_\_\_  
 Cycle 

1	2
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 Daily Deferral Day # \_\_\_\_\_ Total Distance \_\_\_\_\_ km/mi



Remarks: \_\_\_\_\_

Printed Name of Driver \_\_\_\_\_ Other Vehicle Operators \_\_\_\_\_

Signature of Driver \_\_\_\_\_

**Personal Use of Commercial Vehicle**

Start Odometer	End Odometer
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# Driving within 160 km - Time Records



## Local Driving Records must contain the following details:

- Clearly identify all duty status for each 24 hour period
- State driving & on-duty time separately
- Indicate Cycle that the driver is using
- Note if any Off-Duty deferral is being used
- Record any personal use of CMV with odometer readings

# Summary

- 13 hours driving
- 14 hours on duty
- 16 hours in a work shift  
(begins and ends with minimum of 8 consecutive hours off)
- 10 hours off duty
- 2 cycles  
70 hours in 7 days  
120 hours in 14 days  
(Note: 24 hours taken off prior to any period of 70 hours of on duty time)



# Summary (con't)

- Ability to reset cycles
- May defer 2 hours off-duty time from day 1 to day 2
- Sleeper-berth Provisions
  - Each day a minimum of 10 hours must be taken.
    - Single driver – 2 periods neither less than 2 hours to total 10 hours.
    - Team driver – 2 periods neither less than 4 hours to total 8 hours (10 hours must be taken in the day)
- Preceding 14 days of logs must be retained to confirm 24 hours off at least once in every 14 days
- Detailed time records

# Conclusion

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The new Hours of Service Rules have been proclaimed at the Federal Level.

These rules will be implemented into Manitoba Regulations in the fall of 2006, and will be enforced on January 01, 2007.