



**Gary Petty**President & CEO
National Private Truck Council







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#### Thank You for Joining Us!

- This webcast will cover ...
  - A regulatory overview
  - Best practices in compliance
  - A case study in implementation
  - Question & Answer session
- You will be muted during the event.
- Please use the Q&A feature to send in questions. We'll try to answer them during the Q&A period if they are not covered in the presentation.
- The slides and recording will be posted within 7 days at: www.jjkeller.com/nptcinfo

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#### Meet Your Speakers



Tom Bray Sr. Industry Business Advisor



Tim Adam, CTP Industry Business Advisor J. J. Keller & Associates, Inc.



Tom Moore, CTP

Executive Vice President
National Private Truck Council



Clayton Henady, CTP Transportation Safety Manager Bob Evans Transportation, LLC

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**Tom Bray** Sr. Industry Business Advisor J. J. Keller & Associates, Inc.





# Applicability All drivers operating a "commercial motor vehicle" Used in commerce and... Weighs or is rated at 10,001 pounds or more, Seat more than either 8 or 15 (depending on compensation, or Requires placarding Three Components • Limits • Logs • Exemptions Limits • Property-carrying driver: 8 hours of driving 11 hours of driving 14 consecutive hours 60 hours in 7 days or 70 hours in 8 days • Passenger carrying: • 10 hours of driving • 15 hours of accumulated on-duty time • 60 hours in 7 days or 70 hours in 8 days

#### Logs – Records of Duty Status (RODS)

- $\bullet$  ELD Required for most drivers that must complete a log
- Paper log Only allowed if driver that must log is exempt from the ELD requirements (see §395.8(a)(1)(iii))
- • Time records – Only allowed if the driver meets the conditions in  $\S 395.1(e)$ 
  - Stays within 150 air miles of the work reporting location
  - · Returns to the work reporting location for the day within 14 hours







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**Tim Adam, CTP** Industry Business Advisor J. J. Keller & Associates, Inc.







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#### Audience Poll:

#### Which exemptions does your carrier use?

- 150-mile short haul exemption
- Driver salesperson exemption
- Agriculture exemption
- Adverse driving conditions exemption
- We do not use any exemptions







# Exemptions • Complete exemptions (no limits and no logs required): • Exempt from the safety regulations in §390.3(f) Operating under an emergency declaration (§390.23) Agricultural commodity exemption (§395.1(k)) Utility service vehicle drivers (§395.1(n)) Railroad signal employees (§395.1(r)) Covered farm vehicle drivers (§395.1(s)) Pipeline welding truck drivers (§395.1(x)) Exemptions • Exemptions from limits: Drivers exempt from all of Part 395 (previous slide) \$395.1(b) Adverse driving conditions (11- and 14-hour limits) \$395.1(c) Driver salesperson (60/70-hour limit) \$395.1(d)(l), and (m) Oil field, well drillers, and construction (24 hours restarts) • §395.1(f) Christmas retail deliveries (all limits) • §395.1(g) Split sleeper (8/10- hour break) • §395.1(o) Short haul 16-hour exemption (14-hour limit) • §395.1(u) and (v) Drivers transporting bees and livestock (30-minute break) 14 Exemptions Exempt from logging • Drivers exempt from all of Part 395 (previous slide) $\bullet$ Short-haul CDL drivers (§395.1(e)(1)) and short-haul non-CDL property-carrying drivers (§395.1(e)(1))

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Driver also exempt from the 30-mimnute break requirement
 Must submit time records in place of logs
 If cannot meet the terms of the exemption, must submit a log

• All other limits and safety regulations apply!

If driver already submitted logs 8 days in the last 30 days, the driver must use an ELD

#### Exemptions

- There are more (look in §395.1 and CVSA's Exemption Tracker)
- Key point: When using an exemption:
  - Read the entire exemption

  - Know specifically what your driver is exempt from
     Know exactly what regulation(s)/requirement(s) the driver is exempt from
  - Decide if using the exemption without internal restrictions is a good thing
    - Ill and fatigued still applies when using an HOS exemption









How Fleets Are Combatting Fatigue

Tom Moore, CTP National Private Truck Council







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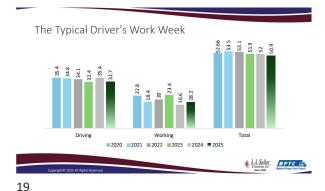
#### **Driver Fatigue Stats**

- Driver fatigue has been recognized as a major safety concern and a contributing factor to fatal truck crashes for over 70 years
- 13% of CMV drivers were considered to have been fatigued at the time of
- The National Sleep Foundation recommends that a healthy adult sleeps 7-9 hours per day, 30% of adults report they get less than 6
- CMV drivers average less than 5 hours of sleep per night
- Lack of sleep mimics blood alcohol concentration, 18 hours without sleep is equivalent to a blood alcohol concentration level of 0.05%









#### Fatigue Management Strategies

- One size does not fit all
- Understand work and lifestyle factors
- · Know what fatigue looks like
- Driver education, training and management
- Use technology
- Driver wellness
- Corporate responsibility



#### Understand Work and Lifestyle Factors

- Work Factors
  - Hours worked, inadequate rest or sleep, harsh environmental conditions
  - Individual susceptibility day vs. night driving
- Lifestyle Factors
  - Poor quality of sleep, family commitments, social life, length of commute, poor health or sleep disorders
  - The previous amount of sleep



## Know What Fatigue Looks Like Impaired decision making and judgement (including being unaware of being fatigued) Reduced immune system functions • Signs of fatigue may include: Headaches or dizziness Headaches or dizziness Difficulty keeping eyes open Frequent yawning Muscle weakness Lack of energy Frequent repositioning in seat Longer-term effects can include: High blood pressure and/or heart disease Depression or anxiety Diabetes and/or gastro-intestinal disorders Immediate signs of fatigue include: Microsleeps Lack of concentration Reduced short-term memory Increased errors Slower reaction times MPTC Since 1963 22 **Driver Management** Know your drivers • Develop a culture of safety across all departments • Ensure fatigue is considered when planning routes and scheduling drivers - keeping day drivers on days, keeping night drivers on nights, building routes that can keep drivers productive and restful • Educate and train drivers and encourage them to rest when they feel fatigued • Ensuring incident and accident investigations take fatigue into consideration 23 Driving Within the Regulations • Train the drivers: • They own their hours of service – Captain of the Ship policy • Recognize the symptoms associated with fatigue • Review the regulations

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The role of technology

How to conduct fatigue self assessments and fit for duty

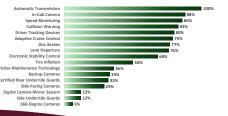
# Onboard Technology Adoption E-Logs Speeding Spe

& J. J. Keller



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#### Active Safety Technologies

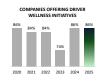


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#### Driver Wellness Initiatives



WELLNESS INITIATIVES				
Mental Health		94%		
Grief		90%		
Weight Management		78%		
Smoking Cessation		76%		
Nutritional Counseling		71%		
Exercise Program	65	K .		
Sleep Management	51%			
Sleep Testing	31%			

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#### Sleep Apnea

- Sleep Apnea Syndrome is a breathing related sleep disorder that causes brief interruptions of breathing during sleep
- Because SAS affects your sleep it also affects daytime alertness and
- It has been reported that up to 28% of commercial truck drivers have mild to severe sleep apnea
- $\bullet$  You may not permit a driver to operate a CMV if the driver has a condition that would affect their ability to safely operate a vehicle







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#### What Can We Do?

- Encourage open communication
- Be conscious of your driver's schedules
- · Encourage a healthy lifestyle
- Educate
  - Safety Training
  - Fatigue management programs
- · Monitor drivers with technology
  - HOS rules
  - Fatigue detection





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#### Corporate Responsibility

- Doing your part as shipper and receiver become a destination that drivers appreciate and value
  Good loading appointments allow the driver to schedule some sleep time rather than staying on the clock.

  - Having safe parking areas
     Good check-in and out processes
  - Training shippers and receivers on where there are truck parking areas around, restrooms, truck friendly restaurants, etc.
- Random, reasonable suspicion and post-accident assessments
- Corrective action medical support and progressive discipline
- $\bullet$  Conducting an annual audit of fatigue management and updating the plan when required







Clayton Henady, CTP Transportation Safety Manager









#### **Bob Evans Farms**

Bob Evans began making sausage for his restaurant in Gallipolis, OH in 1948. We're a leading producer and distributor of refrigerated dinner sides and breakfast items.

- A division of Post Holdings, Inc.
- 1400 Employees
- Locations
   New Albany, OH Corporate HQ
   Xenia, OH Harvest/Sausage
   Hillsdale, MI Harvest/Sausage
   Lima, OH Pasta/Potatoes
   Rigby, ID Potatoes

  - Rigby, ID Protatoes
     Fairborn, OH Cold Storage/ Distribution
     Springfield, OH Transportation
     Forney, TX Transportation







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#### **Bob Evans Transportation**

- Private fleet for Bob Evans Farms refrigerated retail
- Transportation Facilities in Springfield, OH and Forney TX
- Opening new cold storage and distribution facility in Fairborn, OH in 2026
- 150 Tractors
- 300 Trailers
- 12.7+ Million miles driven annually



#### The Sleep Quiz

- Answer the following questions either True or False:
  - I feel sleepy during the day, even when I get a good night's sleep.
  - I get very irritable when I can't sleep.
  - I often wake up at night and have trouble falling back to sleep.
  - It usually takes me a long time to fall asleep.
  - I often wake up very early and can't go back to sleep.
  - I feel an uncomfortable/restless sensation in my legs at night.
  - My legs often move or jerk during the night.
  - I sometimes wake up gasping for breath.
  - My bed partner says my snoring keeps her/him from sleeping.
  - I've fallen asleep while driving.

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#### Regulatory Framework

- FMCSA 6.3.1 Illness or Fatigue (392.3)
- Drivers may not operate, nor shall a motor carrier require or permit a driver to operate a CMV if they are too tired or sick to drive safely. Operation may be discontinued at the driver's discretion.
- 11-hour driving limit after 10 consecutive hours off duty
- 14-hour on-duty limit
- 30-minute break after 8 hours of driving
- 60/70-hour limit over 7/8 days
- HOS compliance and requirement of electronic logging devices (ELDs)

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#### **Regulatory Limits**

- Limits of Regulatory-Only Approaches Regulations do not account for individual sleep needs or off-duty behavior
- They cannot detect or prevent fatigue caused by health or personal circumstances
- Prescriptive rules may not reflect latest sleep science or operational realities
- Fatigue prevention works only when both drivers and managers own their responsibilities







### **Future Changes** FMCSA PILOT PROGRAMS • FMCSA Pilot Programs to Study Hours-of-Service Flexibility • Flexible Sleeper Berth • Split Duty Periods USDOT INVESTMENT • The USDOT is allocating \$275+ million to expand truck parking Why a Comprehensive Fatigue Management Program? • Address multiple risk factors: scheduling, culture, health, education, and technology North American Fatigue • Integrated approaches outperform Management Program NAFMP regulations alone on safety and operational metrics • Evidence demonstrates lower crash rates and insurance claims with full FRMS adoption 38 **Driver Strategies** • Driver Personal Readiness Checklist: • How long have you been driving/working since your last break? • Did you sleep in the last 24 hours? • What was the quality of that sleep compared to usual? • How do you feel right now? • Do you believe your hydration and blood sugar is OK? • Have you experienced any physical signs of fatigue prior to or during this shift? • Do you believe you are fit to continue driving/working?

#### **Healthy Habits**

- Take regular breaks every 2-3 hours
- Use rest stops for stretching and walking
- · Listen to engaging (but not distracting) audio
- Prioritize sleep: Aim for 7–9 hours per night
- Maintain a consistent sleep schedule
- Use naps strategically (20-30 minutes)
- Stay hydrated and eat balanced meals (Avoid heavy & spicy foods)
- Avoid caffeine, and tobacco before rest
- Avoid medication that may include drowsiness
- Do not rely on "alertness tricks" to keep you awake







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#### Get the Best Rest

- Have a routine in place for bedtime. Starts approximately 1 Hour prior. Go to sleep at a regular time.
- Sleep in a cool, dark & quiet place. Think of a cave.
- Use a fan, white noise machine, or ear plugs to block out unwanted sounds. Use multiple blankets you can add or remove to keep comfortable.
- If schedules require an alternative sleep schedule, utilize light blocking curtains or a sleep mask.











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#### Management Strategies

- · Joint accountability for both drivers and managers
- Set realistic schedules and expectations
- Address driver fatigue in safety
- Provide wellness programs and sleep education
- Encourage honest self-assessment, open communication, and responsible reporting about tiredness
- Policies and procedures mandating drivers pull over to a safe location if fatigued
- · Monitor HOS and technology
- · Intervene when patterns suggest
- · Recognize and reward safe driving
- Do not interrupt sleeper berth or rest periods with calls or messages unless it is an emergency









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#### Stop Bang Questionnaire • Do you Snore loudly? • Do you often feel Tired, fatigued, or sleepy during daytime? • Has anyone Observed you stop breathing during your sleep? • Do you have or are you being treated for high blood Pressure? • BMI more than 35? People who answer yes to 3 or more of these should consult a medical professional and consider completing a sleep study test for Obstructive Sleep Apnea. • Age over 50 years old? • Neck circumference greater than 40 cm (16 in) • Is your biological Gender male?

#### Sleep Disorder Screening & Treatment

- · Estimated 28% of CMV drivers have a sleep disorder
- · High prevalence of untreated sleep apnea and other disorders
- $\bullet$  Undiagnosed and untreated OSA leads to persistent fatigued driving and risk
- Sleep Apnea Syndrome and Narcolepsy are medical conditions that cause severe impairment and risk to drivers
- Screening incorporated into hiring, medical surveillance, and ongoing wellness
- Support for diagnostic testing, treatment adherence (e.g., CPAP), and follow-up
- NAFMP recommends implementing systemic screening and practical support







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#### The R.O.I. of Fatigue Management

- Improved safety record: Lower crash and near-miss rates
- Reduced insurance costs, claims, and litigation exposure
- Higher driver satisfaction, retention, and productivity
- Enhanced regulatory compliance and public reputation

#### THE STAGGERING COST OF FATIGUE

100,000+ Crashes Involving CMVs 40,000+ Injuries 1550+ Deaths Average of \$91,000 per Incident \$20 Billion Economic Impact Annually

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#### Key Takeaways

Fatigue is preventable with proactive strategies

Drivers and Managers must work together

Technology, Education, and Culture are Important

Safety starts with rest. You cannot make up for sleep.





#### Questions and Answers







Tim Adam, CTP Industry Business Advisor J. J. Keller & Associates, Inc.



Tom Moore, CTP Executive Vice President National Private Truck Council



Clayton Henady, CTP
Transportation Safety Manager
Bob Evans Transportation, LLC

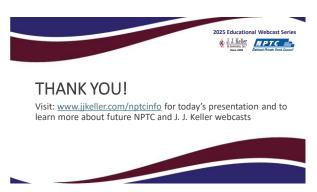
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