

## Hours of Service & Fatigue Management

- 11:00 AM Eastern Time (New York)
- 10:00 AM Central Time (Chicago)
- 9:00 AM Mountain Time (Denver)
- 8:00 AM Pacific Time (Los Angeles)




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## Housekeeping Items

- Audio streamed through computer speakers
- Widgets are resizable and moveable
  - Minimize/maximize 
  - Expand/shrink 
- Enter questions using the 
- Check out the resources area to download today's slides 
- Chat via the Q&A if you need tech help, or click on 




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## Hours of Service & Fatigue Management

October 17, 2018




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## Hours-of-Service Regulations

- Reason for being:
  - Prevent drivers from driving when fatigued due to driving or working too many hours
  - Not foolproof, require carrier participation

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**Tom Bray**  
Industry Consultant – Transportation  
J. J. Keller & Associates, Inc.



## Hours-of-Service Regulations

- Applicable to a driver operating any of the following vehicles in interstate commerce on a roadway
  - The vehicle weighs or is rated 10,001 pounds or more (single or combination)
  - The vehicle seats more than 8 or 15, depending on whether there is compensation involved
  - The vehicle is hauling a placardable amount of hazardous material
  - See §390.5 for full details

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## Hours-of-Service Regulations

- The hours-of-service regulations are made up of three core areas:
  - Limits: Prevent fatigue
  - Logs or time records: Verify compliance with the limits
  - Exceptions/exemption: Provide limited flexibility

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## Hours-of-Service: Limits

- Property-carrying drivers (§395.3)
  - No driving after:
    - 8 hours since the last break of 30 minutes or more
      - 30 minutes off duty required to restart 8-hour clock
    - 14 consecutive hours after coming on duty
    - 11 hours of driving has been accumulated within the 14
      - 10 consecutive hours off duty are required to restart the 11- and 14-hour clocks
    - 60 hours on duty in 7 days or 70 hours on duty in 8 days (depending on carrier operation and decision)
      - 34 consecutive hours off duty restarts hours worked to 0
      - Restart is not required
        - If driver will have hours available the next day after reaching the limit, the driver can drive until those hours are used



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## Hours-of-Service: Limits

- Passenger-carrying drivers (§395.5)
  - No driving after:
    - 10 hours of driving is accumulated
    - 15 hours of driving and on-duty time is accumulated
      - 8 consecutive hours off duty are required to restart the 10- and 15-hour clocks
    - 60 hours on duty in 7 days or 70 hours on duty in 8 days (depending on carrier operation and decision)
      - No 34 restart provision



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## Hours-of-Service: Logs

- Three options
  - Electronic logs: Required unless an exception applies to the driver
    - Grandfathered AOBRD until 12/16/19, or
    - ELD
  - Paper logs: Allowed if a driver that must log is exempt from using electronic logs
    - Logging software programs allowed in place of paper logs
  - Time records
    - Only allowed if the driver meets specific criteria
      - 100 air-mile drivers
      - 150 air-mile drivers



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## Hours-of-Service Exemptions

- Exempt from the general safety regulations, including HOS (§390.3 and §390.23)
  - Government, vehicle not a CMV, fire/rescue responding
- Exempt from the hours-of-service regulations (§395.1)
  - Utility service vehicles, railroad signal employees, agricultural within 150 miles of source during planting and harvesting season

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## Hours-of-Service Exemptions

- Exempt from logging
  - 100 air-mile drivers: Stay within 100 air-miles and are released for 10-hour break within 12 hours (§395.1(e)(1))
  - 150 air-mile drivers: Stay within 150 air-miles and are back to work reporting location within 14 or 16 hours (§395.1(e)(2))
- Exempt from AOB RD/ELD requirement
  - Drivers who occasionally log, driving vehicle older than MY 2000, certain driveaway/towaway vehicles, driving a vehicle rented for 8 days or less, livestock vehicles (§395.8(a)(1)(iii)(A)(1) to (4), and Federal Register)

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## Hours-of-Service Exemptions

- Exempt from a limit
  - Any driver meeting the requirements to use the exemption
    - Adverse driving conditions (§395.1(b)(1))
      - Can drive up to 2 hours past the driving limit
    - 150-mile short haul drivers (§395.1(e)(2))
      - Can drive up to the 16<sup>th</sup> hour once twice in any seven-day period
    - 16-hour short haul (§395.1(o))
      - Any driver that has returned to the work reporting location the last 5 workdays can drive up to the 16<sup>th</sup> hour once in any seven-day period or once since last restart
    - 24-hour restarts
      - Oil industry (§395.1(d)(1)), constructions (§395.1(m))
    - Split break (§395.1(g))

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# Best Practices in Fatigue Management



Tom Moore, CTP  
Senior Vice President  
National Private Truck Council



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## Driving Within the Regulations

- Train the drivers that:
  - They own their hours of service
  - "Captain of the Ship" policy
  - Review the regulations regularly
  - How to use the on-board system
- Private fleets use
  - On board systems to find violations and review incidents
  - Coach drivers when they violate the regulations
  - Document coaching and training
- Ensure dispatch, sales and operations are on same page



Tom Moore, CTP  
Senior Vice President  
National Private Truck Council



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## Fatigue Management

- One key element of an effective safety culture is having a strong Fatigue Management Program
- Fatigue is often the root cause of many safety issues including accidents, injuries, absenteeism, poor well-being, productivity and turnover. However in many cases, this root cause is often overlooked or avoided.
- Why is that?
  - Fear from the driver in admitting he/she lost momentary control
  - Concern for documenting fatigue as part of a formal accident review (litigation)
  - Lack of education on the signs, symptoms and effects of fatigue
  - Lack of understanding
  - Poor communication
  - Conflicting goals



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Senior Vice President  
National Private Truck Council



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## Beyond Compliance

- Technological strategies
- Hiring strategies
- Operational issues that may contribute to fatigue
- Understanding root causes of fatigue
- Medical conditions that may contribute to fatigue
- Education of drivers, sales and operations
- Advocate for your drivers!

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Senior Vice President  
National Private Truck Council



## NAFMP (North American Fatigue Management Program)

- **Who are they?** A consortium of American and Canadian regulators, carriers & researchers
  - The Steering Committee is led by:
    - FMCSA, Transport Canada (agencies in Alberta & Quebec) and ATRI, with content development input from Virginia Tech Transportation Institute
    - [www.nafmp.com](http://www.nafmp.com)
- **Blueprint of a successful FMP includes:**
  - **Safety Culture** – It starts with commitment from the top
  - **Education & Training** – to employees and their families
  - **Scheduling & tools** – work/dispatch philosophy, policies, hiring & retention standards, etc.
  - **Sleep disorder screening & treatment** – with verified compliance monitoring & support (people and technology)




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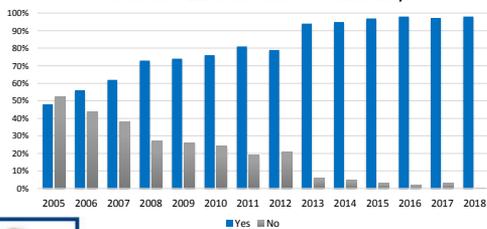


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Senior Vice President  
National Private Truck Council



## Technology Strategies

Penetration of ELDs in the Private Fleet Community




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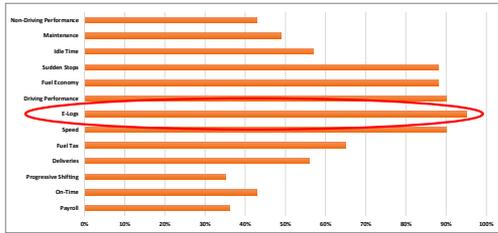
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Senior Vice President  
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## How Fleets Deploy Technology




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## Identify What Fatigue Looks Like

- Analyze crash data to understand when and where fatigue is primary cause
- Research from the National Institute for Occupational Safety and Health shows that over 30% of American workers aged 30-64 are short of sleep
- National Sleep Foundation recommends that healthy adults sleep seven to nine hours per day, but a recent survey found that 30% of civilian-employed adults (approximately 40.6 million workers) reported average sleep duration of six hours or less per day.

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Senior Vice President  
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## Driver Management – Operational Issues

- Continuously preach and live a Safety Corporate Culture and Environment (Ops, Logistics, HR, Sales)
- Driver scheduling - keeping day drivers on days, keeping night drivers on nights, building routes that can keep drivers productive and restful
- Routing to allow legal completion of assigned duties, without the driver having to push hard to finish - avoid too many stops/miles and making the route only doable when “everything goes right”

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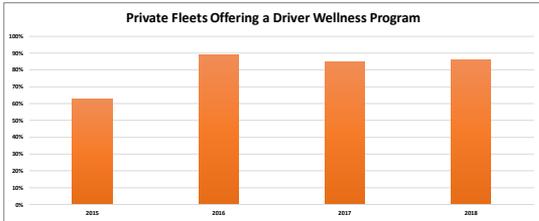
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## Driver Health and Wellness




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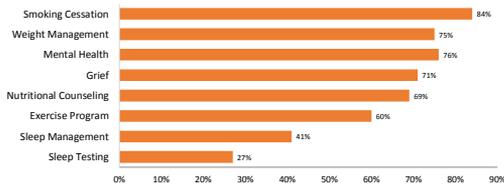
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## Driver Wellness Initiatives




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## Medical Conditions/Sleep Apnea

**28% of drivers** suffer from OSA

**"Sleep Apnea" is a condition** where someone stops breathing repeatedly throughout the night and is not aware that this is going on.

**20 million** suffer from OSA. **80%** Remain Undiagnosed



Normal



Obstructed airway (apnea)

- Partial or complete **collapse of upper airway** in sleep
- **Oxygen levels decrease**, pulse & **blood-pressure increase**
- **Treated with C-PAP** device during sleep



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Senior Vice President  
National Private Truck Council





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## Crash Risks of Untreated OSA

- Fatigue-induced motor vehicle **crashes** equal **2 to 7x** with untreated OSA
- Drivers with severe sleep apnea were **4.6x** more likely to be involved in a **severe crash**
- Drivers with untreated sleep apnea equal risk of **drunk drivers** (.08 BAC)



**Tom Moore, CTP**  
Senior Vice President  
National Private Truck Council




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## Recommendations

- Study the NAFMP website
- Discuss the need for an FMP with your leadership
- Gain leadership "buy in"
- Develop a written plan and bring in partners
- Educate management, safety, HR, drivers
- Review policies & procedures to eliminate discrepancies
- Create Compliance, Hiring & Operational Policies
- Constantly improve your FMP
- Don't wait. Prepare and move forward.



**Tom Moore, CTP**  
Senior Vice President  
National Private Truck Council




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## The Fleet Perspective: Papa John's Food Service



**Troy Kays, CTP**  
Sr. Manager, Transportation Safety  
Papa John's Food Service




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## Troy Kays, CTP, OHST

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### TransPapa Logistics background

- 11 Quality Control Centers located across the country in KY, TX, IA, GA, NJ, NC, FL, PA, CO, OR, & AZ.
- 100% In House Transportation as of 2015
- 2018 YTD – 18,898 routes ran
- 2018 YTD – 197,815 Store Deliveries
- 2018 YTD – 13.4 Million miles
- 500 Drivers, 172 Trucks, 216 Trailers
- Fleet is used for Outbound Commissary deliveries only
- Average nearly 20,000,000 miles per year



Troy Kays, CTP  
Sr. Manager, Transportation Safety  
Papa John's Food Service



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### TransPapa Logistics background

**Papa John's Private Fleet (TransPapa Logistics, Inc.) delivers Fresh dough, Produce, Cheese, and all other ingredients nationwide.**

Important Info to note about our business model:

- All routes run in teams of 2 or 3
- Truck rarely stops
- Component Pay (Pieces, Miles, & Stops)
- Drivers dispatch 3 times per week
- We dispatch nearly 24 hours per day
- Drivers average nearly 60 hours per week
- Routes range from 13-34 hours
- Drivers are in our buildings less than 4 hours per week



Troy Kays, CTP  
Sr. Manager, Transportation Safety  
Papa John's Food Service



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### Fatigue Management – Why was it a priority?

- P.A.P.A. – People Are Priority Always
- Getting our drivers home safe to their families
- Lower Risk of crash due to fatigue
- Reduce Overall Crashes
- Happier employee (better quality of life)
- Healthier employee



Troy Kays, CTP  
Sr. Manager, Transportation Safety  
Papa John's Food Service




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### Fatigue Management – How Did We Notice?

- Active safety trend data
- More drivers falling into the sleep apnea category at MEC renewal
- Drivers complaining (direct or indirect) about fatigue
- Several “near miss” incidents we saw with active safety systems
- Taking a realistic look at our scheduling



Troy Kays, CTP  
Sr. Manager, Transportation Safety  
Papa John's Food Service




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### Fatigue Management – What We Did

- Sought and gained “buy-in” from the top
- Used our telematics and active safety system data to identify trends and/or patterns to understand when and where fatigue was a cause (lane departures, late response)
- Set up our fleet to accommodate sleep apnea (CPAP) machines so drivers could power up their units in any of our vehicles
- Took a realistic look at our dispatch schedules and made some drastic changes to ensure there was 10+ hours off between routes
- Eliminated back-to-back routes



Troy Kays, CTP  
Sr. Manager, Transportation Safety  
Papa John's Food Service




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### Fatigue Management – What We Did

- Piloting a sleep apnea program to help identify sleep apnea earlier and provided equipment needed to any driver at no cost to them through benefits
- Scrutinized distance that applicants lived from workplace during the hiring process
- Educated drivers on “high-profile” cases of fatigue-related crashes
- Encourage drivers that there is no penalty ever to pull over and rest
- Researched and found NIOSH shows that over 30% of Americans 30-64 are short sleep



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Sr. Manager, Transportation Safety  
Papa John's Food Service




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### Fatigue Management – What We Did

- Smoking Cessation programs\*
- Weight Management programs\*
- Mental Health Programs\*
- Sleep Testing

\*Included in Basic employee benefits package



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Sr. Manager, Transportation Safety  
Papa John's Food Service




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### Fatigue Management - Results

- Initially, upset drivers due to altered schedules. Eventually that subsided
- Less frequent crashes (total crashes)
- Lower severity in our crashes (crash cost)
- Reduced risk premiums for 2018
- Direct and indirect resulted in a more rested fleet of drivers
- Show of good faith to our drivers that we are looking out for their well being
- Drivers glad they have a way to use their CPAP while in the truck for better rest



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Sr. Manager, Transportation Safety  
Papa John's Food Service




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## Fatigue Management – What We Have Left to Do...

- Continue to educate our drivers about sleep deprivation at every meeting (Quarterly meetings, Handouts, toolbox talks)
- Continue to educate our front-line team on identifying what fatigue looks like
- Follow up on our pilot program to trend any difference we may see at this site
- Work on routing to minimize driving during the hours of 2am to 5am (peak fatigue hours)
- Continue to raise overall awareness all the way up the operations chain so we maintain and gain additional buy in



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 Sr. Manager, Transportation Safety  
 Papa John's Food Service




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## Question & Answer Session



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



**Tom Bray**  
 Industry Consultant-  
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 J. J. Keller & Associates



**Tom Moore, CTP**  
 Senior Vice President  
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 Sr. Manager, Corporate  
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## More Questions?



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**How to Survive a DOT Audit**  
Thursday, October 18, 2018 at 10 AM CST

Visit [www.jjkeller.com/nptcinfo](http://www.jjkeller.com/nptcinfo) to register



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