Hours of Service & Fatigue Management

10:00 AM Central Time (Chicago)
9:00 AM Mountain Time (Denver)
8:00 AM Pacific Time (Los Angeles)

Housekeeping Items

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

- A regulatory overview
- Best practices in compliance
- A case study in implementation
- Question & Answer

Attention Attendees:
- Thank you for attending!
- You will be muted during the event.
- Please use the Q&A feature to send in questions to us. 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

Meet Your Presenters

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  President & CEO
  National Private Truck Council

- Tom Moore, CTP
  Senior Vice President
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- Tom Bray
  Industry Consultant
  Transportation
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  Sr. Manager, Corporate Transportation Safety & Compliance
  Papa John’s Food Service

Hours of Service and Fatigue Management: What the Regulations Require
**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

**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

**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
Hours-of-Service: Limits

Property-carrying drivers (§395.3)
- No driving after:
  - 8 hours since the last break of 30 minutes or more
  - 10 hours of driving 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

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

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
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

- 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 AOBRD/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)

- 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 16th 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 16th hour once in any seven-day-period or once since last restart
    - 24-hour restarts
      - Oil industry (§395.1(d)(1)), constructions (§395.1(mi))
      - Split break (§395.1(g))
Best Practices in Fatigue Management

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

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?
  o Fear from the driver in admitting he/she lost momentary control
  o Concern for documenting fatigue as part of a formal accident review (litigation)
  o Lack of education on the signs, symptoms and effects of fatigue
  o Lack of understanding
  o Poor communication
  o Conflicting goals
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!

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

• 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/dispacht philosophy, policies, hiring & retention standards, etc.
  ➢ Sleep disorder screening & treatment – with verified compliance monitoring & support (people and technology)

Technology Strategies

Penetration of ELDs in the Private Fleet Community

Tom Moore, CTP
Senior Vice President
National Private Truck Council
How Fleets Deploy Technology

- Payroll
- On-Time
- Progressive Shifting
- Deliveries
- Fuel Tax
- Speed
- E-Logs
- Driving Performance
- Fuel Economy
- Sudden Stops
- Idle Time
- Maintenance
- Non-Driving Performance

Payroll

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.

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"
Driver Health and Wellness

Private Fleets Offering a Driver Wellness Program

Driver Wellness Initiatives

Medical Conditions/Sleep Apnea

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

28% of drivers suffer from OSA

NSA

Obstructed airway (apnea)

Normal

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

20 million
80%

FMCSA

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FMCSA
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)

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.

The Fleet Perspective: Papa John’s Food Service
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

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
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

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

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
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

Fatigue Management – What We Did

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

*Included in Basic employee benefits package

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
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

Question & Answer Session

More Questions?

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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 to register

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