

# New Hours of Service Rule Change VIEWPOINTS

2020 Transport Industry Study

# BACKGROUND



## As the leader in DOT compliance,

J. J. Keller & Associates, Inc. has maintained a commitment to providing the industry with expert guidance, products, and services to help carriers meet the requirements of the Federal Motor Carrier Safety Administration (FMCSA).

The new hours-of-service (HOS) rules that went into effect on September 29, 2020, provided a prime opportunity for the **J. J. Keller Center for Market Insights** to survey carriers to:

- Understand their perceptions about the new HOS rules,
- Gauge the impact of the new rules on their drivers and organization, and
- Uncover specific concerns and challenges regarding the rules.

This information is provided to promote understanding of carrier HOS challenges in the hopes of improving and advancing safety on our highways.

## J. J. Keller Center for Market Insights

The J. J. Keller Center for Market Insights is the collaborative research arm of J. J. Keller & Associates, Inc. The center originated in 2019 with a focus on sharing, with the public, trends and insights from an abundance of safety and compliance data gathered by J. J. Keller over decades serving more than 500,000 customers across the United States.

Through historical data, new proprietary studies and partnerships with reputable, research-focused third-party organizations, the center publishes ongoing reports to spur discussion and advancements in safe, respectful workplaces, job sites and highways.

To contact the J. J. Keller Center for Market Insights, email Susan Baranczyk at [sbaranczyk@jjkeller.com](mailto:sbaranczyk@jjkeller.com).

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# SUMMARY



! The survey revealed that **fleet's top challenges** were not with the new hours-of-service (HOS) rules, but challenges related to the ELD mandate, including:

- Recordkeeping requirements (ELDs, logs, or time records, including log falsification),
- Collecting supporting documents, and
- Managing ELD requirements (unassigned driving, yard moves, and personal conveyance).

- The top challenge related to the new HOS rules concerned **understanding which rule applied** to which drivers and which vehicles.
- A majority of respondents believe the **30-Minute Break From Driving** will present the best benefit, and that overall, the new rules will benefit their operation.

- While most believe the new HOS changes will benefit their operation, just one week before the effective date, over **40% weren't sure of their plan** to incorporate changes or had **decided to take a 'wait and see'** approach.
- Fleets identified two areas of challenge related to new HOS preparation: Updating **policies and procedures** and **updating and conducting training**.
- Nearly half of fleets surveyed **did not expect relief from ELDs** related to the short-haul exemption, while 30% were not sure if the exemption would impact their ELD use.

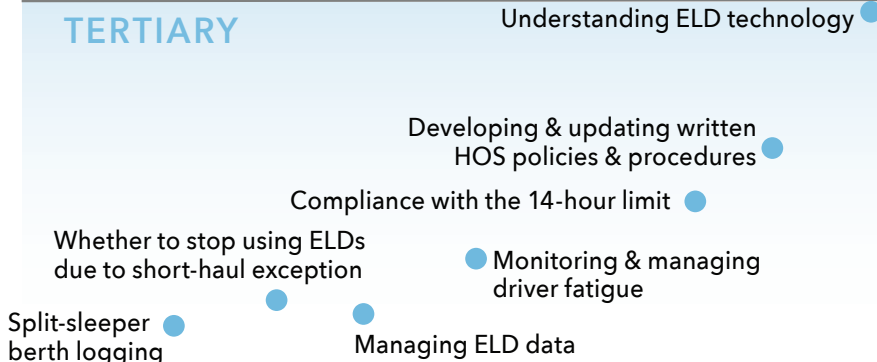
# CHALLENGES



## Top 4 HOS Challenges

- 1 Driver compliance with recordkeeping requirements
- 2 Managing unassigned driving, yard moves, and personal conveyance
- 3 Simply knowing which HOS rule applies to which drivers and vehicles
- 4 Collecting and maintaining "supporting documents"

% Ranking as Top-Two Challenge



## PRIMARY

Driver compliance with recordkeeping requirements ●

● Managing unassigned driving, yard moves, & personal conveyance

Collecting & maintaining supporting documents ●

● Knowing which HOS rules apply

## SECONDARY

● 30-minute break compliance

● Driver HOS training

● Understanding & managing 395.1 exceptions

% Experiencing Challenge

# CHALLENGES (CONT.)



## Secondary HOS Challenges

- Compliance with the 30-minute break from driving
- Driver HOS training
- Understanding who can use, and managing drivers' use of, the various exceptions in 395.1 (adverse-conditions and short-haul exceptions)

## Tertiary HOS Challenges

- ELD technology (understanding how the system works, what's required, how to deal with roadside inspections, audits, malfunctions, etc.)
- Developing and updating written HOS policies and procedures
- Compliance with the 14-hour limit
- Managing ELD data
- Whether to stop using ELDs because more drivers are eligible for the short-haul exception
- Monitoring and managing driver fatigue
- Split-logging (i.e., use of the split sleeper berth provision in 395.1(g))



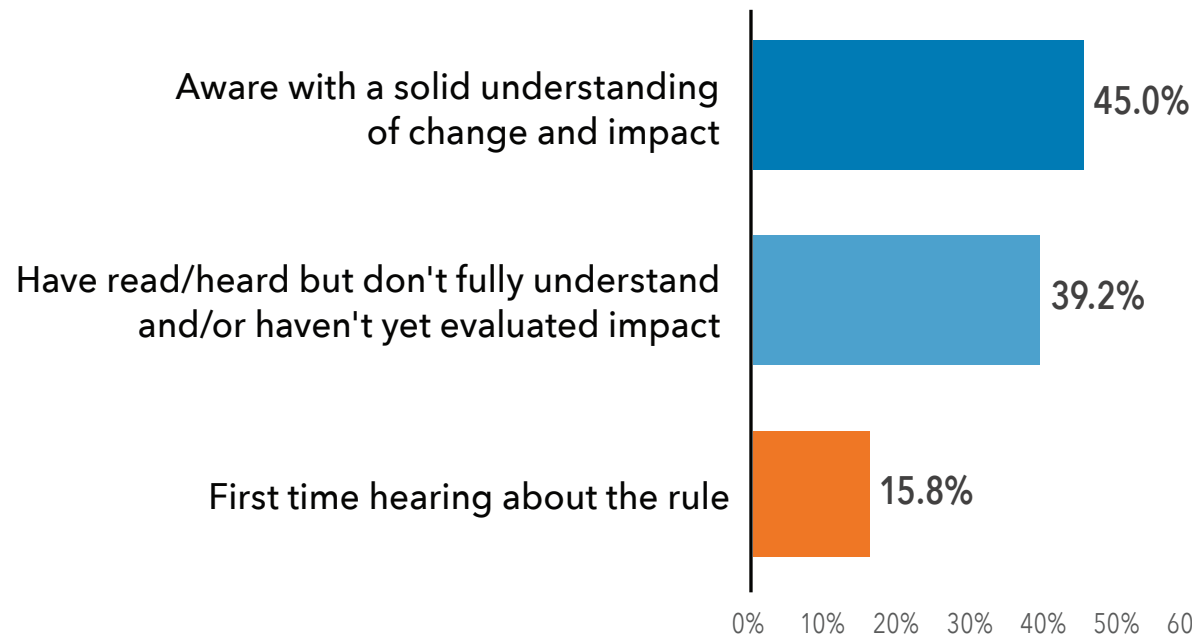
# AWARENESS



One week before the new rule effective date, **only 2 in 5 persons surveyed** had a solid understanding of the new rule and its impact.



Which of the following statements best describe your awareness of the new 2020 hours-of-service rule?



Surprisingly, **almost 16%** of respondents first heard about the changes when they took the survey.

# AWARENESS (CONT.)

Fleets surveyed were asked on a scale of 1 to 4 (1=most impactful) which of the four areas of the new HOS rule would impact them most.

Respondents expressed that the **30-minute break component of the new HOS rule will have the greatest impact on operations.**



**Greatest Impact:**  
30-minute break



Short-haul exception



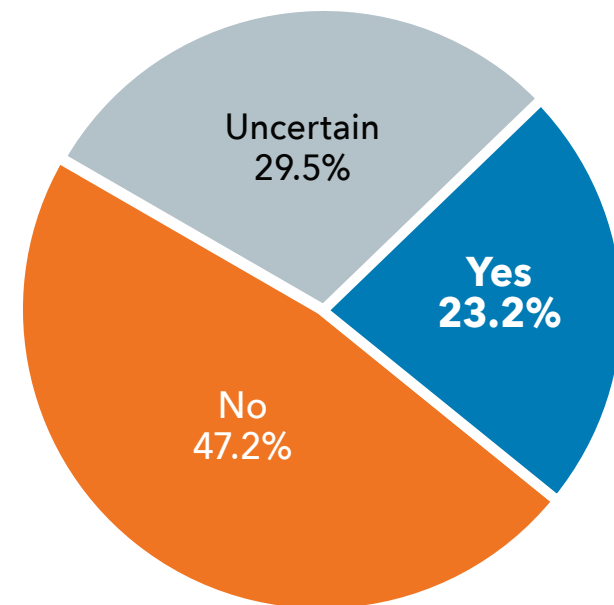
Adverse conditions exception



**Least Impact:**  
Sleeper-berth provision

Note: Rankings were based on 193 respondents who were able to determine impact.

## WILL THE SHORT-HAUL EXCEPTION IMPACT YOUR USE OF ELDs?



**Nearly one-quarter anticipate the short-haul exception will impact their operation's use of ELDs, yet almost 30% were uncertain if the exception would impact their fleet.**

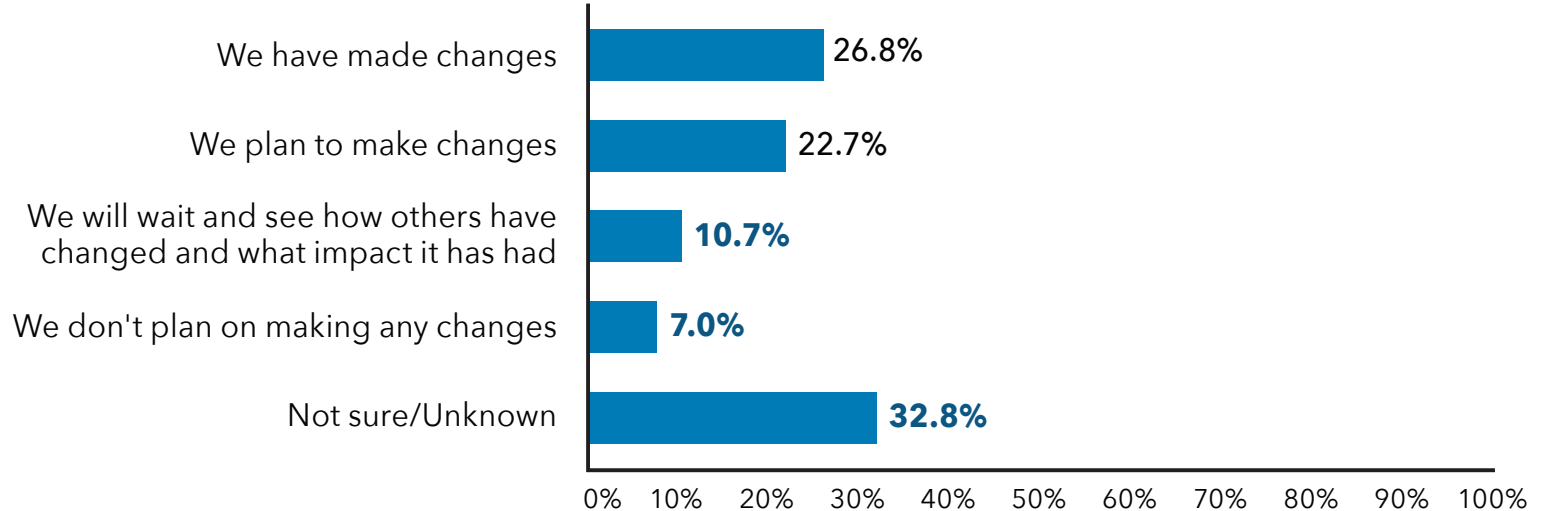
# ADOPTION



One week prior to the rule effective date, **close to half of respondents were unsure of their plan to incorporate changes or were waiting.**



Which of the following statements best describe your plan on how to incorporate the rule changes?

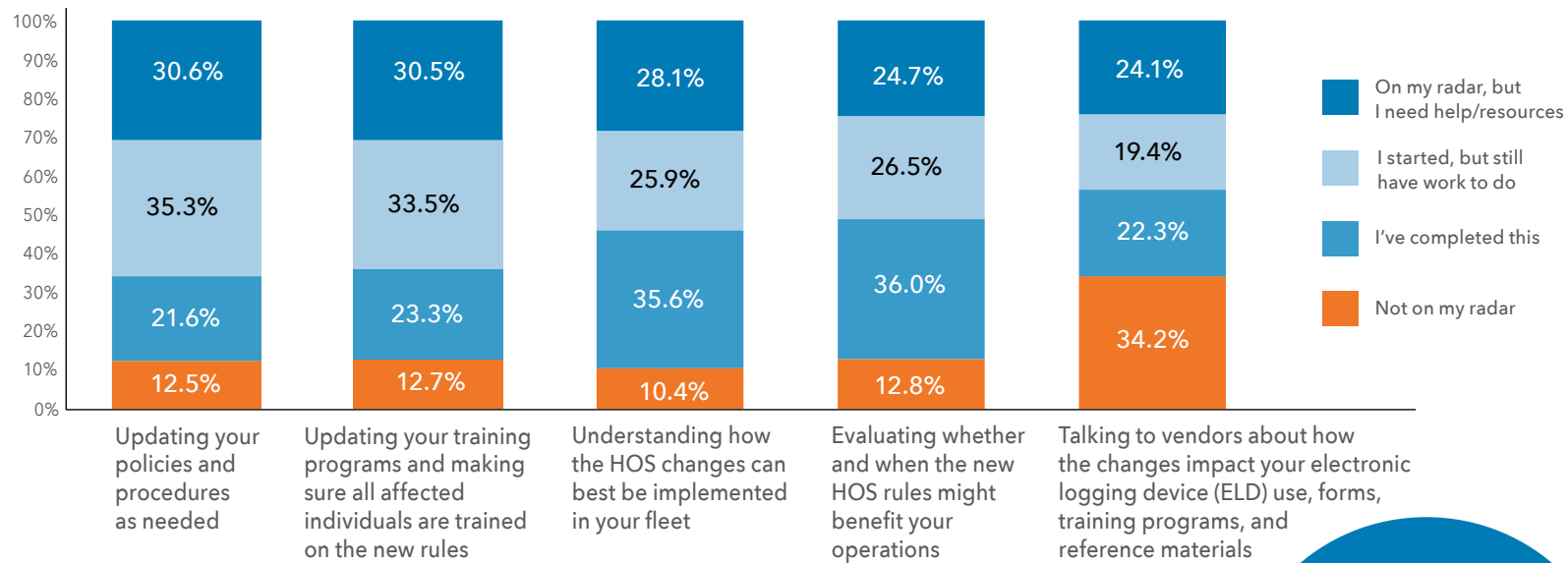




# ADOPTION (CONT.)



## Where are you with your preparations for the new HOS rules?



**Over one-third of respondents indicated they had not talked to vendors about how the changes impacted their ELD use, forms, training programs and reference materials.**

**Top 2 Preparation Areas Needing Resources:**

**Updating both policies and procedures & training programs**

# PERCEPTIONS – DRIVER IMPACT



Nearly 9 of 10 agree the new HOS rules creates more flexibility for drivers.

As a multiple-stop carrier, the new 30-minute break rule will allow us to service our customers without interruption.

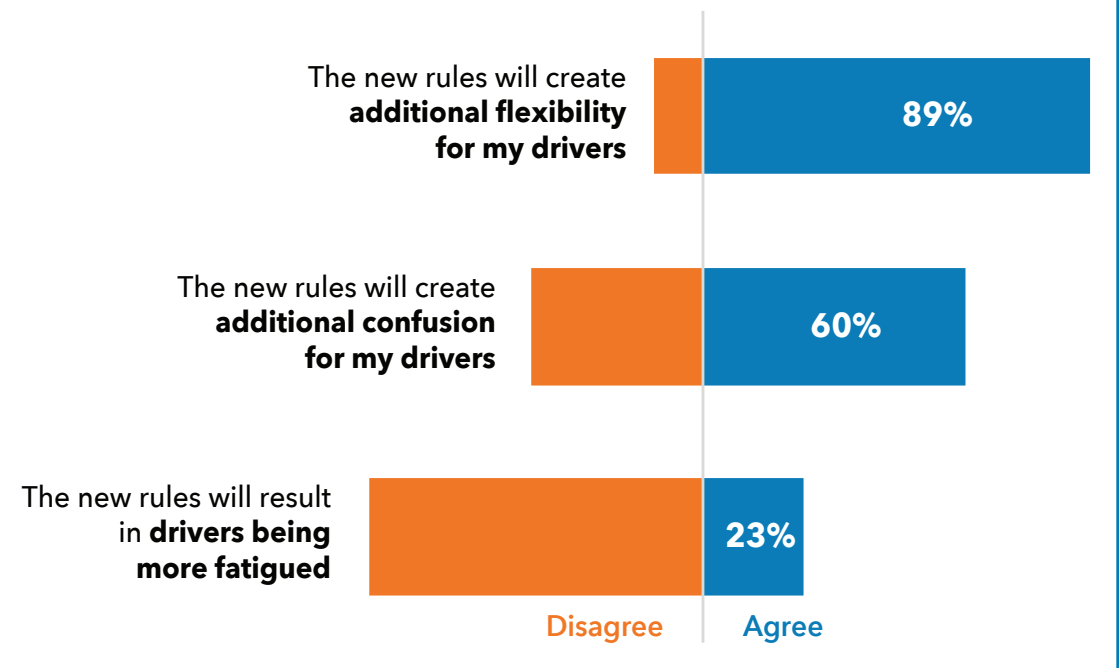
Short-haul exemption will allow our drivers to get their routes done sooner.

On duty & yard moves can be used for 30 min break.

Drivers won't have to worry about changing duty status to off duty anymore. It is less for them to have to worry about.

## PERCEPTION OF IMPACT ON DRIVERS

Rate your level of agreement with the following statements:



6 of 10 believe the new rules will cause confusion for drivers.

# PERCEPTIONS – ORGANIZATIONAL IMPACT



**88% of respondents believe these HOS changes will impact the industry positively.**

Less rushing to try and complete deliveries.

Dock time will be less detrimental to my drivers

More freedom for my drivers and ability to be more productive during the workday

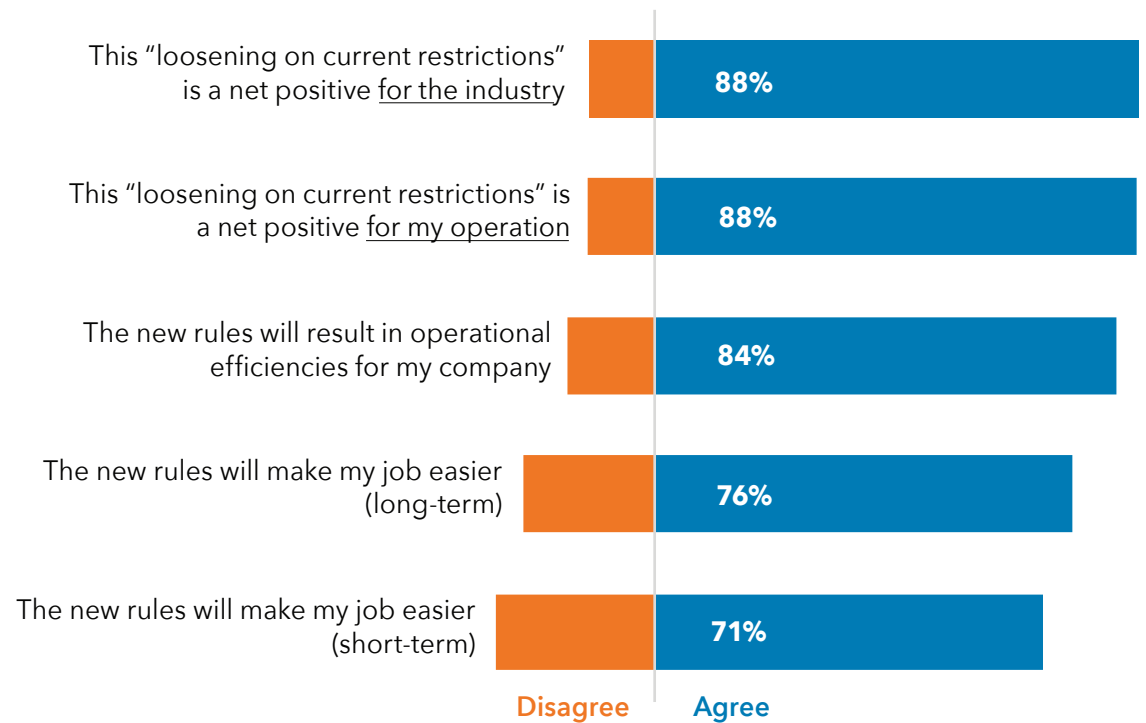
Flexibility for drivers

We will be able to stop using the ELDs altogether

I can eliminate the ELDs and fall under the short haul exemption.

## PERCEPTION OF IMPACT ON ORGANIZATION

Rate your level of agreement with the following statements:



**Over 25% disagreed that the new HOS will make their jobs easier.**

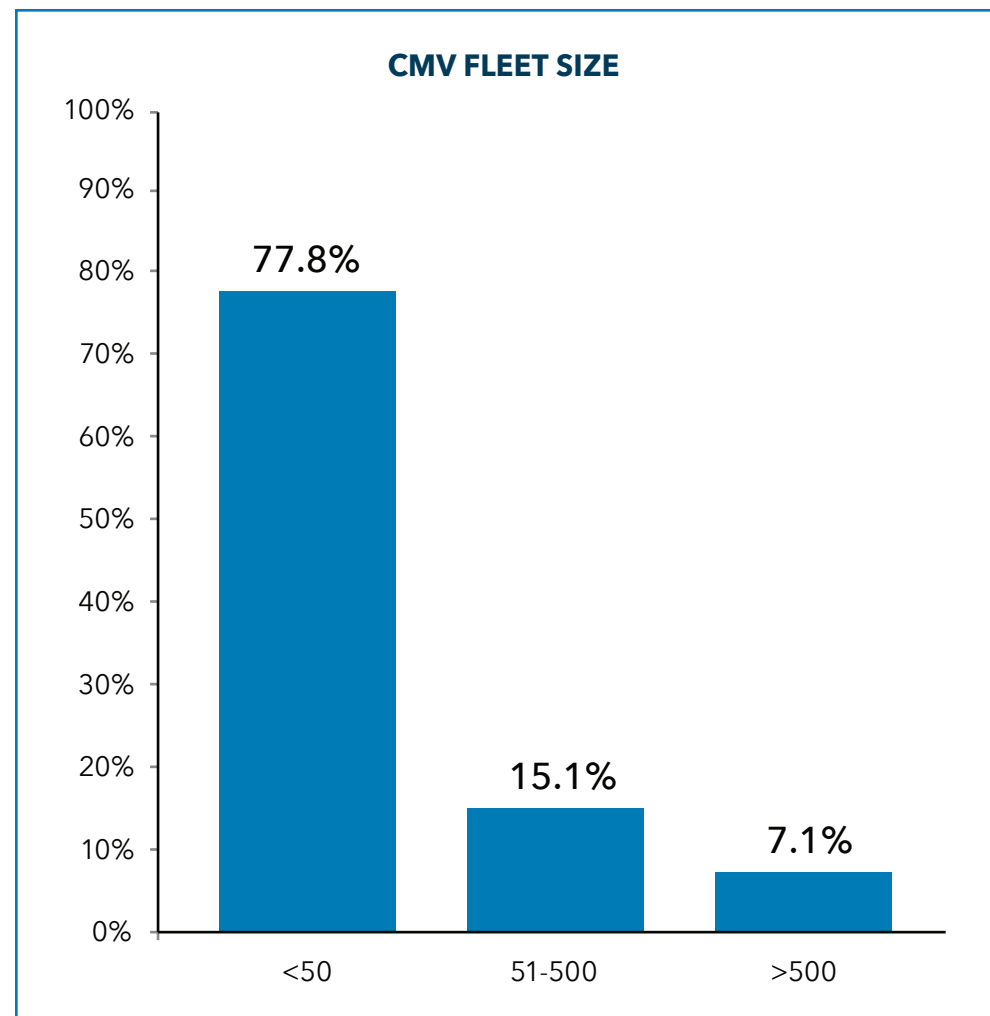
# METHODOLOGY & FIRMOGRAPHICS



The online survey was fielded from September 24 - October 1, 2020.

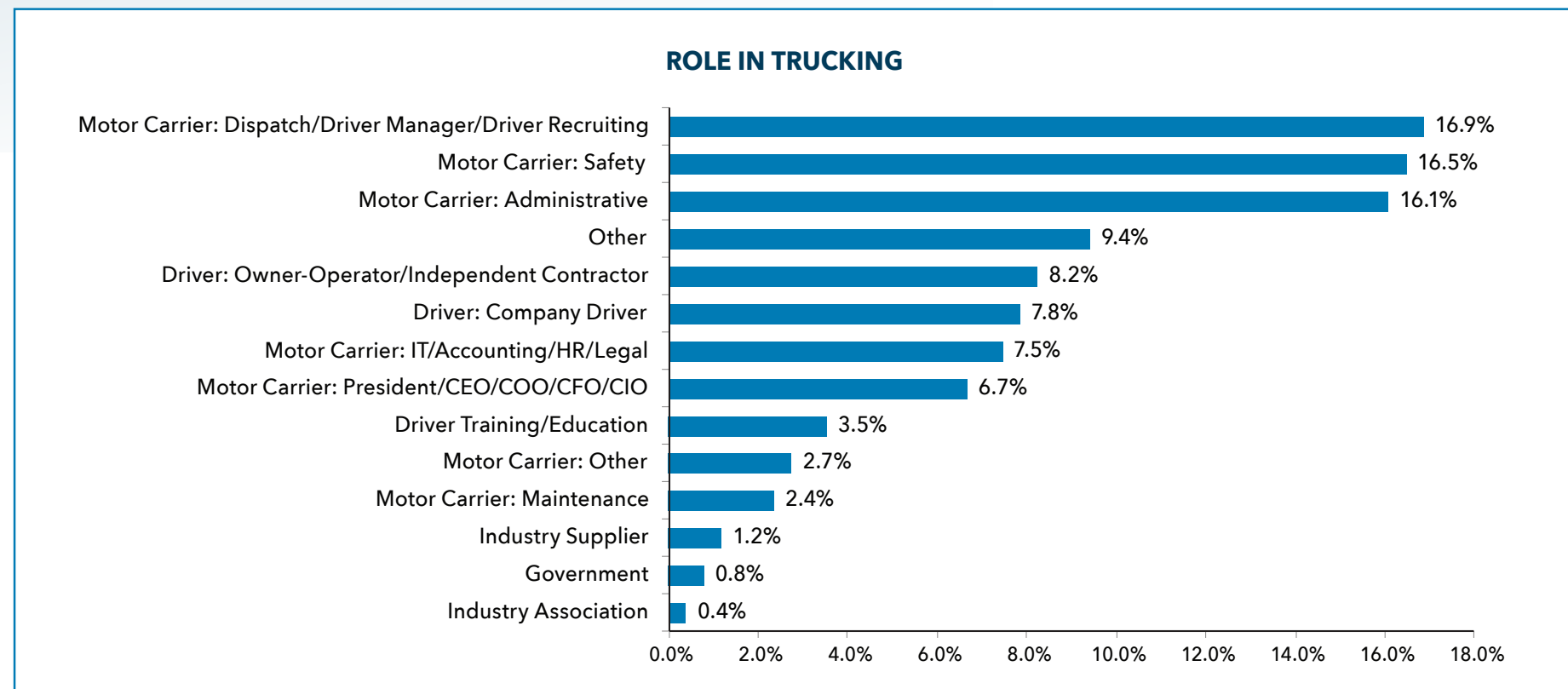
Maximum sampling error at 95% confidence is +/-4.3 percentage points.

Error margins are increased for sub-groups or for questions answered by fewer respondents than the overall qualified sample.



# METHODOLOGY & FIRMOGRAPHICS (CONT.)

In total, 34,686 motor carriers were invited to take the survey.  
605 responded (2% Response Rate) with 506 qualifying for the survey.  
254 fully completed the survey and 252 partially completed the survey.



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# ENCOMPASS® PLATFORM WITH ELOGS

J. J. Keller® ELogs provide a comprehensive, secure, and mandate-compliant solution that works in every vehicle class (1-8). The three-part system – easy-to-install ELD, Encompass® ELD mobile app, and Encompass® Platform – offers many driver-friendly features and hours-of-service rulesets and supports exempt and non-regulated operations. Optional performance management and automated IFTA reporting are available.

The Encompass® Platform helps carriers and private fleets manage their DOT-required compliance recordkeeping, like:

- Hours of service,
- Driver qualification and hiring,
- Vehicle legalization,
- DVIRs,
- Maintenance, and more.

Visibility of driver and vehicle data through analytics and reporting allow fleet professionals to run a safer, smarter, and more compliant business.

Plus, J. J. Keller® ELogs are backed by 60 years of regulatory expertise, a dedicated in-house support team and includes 24/7 driver assistance, a roadside inspection hotline, DOT expert help, online training resources, and our DataQs challenge service.

To learn more, call **833-708-4634** or visit **JJKeller.com/EncompassELD**.



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