

HOURS OF SERVICE



08/26/2025

To Whom It May Concern,

It has been brought to our attention that there may be some uncertainty and confusion surrounding the requirement of compliance with driver hours of service. These are in place to prevent driver fatigue and reduce accidents, injuries, and fatalities involving school buses. Because school transportation departments are responsible for the care and safety of children, and are therefore directly liable for their lives while riding in those vehicles, it is absolutely paramount that all precautions to lower liability be taken.

Fatigue and hours-of-service violations present substantial hazards within the bus industry, endangering the safety of passengers, drivers, and other road users. Bus operators experiencing fatigue or neglecting to adhere to hours-of-service regulations elevate the risk of accidents stemming from diminished alertness, compromised decision-making, and delayed reaction times. For commercial vehicle operators, particularly those responsible for student transportation, the ramifications of fatigue can be devastating. A study conducted by FMCSA reported that in 2021, 105 school buses were involved in fatal crashes, with fatigue being the leading contributing factor to those accidents. The same study went on to further indicate that over 30% of the nation's school bus drivers fight sleepiness while driving at least 2-3 times a week, with nearly half experiencing this at least 2-4 times a month.

Operation Rule, 1 CCR 301-26, Section 18.0 outlines the requirements for hours of service for school bus drivers in the State of Colorado. It includes Section 18.2, which allows a district to follow 49 CFR 395.5, the Code of Federal Regulations for hours of service for passenger-carrying vehicles. The Colorado State Patrol also requires all commercial vehicle drivers to comply with the hours of service regulations, either Operation Rule 18 or 49 CFR 395.5.

Operation Rule 18.0 Maximum Driving Time for School Transportation Vehicle Operators

18.1 School transportation vehicle operators, including small-capacity vehicle operators, shall not drive (nor shall the school districts, charter schools, or service providers permit or require operators to drive):

- 18.01(a) In excess of 10 hours or after being on-duty 14 hours until completing 10 hours off-duty. This would include on-duty time for all employers. Ten hours off-duty may be consecutive or accumulated in two or more periods of off-duty time, with one period having a minimum of six consecutive hours off-duty.



- 18.01(b) After being on-duty for more than 70 hours in any seven consecutive days.
- 18.01(c) In case of emergency, an operator may complete the trip without being in violation if such a trip reasonably could have been completed absent the emergency.
- 18.2 In lieu of section 18.00 of these rules, a school district, charter school, or service provider may comply with the Federal Motor Carrier Safety Regulations, 49 C.F.R. 395.
- 18.3 Definitions:
 - 18.03(a) Day - Means any 24-consecutive hour period beginning at the time designated by the school district, charter school, or service provider.
 - 18.03(b) On-duty time - Includes all time worked for all employers, including all driving and non-driving duties.
 - 18.03(c) Off-duty time - School transportation vehicle operators may consider waiting time (whether compensated time or not) at special events, meal stops, and school-related events as off-duty if the following criteria are met:
 - 18.03(c)(1) The operator shall be relieved of all duty and responsibility for the care and custody of the vehicle, its accessories, and students, and
 - 18.03(c)(2) The operator shall be at liberty to pursue activities of his/her choice, including leaving the premises on which the bus is located.
- 18.4 All school transportation vehicle operators shall document that they are in compliance with this section, hours of service.
 - 18.04(a) An operator's daily log, or equivalent, shall be completed for the trip in the operator's own handwriting when the trip requires a scheduled or unscheduled overnight stay away from the work reporting location.



economic losses from motor vehicle crashes. [View Source](#) , drowsy driving was responsible for at least 91,000 car crashes, 50,000 injuries, and 795 deaths in 2017. These figures are fairly consistent year-on-year. By contrast, alcohol was thought to be involved in 9,949 fatal crashes in 2017, comprising almost 30% of all fatal crashes.

Alcohol impairment is fairly easy to measure using blood alcohol measurements, but sleep deprivation is tougher to define, especially after the fact. As most people are reluctant to admit they were driving while sleepy, experts believe that drowsy driving accidents are often mistakenly attributed to other factors.

Based on careful analysis, experts believe the real number of annual fatalities due to drowsy driving in the U.S. may be closer to 6,000. This would mean drowsiness is involved in approximately 21% of fatal crashes [Trusted Source](#)

[AAA Foundation for Traffic Safety](#) Founded in 1947, the AAA Foundation for Traffic Safety is a not-for-profit, publicly supported charitable research and education organization dedicated to saving lives by preventing traffic crashes and reducing injuries when crashes occur. [View Source](#) every year. Between hospital admissions, property damage, and other costs, the estimated societal cost of drowsy driving in the U.S. may

[Source](#) . In controlled studies where researchers were able to measure the amount of sleep deprivation, drunk and drowsy driving both result in a similar amount of crashes.

Alcohol impairment is characterized by problems with eyesight, depth perception, and the ability to judge speed. Drunk drivers are often impulsive, uninhibited, and overly confident, leading to risky driving behaviors. By contrast, fatigue mostly affects our ability to stay vigilant of the road and respond appropriately. It may be particularly dangerous in situations that require fast reflexes to avoid a crash.

After approximately 18 hours [Trusted Source](#) **National Library of Medicine, Biotech Information** The National Center for Biotechnology Information advances science and health by providing access to biomedical and genomic information. [View Source](#) of being awake, the effects on reaction time, vigilance, multi-tasking, and hand-eye coordination are comparable to having a blood alcohol content of 0.05% [Trusted Source](#) **National Library of Medicine, Biotech Information** The National Center for Biotechnology Information advances science and health by providing access to biomedical and genomic information. [View Source](#) . After 20 hours of being awake, drowsy drivers are impaired on a level equatable to a

Risk Factors for Drowsy Driving

Drowsy driving is most likely to occur between midnight and 6 am or in the late afternoon, when most people are naturally sleepier. Driving on a monotonous road or driving alone may increase the likelihood of a crash. Drowsy driving is commonly found in people who have slept less than six hours; those who suffer from sleep apnea or other sleep disorders; young drivers; individuals who have consumed alcohol or who are taking medications; shift workers; and professional drivers.

Source: <https://www.sleepfoundation.org/drowsy-driving/drowsy-driving-vs-drunk-driving>

<https://pmc.ncbi.nlm.nih.gov/articles/PMC7310070/>

<https://pubmed.ncbi.nlm.nih.gov/10984335/>



SLEEP DEPRIDATION

- **How Does Drowsy Driving Compare To Drunk Driving?**

- Though not identical [Trusted SourceNational Library of Medicine, Biotech Information](#)The National Center for Biotechnology Information advances science and health by providing access to biomedical and genomic information.[View Source](#) , drowsy driving and drunk driving bear some similarities and are considered equally dangerous. Both conditions slow reaction times and affect alertness and decision-making [Trusted SourceNational Library of Medicine, Biotech Information](#)The National Center for Biotechnology Information advances science and health by providing access to biomedical and genomic information.[View Source](#) . In controlled studies where researchers were able to measure the amount of sleep deprivation, drunk and drowsy driving both result in a similar amount of crashes.
- Alcohol impairment is characterized by problems with eyesight, depth perception, and the ability to judge speed. Drunk drivers are often impulsive, uninhibited, and overly confident, leading to risky driving behaviors. By contrast, fatigue mostly affects our ability to stay vigilant of the road and respond appropriately. It may be particularly dangerous in situations that require fast reflexes to avoid a crash.
- After approximately 18 hours [Trusted SourceNational Library of Medicine, Biotech Information](#)The National Center for Biotechnology Information advances science and health by providing access to biomedical and genomic information.[View Source](#) of being awake, the effects on reaction time, vigilance, multi-tasking, and hand-eye coordination are comparable to having a blood alcohol content of 0.05% [Trusted SourceNational Library of Medicine, Biotech Information](#)The National Center for Biotechnology Information advances science and health by providing access to biomedical and genomic information.[View Source](#) . After 20 hours of being awake, drowsy drivers are impaired on a level equatable to a 0.08% blood alcohol content, which is the current legal limit in most states. After 24 hours awake, impairment is equivalent to a blood alcohol content of 0.1%.
- Even mild [Trusted SourceNational Library of Medicine, Biotech Information](#)The National Center for Biotechnology Information advances science and health by providing access to biomedical and genomic information.[View Source](#) and short-term sleep deprivation can cause dangerous impairments to driving ability. One study by the AAA Foundation for Traffic Safety found that sleeping between six and seven hours a night doubled the risk of being involved in a crash, while getting less than five hours of sleep doubled it again.
- Source: <https://www.sleepfoundation.org/drowsy-driving/drowsy-driving-vs-drunk-driving>

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- **§ 395.5 Maximum driving time for passenger-carrying vehicles.**
 - Subject to the exceptions and exemptions in [§ 395.1](#):
 - (a) No motor carrier shall permit or require any driver used by it to drive a passenger-carrying commercial motor vehicle, nor shall any such driver drive a passenger-carrying commercial motor vehicle:
 - (1) More than 10 hours following 8 consecutive hours off duty; or
 - (2) For any period after having been on duty 15 hours following 8 consecutive hours off duty.
 - (b) No motor carrier shall permit or require a driver of a passenger-carrying commercial motor vehicle to drive, nor shall any driver drive a passenger-carrying commercial motor vehicle, regardless of the number of motor carriers using the driver's services, for any period after—
 - (1) Having been on duty 60 hours in any 7 consecutive days if the employing motor carrier does not operate commercial motor vehicles every day of the week; or
 - (2) Having been on duty 70 hours in any period of 8 consecutive days if the employing motor carrier operates commercial motor vehicles every day of the week.

OPTION #1 § 1212.5. MAXIMUM DRIVING AND ON-DUTY TIME.

CALIFORNIA HOURS OF SERVICE/ BUS DRIVING

- In California, school bus drivers are legally limited to a maximum of **10 hours of driving** within a work period and cannot drive after completing **16 hours on duty** in a single day. Additionally, drivers are limited to a maximum of **80 hours on duty** in any consecutive 8-day period. [\[1\]](#)
- **Key Hours of Service (HOS) Limits**
- **Maximum Driving Time:** No more than 10 total driving hours within a single workday.
- **Maximum On-Duty Time:** No more than 16 hours of combined on-duty time (driving and non-driving) within one day.
- **Mandatory Rest:** Drivers must have at least **8 consecutive hours off duty** before starting a new work period.
- **Weekly Limit:** Drivers cannot be on duty for more than **80 hours** across any consecutive 8-day period. [\[1, 2\]](#)
- **Typical Daily Schedule (Split-Shift)**
- Because school bus routes correspond to bell schedules, drivers typically work a **split shift** rather than a standard 8-hour block: [\[1, 2, 3\]](#)
- **Morning Route:** Roughly $\backslash(5:45 \text{ a.m.})\backslash$ to $\backslash(9:15 \text{ a.m.})\backslash$ (includes pre-trip safety checks).
- **Midday Break:** $\backslash(9:30 \text{ a.m.})\backslash$ to $\backslash(1:30 \text{ p.m.})\backslash$ (Drivers are off-duty; some districts have midday kindergarten or special education routes).
- **Afternoon Route:** Roughly $\backslash(1:45 \text{ a.m.})\backslash$ to $\backslash(4:30 \text{ p.m.})\backslash$. [\[1, 2\]](#)
- Would like to ADD 34 hour reset after any consecutive 34 hours, clock starts at zero.

Options #2

Current rules in Minimum Standards

C. An employer shall not allow or require a school bus driver to drive a school bus nor shall a school bus driver drive a school bus: 1. For more than 10 hours after having been off-duty for a minimum of eight consecutive hours; 2. For any period after having been on-duty for 15 hours after having been off-duty for a minimum of eight consecutive hours; 3. After having been on-duty 60 hours in any seven consecutive days if the employer does not operate school buses for seven consecutive days; or 4. After having been on-duty 70 hours in any eight consecutive days if the employer operates school buses every day of the week.

Would like to add 34 hour reset, any continuous 34 hours reset the 7 day Clock

Option #3

C. An employer shall not allow or require a school bus driver to drive a school bus nor shall a school bus driver drive a school bus: 1. For more than 10 hours after having been off-duty for a minimum of eight consecutive hours; 2. For any **Compensated period of 15 hours** after having been off-duty for a minimum of eight consecutive hours; 3. After having been on-duty 60 hours in any seven consecutive days if the employer does not operate school buses for seven consecutive days; or 4. After having been on-duty 70 hours in any eight consecutive days if the employer operates school buses every day of the week.

Would like to add 34 hour reset, any continuous 34 hours reset the 7 day Clock