

Table A-2. SMS Hours-of-Service Compliance BASIC Violations1

Section	Violation Description Shown on Driver/Vehicle Examination Report Given to CMV Driver after Roadside Inspection	Violation Group	Severity Weight
392.2H	State/Local Hours of Service	Hours	7
392.3	Operating a CMV while ill or fatigued	Jumping OOS/Driving Fatigued	10
392.3-FPASS	Fatigue - Operate a passenger-carrying CMV while impaired by fatigue.	Jumping OOS/Driving Fatigued	10
392.3-FPROP	Fatigue - Operate a property-carrying CMV while impaired by fatigue.	Jumping OOS/Driving Fatigued	10
392.3-I	Illness - Operate a CMV while impaired by illness or other cause.	Jumping OOS/Driving Fatigued	10
395.1(h)(1)	Violation of 15, 20, 70/80 Hours of Service rules for Alaska drivers of Property	Hours	7
395.1(h)(2)	Violation of 15, 20, 70/80 Hours of Service rules for Alaska drivers of Passengers	Hours	7
395.3A1R	11 hour rule violation (Property)	Hours	7
395.3A2R	14 hour rule violation (Property)	Hours	7
395.3A2-PROP	Driving beyond 14 hour duty period (Property carrying vehicle)	Hours	7
395.3A2-PROPNY	Driving beyond 14 hour duty period (Property carrying vehicle) - Nominal Violation	Hours, Nominal	1
395.3A3-PROP	Driving beyond 11 hour driving limit in a 14 hour period. (Property Carrying Vehicle)	Hours	7
395.3A3-PROPNY	Driving beyond 11 hour driving limit in a 14 hour period. (Property carrying vehicle) - Nominal Violation	Hours, Nominal	1
395.3(a)(3)(ii)3	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes	Hours	7
395.3B1-PROP	Driving after 60 hours on duty in a 7 day period. (Property carrying vehicle)	Hours	7
395.3B1-PROPNY	Driving after 60 hours on duty in a 7 day period. (Property carrying vehicle) - Nominal Violation	Hours, Nominal	1
395.3B2	Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle)	Hours	7
395.3B2-NOMY	Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle) - Nominal Violation	Hours, Nominal	1
395.3BR	60/70 - hour rule violation (Property)	Hours	7
395.5(a)(1)	10 - hour rule violation (Passenger)	Hours	7
395.5A1-PASS	Driving after 10 hour driving limit (Passenger carrying vehicle)	Hours	7
395.5A1-PASSNY	Driving after 10 hour driving limit (Passenger carrying vehicle) - Nominal Violation	Hours, Nominal	1
395.5(a)(2)	15 - hour rule violation (Passenger)	Hours	7
395.5A2-PASS	Driving after 15 hours on duty (Passenger carrying vehicle)	Hours	7
395.5A2-PASSNY	Driving after 15 hour driving limit (Passenger carrying vehicle) - Nominal Violation	Hours, Nominal	1
395.5B1-PASS	Driving after 60 hours on duty in a 7 day period. (Passenger carrying vehicle)	Hours	7
395.5B1-PASSNY	Driving after 60 hours on duty in a 7 day period. (Passenger carrying vehicle) - Nominal Violation	Hours, Nominal	1
395.5B2-PASS	Driving after 70 hours on duty in a 8 day period. (Passenger carrying vehicle)	Hours	7
395.5B2-PASSNY	Driving after 70 hours on duty in a 8 day period. (Passenger carrying vehicle) - Nominal Violation	Hours, Nominal	1
395.8	Record of Duty Status violation (general/form and manner)	Other Log/Form & Manner	1
395.8(a)	No drivers record of duty status when one is required	Incomplete/Wrong Log	5
395.A-ELD4	ELD - No record of duty status (ELD Required)	Incomplete/Wrong Log	5
395.8A-NON-ELD4	No record of duty status when one is required (ELD Not Required)	Incomplete/Wrong Log	5
395.8A14	Not using the appropriate method to record hours of service	Incomplete/Wrong Log	5
395.8(e)	False report of drivers record of duty status	False Log	7
395.8(f)(1)	Driver's record of duty status not current	Incomplete/Wrong Log	5
395.8F01Y	Drivers record of duty status not current	Incomplete/Wrong Log	5
395.8(k)(2)	Driver failing to retain previous 7 days records of duty status	Incomplete/Wrong Log	5
395.11G4	Failing to provide supporting documents in the driver's possession upon request	False Log	7

395.13(d)	Driving after being declared out-of-service for HOS violation(s)	Jumping OOS/Driving Fatigued	10
395.15A2Y	Driver failed to use automatic on-board recording device when required by the motor carrier.	Incomplete/Wrong Log	5
395.15(b)	Onboard recording device information requirements not met	Incomplete/Wrong Log	5
395.15B2Y	Automatic on-board recording device failed to provide means to immediately check drivers hours of service as required.	EOBR Related	1
395.15(c)	Onboard recording device improper form and manner	Other Log/Form & Manner	1
395.15D2Y	Driver failed to produce location identifier codes for AOB RD as required.	Other Log/Form & Manner	1
395.15(f)	Onboard recording device failure: Driver failed to reconstruct info	Incomplete/Wrong Log	5
395.15(g)	Onboard recording device info not available	EOBR Related	1
395.15G01Y	Driver failed to have instructions on-board CMV for installed automatic on-board recording device.	EOBR Related	1
395.15G02Y	Driver failed to have on-board a CMV a sufficient supply of blank records of duty status graph-grids.	EOBR Related	1
395.15(i)(5)	Onboard recording device does not display required information	Other Log/Form & Manner	1
395.15I9Y	Driver not adequately trained in the operation of the automatic on-board recording device.	EOBR Related	1
395.20B4	The ELD's display screen cannot be viewed outside of the commercial motor vehicle.	Incomplete/Wrong Log	5
395.22A4	Operating with a device that is not registered with FMCSA	Incomplete/Wrong Log	5
395.22G4	Portable ELD not mounted in a fixed position and visible to driver	EOBR-Related	1
395.22H14	Driver failing to maintain ELD user's manual	EOBR-Related	1
395.22H24	Driver failing to maintain ELD instruction sheet	EOBR-Related	1
395.22H34	Driver failed to maintain instruction sheet for ELD malfunction reporting requirements	EOBR-Related	1
395.22H44	Driver failed to maintain supply of blank driver's records of duty status graph-grids	EOBR-Related	1
395.24C1I4	Driver failed to make annotations when applicable	Other Log/Form & Manner	1
395.24C1II4	Driver failed to manually add location description	Other Log/Form & Manner	1
395.24C1III4	Driver failed to add file comment per safety officer's request	Other Log/Form & Manner	1
395.24C2I4	Driver failed to manually add CMV power unit number	Other Log/Form & Manner	1
395.24C2II4	Driver failed to manually add the trailer number	Other Log/Form & Manner	1
395.24C2III4	Driver failed to manually add shipping document number	Other Log/Form & Manner	1
395.28	Driver failed to select/deselect or annotate a special driving category or exempt status	Other Log/Form & Manner	1
395.30B14	Driver failed to certify the accuracy of the information gathered by the ELD	Other Log/Form & Manner	1
395.30C4	Failing to follow the prompts from the ELD when editing/adding missing information	Other Log/Form & Manner	1
395.32B4	Driver failed to assume or decline unassigned driving time	Incomplete/Wrong Log	5
395.34A14	Failing to note malfunction that requires use of paper log	Incomplete/Wrong Log	5
398.6	Violation of Hours of Service regulations for Transportation of Migrant Workers	Hours	7

1Violation severity weights reflect the relative importance of each violation within each BASIC. These weights cannot be compared or added meaningfully across the BASICS.

2In cases where a violation results in an out-of-service order as defined in 49 CFR 390.5, an additional weight of 2 is added to arrive at a total severity weight for the violation.

3Violation added to the SMS as of July 1, 2013. Instances of this violation before, July 1, 2013 will not be included in the SMS.

4ELD-related violation added to the SMS as of April 1, 2018. Instances of this violation before April 1, 2018 will not be included in the SMS.