

Table 1

Table A-2. SMS Hours-of-Service Compliance BASIC Violations ¹					
Section	Violation Description Shown on Driver/Vehicle Examination Report Given to CMV Driver after Roadside Inspection	Violation Group Description	Violation Severity Weight ²	Violation in the DSMS (Y/N)	Comment
392.2H	State/Local Hours of Service	Hours	7	Y	
392.3	Operating a CMV while ill or fatigued	Jumping OOS/ Driving Fatigued	10	Y	
392.3-FPASS	Fatigue - Operate a passenger-carrying CMV while impaired by fatigue.	Jumping OOS/ Driving Fatigued	10	Y	
392.3-FPROP	Fatigue - Operate a property-carrying CMV while impaired by fatigue.	Jumping OOS/ Driving Fatigued	10	Y	
392.3-I	Illness - Operate a CMV while impaired by illness or other cause.	Jumping OOS/ Driving Fatigued	10	Y	
395.1(h)(1)	Violation of 15, 20, 70/80 Hours of Service rules for Alaska drivers of Property	Hours	7	Y	
395.1(h)(2)	Violation of 15, 20, 70/80 Hours of Service rules for Alaska drivers of Passengers	Hours	7	Y	
395.3A1R	11 hour rule violation (Property)	Hours	7	Y	
395.3A2R	14 hour rule violation (Property)	Hours	7	Y	
395.3A2-PROP	Driving beyond 14 hour duty period (Property carrying vehicle)	Hours	7	Y	
395.3A2-PROPN ^ψ	Driving beyond 14 hour duty period (Property carrying vehicle) - Nominal Violation	Hours, Nominal	1	Y	Added in 3.0.4
395.3A3-PROP ⁶	Driving beyond 11 hour driving limit. (Property Carrying Vehicle)	Hours	7	Y	Updated description in 3.11
395.3A3-PROPN ^ψ	Driving beyond 11 hour driving limit in a 14 hour period. (Property carrying vehicle) - Nominal Violation	Hours, Nominal	1	Y	Added in 3.0.4
395.3(a)(3)(ii) ⁶	Driving beyond 8 hour driving limit since the end of the last on duty, off duty, or sleeper period of at least 30 minutes	Hours	7	Y	Updated description in 3.11
395.3B1-PROP	Driving after 60 hours on duty in a 7 day period. (Property carrying vehicle)	Hours	7	Y	
395.3B1-PROPN ^ψ	Driving after 60 hours on duty in a 7 day period. (Property carrying vehicle) - Nominal Violation	Hours, Nominal	1	Y	Added in 3.0.4
395.3B2	Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle)	Hours	7	Y	
395.3B2-NOM ^ψ	Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle) - Nominal Violation	Hours, Nominal	1	Y	Added in 3.0.4
395.3BR	60/70 - hour rule violation (Property)	Hours	7	Y	
395.5(a)(1)	10 - hour rule violation (Passenger)	Hours	7	Y	
395.5A1-PASS	Driving after 10 hour driving limit (Passenger carrying vehicle)	Hours	7	Y	
395.5A1-PASSN ^ψ	Driving after 10 hour driving limit (Passenger carrying vehicle) - Nominal Violation	Hours, Nominal	1	Y	Added in 3.0.4
395.5(a)(2)	15 - hour rule violation (Passenger)	Hours	7	Y	
395.5A2-PASS	Driving after 15 hours on duty (Passenger carrying vehicle)	Hours	7	Y	
395.5A2-PASSN ^ψ	Driving after 15 hour driving limit (Passenger carrying vehicle) - Nominal Violation	Hours, Nominal	1	Y	Added in 3.0.4
395.5B1-PASS	Driving after 60 hours on duty in a 7 day period. (Passenger carrying vehicle)	Hours	7	Y	
395.5B1-PASSN ^ψ	Driving after 60 hours on duty in a 7 day period. (Passenger carrying vehicle) - Nominal Violation	Hours, Nominal	1	Y	Added in 3.0.4
395.5B2-PASS	Driving after 70 hours on duty in a 8 day period. (Passenger carrying vehicle)	Hours	7	Y	
395.5B2-PASSN ^ψ	Driving after 70 hours on duty in a 8 day period. (Passenger carrying vehicle) - Nominal Violation	Hours, Nominal	1	Y	Added in 3.0.4
395.8	Record of Duty Status violation (general/form and manner)	Other Log/Form & Manner	1	Y	
395.8(a)	No drivers record of duty status when one is required	Incomplete/ Wrong Log	5	Y	
395.A-ELD ⁴	ELD - No record of duty status (ELD Required)	Incomplete/ Wrong Log	5	Y	Added in 3.0.9
395.8A-NON-ELD ⁴	No record of duty status when one is required (ELD Not Required)	Incomplete/ Wrong Log	5	Y	Added in 3.0.9
395.8A1 ⁴	Not using the appropriate method to record hours of service	Incomplete/ Wrong Log	5	Y	Added in 3.0.9
395.8(e)	False report of drivers record of duty status	False Log	7	Y	
395.8E1PC ⁷	False Record of Duty Status - Improper use of Personal Conveyance Exception	False Log	7	Y	Added in 3.12
395.8(f)(1)	Driver's record of duty status not current	Incomplete/ Wrong Log	5	Y	
395.8F01 ^ψ	Drivers record of duty status not current	Incomplete/ Wrong Log	5	Y	Added in 3.0.4
395.8(k)(2)	Driver failing to retain previous 7 days records of duty status	Incomplete/ Wrong Log	5	Y	
395.11G ⁴	Failing to provide supporting documents in the driver's possession upon request	False Log	7	Y	Added in 3.0.9
395.13(d)	Driving after being declared out-of-service for HOS violation(s)	Jumping OOS/ Driving Fatigued	10	Y	
395.15A2 ^ψ	Driver failed to use automatic on-board recording device when required by the motor carrier.	Incomplete/ Wrong Log	5	Y	Added in 3.0.4
395.15(b)	Onboard recording device information requirements not met	Incomplete/ Wrong Log	5	Y	
395.15B2 ^ψ	Automatic on-board recording device failed to provide means to immediately check drivers hours of service as required.	EOBR Related	1	Y	Added in 3.0.4

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395.15(c)	Onboard recording device improper form and manner	Other Log/Form & Manner	1	Y	
395.15D2 ^W	Driver failed to produce location identifier codes for AOBRD as required.	Other Log/Form & Manner	1	Y	Added in 3.0.4
395.15(f)	Onboard recording device failure: Driver failed to reconstruct info	Incomplete/Wrong Log	5	Y	
395.15(g)	Onboard recording device info not available	EOBR Related	1	Y	
395.15G01 ^W	Driver failed to have instructions on-board CMV for installed automatic on-board recording device.	EOBR Related	1	Y	Added in 3.0.4
395.15G02 ^W	Driver failed to have on-board a CMV a sufficient supply of blank records of duty status graph-grids.	EOBR Related	1	Y	Added in 3.0.4
395.15(i)(5)	Onboard recording device does not display required information	Other Log/Form & Manner	1	N	
395.15I9 ^W	Driver not adequately trained in the operation of the automatic on-board recording device.	EOBR Related	1	Y	Added in 3.0.4
395.20B ⁶	The ELDs display screen cannot be viewed outside of the commercial motor vehicle.	Incomplete/Wrong Log	5	N	Updated description in 3.11
395.22A ⁴	Operating with a device that is not registered with FMCSA	Incomplete/Wrong Log	5	Y	Added in 3.0.9
395.22(b)(2)(ii) ⁸	Motor carrier failed to include required user identification data in ELD account.	Other Log/Form & Manner	1	N	Added in 3.13
395.22G ⁴	Portable ELD not mounted in a fixed position and visible to driver	EOBR-Related	1	Y	Added in 3.0.9
395.22H1 ⁴	Driver failing to maintain ELD user's manual	EOBR-Related	1	Y	Added in 3.0.9
395.22H2 ⁴	Driver failing to maintain ELD instruction sheet	EOBR-Related	1	Y	Added in 3.0.9
395.22H3 ⁴	Driver failed to maintain instruction sheet for ELD malfunction reporting requirements	EOBR-Related	1	Y	Added in 3.0.9
395.22H4 ⁶	Driver failed to maintain supply of blank drivers records of duty status graph-grids	EOBR-Related	1	Y	Updated description in 3.11
395.24C1I ⁴	Driver failed to make annotations when applicable	Other Log/Form & Manner	1	Y	Added in 3.0.9
395.24C1II ⁴	Driver failed to manually add location description	Other Log/Form & Manner	1	Y	Added in 3.0.9
395.24C1III ⁶	Driver failed to add file comment per safety officers request	Other Log/Form & Manner	1	Y	Updated description in 3.11
395.24C2I ⁴	Driver failed to manually add CMV power unit number	Other Log/Form & Manner	1	Y	Added in 3.0.9
395.24C2II ⁴	Driver failed to manually add the trailer number	Other Log/Form & Manner	1	Y	Added in 3.0.9
395.24C2III ⁴	Driver failed to manually add shipping document number	Other Log/Form & Manner	1	Y	Added in 3.0.9
395.26B ⁵	Motor carrier failed to ensure that the ELD automatically recorded the required data elements.	Other Log/Form & Manner	1	N	Added in 3.11
395.28	Driver failed to select/deselect or annotate a special driving category or exempt status	Other Log/Form & Manner	1	Y	Added in 3.0.9
395.30B1 ⁴	Driver failed to certify the accuracy of the information gathered by the ELD	Other Log/Form & Manner	1	Y	Added in 3.0.9
395.30C ⁴	Failing to follow the prompts from the ELD when editing/adding missing information	Other Log/Form & Manner	1	Y	Added in 3.0.9
395.32B ⁴	Driver failed to assume or decline unassigned driving time	Incomplete/Wrong Log	5	Y	Added in 3.0.9
395.34A1 ⁴	Failing to note malfunction that requires use of paper log	Incomplete/Wrong Log	5	Y	Added in 3.0.9
398.6	Violation of Hours of Service regulations for Transportation of Migrant Workers	Hours	7	Y	
	¹ Violation severity weights reflect the relative importance of each violation within each BASIC. These weights cannot be compared or added meaningfully across the BASICS.				
	² In 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.				
	³ Violation added to the SMS as of July 1, 2013. Instances of this violation before, July 1, 2013 will not be included in the SMS.				
	⁴ ELD-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.				
	⁵ This violation was added to SMS with the September 25, 2020 snapshot.				
	⁶ The description for this violation was updated in SMS with the September 25, 2020 snapshot.				
	⁷ This violation was added to SMS with the August 27, 2021 snapshot.				
	⁸ This violation was added to SMS with the December 31, 2021 snapshot.				