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Federal Motor Carrier Safety Administration

Interstate Truck Driver's Guide to Hours of Service



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WHAT ARE THE HOURS OF SERVICE (HOS) REGULATIONS?

The HOS regulations are found in [part 395 of title 49 of the Code of Federal Regulations](#) (CFR) in the Federal Motor Carrier Safety Regulations (FMCSRs). These regulations are developed and enforced by the Federal Motor Carrier Safety Administration (FMCSA), which is part of the United States Department of Transportation. States may have identical or similar regulations, as we will explain later.

This publication is a guide only and focuses on regulations specific to property-carrying commercial motor vehicles (CMVs) and their drivers. You can find information about the HOS regulations for drivers and motor carriers operating passenger-carrying CMVs on the following two websites:

<https://www.fmcsa.dot.gov/regulations/hours-service/summary-hours-service-regulations>

<https://www.fmcsa.dot.gov/safety/carrier-safety/hours-service-motor-carriers-passengers>

This guidance document does not have the force and effect of law and is not meant to bind the public in any way. It is intended only to provide information and clarity regarding existing requirements under the law or agency policies. FMCSA does not assume responsibility for any omissions, errors, or ambiguity contained herein. The contents may not be relied upon as a substitute for FMCSA's [published regulations](#).

WHO MUST COMPLY WITH THE HOURS OF SERVICE REGULATIONS?

Unless an exception is provided, you must follow the HOS regulations if you drive a CMV, which is a truck, or truck-tractor with a trailer, that is used on the highways in interstate commerce to transport property and:

- Weighs (including any load) 10,001 pounds (4,536 kg) or more, or
- Has a gross vehicle weight rating or gross combination weight rating of 10,001 pounds (4,536 kg) or more, or
- Is transporting hazardous materials in a quantity requiring placards.

We will describe these terms in greater detail in the next sections of this document.

Interstate/Intrastate Commerce

Generally, you are required to comply with the Federal HOS regulations only if you are operating a CMV in interstate commerce.

Interstate commerce means trade, traffic, or transportation in the United States—(1) Between a place in a State and a place outside of such State (including a place outside of the United States); (2) Between two places in a State through another State or a place outside of the United States; or (3) Between two places

in a State as part of trade, traffic, or transportation originating or terminating outside the State or the United States (§390.5T).

Sometimes your truck or trailer may be empty. In these cases, your truck itself is considered “property” and is still in the stream of interstate commerce if you have just delivered an interstate load and are driving empty to pick up another interstate load.

At the point you start driving in interstate commerce you must have a signed statement, or records of duty status, showing your total time on duty for the preceding 7 days (§395.8 (k)(2)). You generally must also follow the Federal HOS regulations for a period of time after you finish operating in interstate

commerce. If you were using the 60-hour/7-day schedule, you must follow the Federal HOS regulations for the next 7 days after you finish operating in interstate commerce. If you were using the 70-hour/8-day schedule, you must follow the Federal HOS regulations for the next 8 days after you finish operating in interstate commerce.

Intrastate commerce means transportation not covered by the definition of interstate commerce. Usually (but not always), that means the cargo stays, or the services occur, within a single State.

If you are operating in intrastate commerce only, the Federal HOS regulations do not apply to you. However, most States have intrastate regulations that are similar or identical to the Federal regulations. To determine what State safety requirements you must follow, you should contact the appropriate State agency. This is usually the State police, highway patrol, or an office within the State’s Department of Transportation.

Personal Use of a CMV, Personal Conveyance and Yard Moves in a CMV

Personal Use

Personal use, often referred to as personal conveyance, is the movement of a CMV for personal use while off duty, e.g., driving from a truck stop to a restaurant or using your vehicle to transport your own possessions. A driver may record time operating a CMV for personal conveyance as off duty only when the driver is relieved from work and all responsibility for performing work by the motor carrier. The CMV may be used for personal conveyance even if it is laden since the load is not being transported for the commercial benefit of the motor carrier at that time.

Personal conveyance does not reduce a driver’s or motor carrier’s responsibility to operate a CMV safely. Motor carriers can establish personal conveyance limitations either within the scope of, or more restrictive than, the guidance provided in the June 7, 2018, Federal Register guidance titled “Regulatory Guidance Concerning the Use of a Commercial Motor Vehicle (CMV).” This document, along with other reference materials to assist in understanding personal conveyance, can be accessed at: <https://www.fmcsa.dot.gov/regulations/hours-service/personal-conveyance>.



Yard Moves

"Yard moves" is the term for transfers of CMVs between locations within a terminal or similar facility on private property. Yard moves may not occur on a "highway," as defined in [§390.5T](#), i.e., any road, street, or way, public or private, that the public can operate a four-wheeled vehicle on that is not restricted by signs or gates. Under the regulations for electronic logging devices (ELDs), yard moves are classified as on-duty not driving time.

But just what is a "yard?" FMCSA is trying to better define that term. On January 4, 2021, the Agency published proposed guidance with examples of properties that would and would not qualify as a "yard" (86 FR 179). Yard move status could be used "only if the movement of the CMV occurs in a confined area on private property (or intermodal facility or briefly on public roads ...)" For further details, please see the [January 4, 2021 Federal Register notice](#).

WHAT IS ON-DUTY TIME?

The 60-hour/7-day limit and 70-hour/8-day limit are based on how many hours you work over a period of days. On-duty time includes all time you are working, or are required to be ready to work, for any employer. It includes the following activities:

- All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched, unless you have been relieved from duty by the motor carrier;
- All time inspecting, servicing, or conditioning any truck, including fueling it and washing it at any time;
- All driving time, meaning all time spent at the driving controls of a CMV in operation;
- All other time in or on a CMV other than:
 1. Time spent resting in or on a parked vehicle, except as otherwise provided in [§397.5](#) of the FMCSRs;
 2. Time spent resting in a sleeper berth;
 3. Up to 3 hours riding in the passenger seat of a property-carrying vehicle moving on the highway immediately before or after a period of at least 7 consecutive hours in the sleeper berth;
- All time loading, unloading, supervising, or attending your truck; or handling paperwork for shipments;
- All time taking care of your truck when it is broken down;
- All time spent providing a breath, saliva, or urine sample for drug/ alcohol testing, including travel to and from the collection site;
- All time spent doing any other work for a motor carrier, including giving or receiving training and driving a company car; and
- All time spent doing paid work for anyone who is not a motor carrier, such as a part-time job at a local restaurant.

The bottom line is that on-duty time includes all time you are working for a motor carrier, whether paid or not, and all time you are doing paid work for anyone else.

The definition of on-duty time is found in [§395.2](#).

On-Duty Time in a CMV

FMCSA excludes from the definition of on-duty time any time resting in a parked CMV.

The HOS regulations also exclude up to 3 hours in the passenger seat of a moving CMV immediately before or after 7 consecutive hours in the sleeper berth. This provides team drivers an opportunity to “keep the truck moving” by having driver A drive for 10 hours (subject to a consecutive 30-minute break in driving status required at the 8th hour of cumulative driving) while driver B obtains a full daily rest period without having to stay in the sleeper berth for 10 straight hours. Driver B can take 7 hours in the sleeper berth and 3 hours in the passenger seat to accomplish the required off-duty period. Then the drivers may change positions. This reversal pattern could continue until either driver reaches the maximum limit of 60 or 70 hours on duty in any 7- or 8-day period. Only the first 3 hours in the passenger seat of the CMV vehicle can be combined with the 7 hours in the sleeper berth to get the required 10 consecutive hours off duty. Any hours spent in the passenger seat after these 3 hours count as—and must be logged by the driver as—on-duty not driving time.

WHAT IS OFF-DUTY TIME?

By understanding the definition of on-duty time, you will get a good idea of what is considered off-duty time. For time to be considered off duty, you must be relieved of all duty and responsibility for performing work. You must be free to pursue activities of your own choosing and be able to leave the place where your vehicle is parked.

If you are not doing any work (paid or unpaid) for a motor carrier and you are not doing any paid work for anyone else, you may record the time as off-duty time.

WHAT ARE THE HOURS OF SERVICE LIMITS?

The HOS regulations focus on limiting fatigue by placing specific limits on the amount of time you drive your truck and how many total hours you can work before you are no longer permitted to drive a CMV. You must follow three maximum duty limits at all times. They are the 14-hour “driving window” limit, 11-hour driving limit, and 60-hour/7-day or 70-hour/8-day duty limits.

14-Hour Driving Window

This regulation is found in [§395.3\(a\)\(2\)](#).

This window is usually thought of as a “daily” limit even though it is not based on a 24-hour period. You are allowed a period of 14 consecutive hours in which to drive up to 11 hours after being off duty for 10 or more consecutive hours. The 14 consecutive hour driving window begins when you start any kind of work. Once you have reached the end of this 14 consecutive hour period, you cannot drive again until you have been off duty for another 10 consecutive hours, or the equivalent of at least 10 consecutive hours off duty.

EXAMPLE: You have had 10 consecutive hours off and you come to work at 6:00 a.m. You must not drive your truck after 8:00 p.m. that evening, which is 14 hours later. You may do other work after 8:00 p.m., but you cannot do any more driving until you have taken another 10 consecutive hours off, or the equivalent of at least 10 consecutive hours off duty.

11-Hour Driving Limit

This regulation is found in [§395.3\(a\)\(3\)](#).

During the 14-hour “window” explained above, you are allowed to drive your truck for no more than 11 total hours. In addition, driving is not permitted if more than 8 hours have passed since the end of the driver’s last break in driving time of at least 30 minutes, as explained below. Once you have driven a total of 11 hours, you have reached the driving limit and must be off duty for 10 consecutive hours (or the equivalent) before driving your truck again.

EXAMPLE: You have had 10 consecutive hours off. You come to work at 6:00 a.m. and drive from 7:00 a.m. until 2:00 p.m. (7 hours driving). You take a 30 consecutive minute break from driving, as required, and then can drive for another 4 hours until 6:30 p.m. You must not drive again until you have at least 10 consecutive hours off duty. You may do other work after 6:30 p.m., but you cannot do any more driving of a CMV on a highway.

Sleeper Berth Provision

If you drive a truck that has a sleeper berth that meets the definition in [§395.2](#), you may use it to get the required off-duty time in three ways:

1. You may spend time in your sleeper berth to get all of the required 10 hours of off-duty time. When getting your 10 consecutive hours of off-duty time, you must not go on duty during those 10 hours. At the end of the 10 consecutive hours of sleeper berth time, your 11-hour driving and 14-hour duty-period limits will completely restart.
2. If you combine at least 7 consecutive hours in the sleeper berth with up to 3 hours, before or after the 7 consecutive hours in the sleeper berth, either off duty or as a passenger while the vehicle is moving, and the two periods equal at least 10 consecutive hours, that meets the off-duty requirement under [§395.3\(a\)\(1\)](#).
3. You may also take two non-consecutive off-duty periods under the sleeper berth provision in [§395.1\(g\)](#). One period must be at least 7 consecutive hours spent in the sleeper berth, paired with another period of at least 2 hours spent either in the sleeper berth or otherwise off duty, as long as the two periods total at least 10 hours. When paired, neither qualifying period counts against the 14-hour driving window. It does not matter which qualifying period you take first.

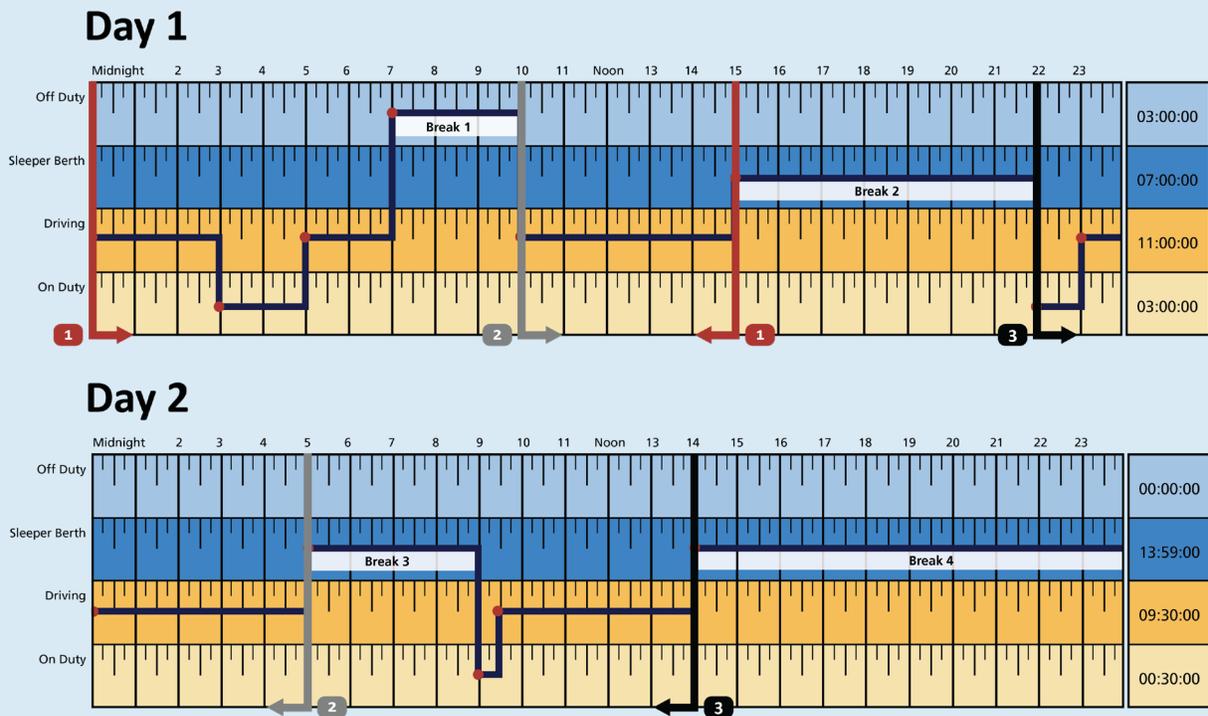
In calculating compliance with the 11-hour driving and 14-hour “driving window” limits using the sleeper berth provision, the following key principles apply.

- The starting point in determining compliance with the sleeper berth provision is at the end of the first period used in the calculation or, if following the end of at least 10 consecutive hours off duty or sleeper berth time, at the restart following the 10 consecutive hours off.
- The start of the second qualifying rest period is used as the stopping point for the calculation. Only “paired” qualifying rest periods are excluded from the 14-hour “driving window.”
- The driver must include all time on either side of the first qualifying rest period “paired” in calculating compliance with the 11-hour driving limit and 14-hour “driving window.”

If, after completing a qualifying sleeper pairing, a driver takes a subsequent qualifying rest period, the calculation point advances to the end of the new first qualifying rest period in the new pairing.



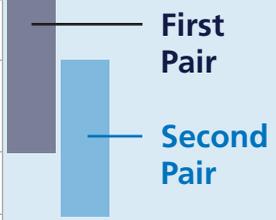
EXAMPLE: Take a look at the log below.



In determining compliance and available hours with the sleeper berth HOS provisions, you must look for qualifying rest breaks under the rule. After 10 consecutive hours off the prior day, the clock starts at midnight on Day 1 with driving time. We then look for qualifying rest breaks.

Qualifying Rest Breaks

Break	Start	End	Break Time
1	Day 1, 7:00 a.m.	Day 1, 10:00 a.m.	3 hours off-duty time
2	Day 1, 3:00 p.m.	Day 1, 10:00 p.m.	7 consecutive hours in sleeper berth
3	Day 2, 5:00 a.m.	Day 2, 9:00 a.m.	4 hours in sleeper berth
4	Day 2, 2:00 p.m.	Day 2, Midnight	10 consecutive hours in sleeper berth (resets 11- and 14-hour clocks)



The first and second rest breaks can be paired; as can the second and third. The fourth qualifying break in this example is the 10-consecutive hour break in the sleeper berth at the end of Day 2, which completely resets the 11- and 14-hour “clocks.”

EXAMPLE continued next page

EXAMPLE continued

Calculation Periods no violation

Period	Start	End	Breaks Excluded from Calculation	Driving Time	On-Duty Time
1	Day 1, Midnight	Day 1, 3:00 p.m.	Break 1	10 hours	12 hours
2	Day 1, 10:00 a.m.	Day 2, 5:00 a.m.	Break 2	11 hours	12 hours
3	Day 1, 10:00 p.m.	Day 2, 2:00 p.m.	Break 3	10.5 hours	12 hours

According to the sleeper berth provision, the calculation period:

- **Starts:** at the end of the first rest break paired.
- **Ends:** at the start of the second rest break paired.

Calculation Period 1

We've established the first pair of qualifying rest breaks (Breaks 1 and 2), and we focus on the hours between midnight and 3:00 p.m. on Day 1. At this point, the driver has 10 hours of driving time and 12 on-duty hours, both within the allowable limits.

Calculation Period 2

We next establish the second pair of qualifying rest breaks, which is the 7-hour sleeper berth period on Day 1 (Break 2) paired with the 4-hour sleeper berth period on Day 2 (Break 3). Looking ahead, we determine the second calculation period (Day 1, 10:00 a.m. to Day 2, 5:00 a.m.). The 7-hour sleeper berth period (Break 2) is excluded from the calculation. The driver has 11 hours driving time and 12 on-duty hours, and is in compliance.

Calculation Period 3

Calculation period three starts on Day 1 at 10:00 p.m. and ends on Day 2 at 2:00 p.m. when the driver takes 10 consecutive hours in the sleeper berth (Break 4). During period 3, the driver has driven for 10.5 hours and had 12 total on-duty hours.

Following Break 4, the driver has a restart of the 11- and 14-hour clocks. There are no violations of the HOS rules in this example.

Remember that you are allowed to do non-driving work after the 14-hour limit is reached, just no more driving of the truck on the highway (but the additional on-duty time would count toward your weekly 60- or 70-hour limit).

Each time you take one of the two required rest periods, you will need to recalculate the on-duty and driving hours available. You could continue using the sleeper berth regulation, recalculating your hours available until you have 10 consecutive hours off duty. After 10 consecutive hours off duty, you will again have 11 hours of driving time within a 14 consecutive-hour driving window.

This regulation is found in [§395.1\(g\)](#).

30-Minute Rest Break

The HOS regulations require a 30-minute consecutive break from driving after driving for 8 hours. The 30-minute break is required after 8 cumulative, not consecutive, driving hours. The 30-minute break required by [§395.3\(a\)\(3\)\(ii\)](#) may be taken either on duty, off duty, or in the sleeper berth.

Many CMV drivers interrupt their driving time during normal business operations to complete tasks, such as loading or unloading a truck, completing paperwork, or stopping for fuel. These interruptions can be used to satisfy the 30-minute break from driving, if consecutive. For example, a driver could take 15 minutes of on-duty not driving time plus 15 minutes of off-duty time to satisfy his or her 30-minute requirement, as long as those two periods are consecutive. Short, non-consecutive periods cannot be combined to reach 30 minutes of non-driving time.

The 30-minute break does not increase the maximum driving time during the work shift, or allow driving after the 14th hour from the beginning of the work shift. The 30-minute break is explained in greater detail throughout this document.

The 30-minute interruption of driving time provision is not applicable to drivers who qualify for either of the “short haul operations” exceptions outlined in [§395.1\(e\)\(1\) or \(2\)](#). See pages 12–13 for a description of the short haul exceptions and to determine if either exception applies to you.

60/70-Hour On-Duty Limit

The 60/70-hour on-duty limit is based on a 7- or 8-day period, depending on your motor carrier's operation, starting at the time specified by your motor carrier for the start of a 24-hour period. It applies to property-carrying CMVs, and is in addition to the other limits previously explained. It is total on-duty time, not just driving time. Once you reach the limit, you can do other work, but you are not permitted to drive.

This limit is sometimes thought of as a “weekly” limit, but is not based on a “set” week, such as Sunday through Saturday. The limit is based on a “rolling” or “floating” 7- or 8-day period. The oldest day's hours drop off at the end of each day when you calculate the total on-duty time for the past 7 or 8 days. For example, if you operate on a 70-hour/8-day schedule, the current day would be the newest day of your 8-day period and the hours you worked 9 days ago would drop out of the calculation. This regulation is found in [§395.3\(b\)](#).

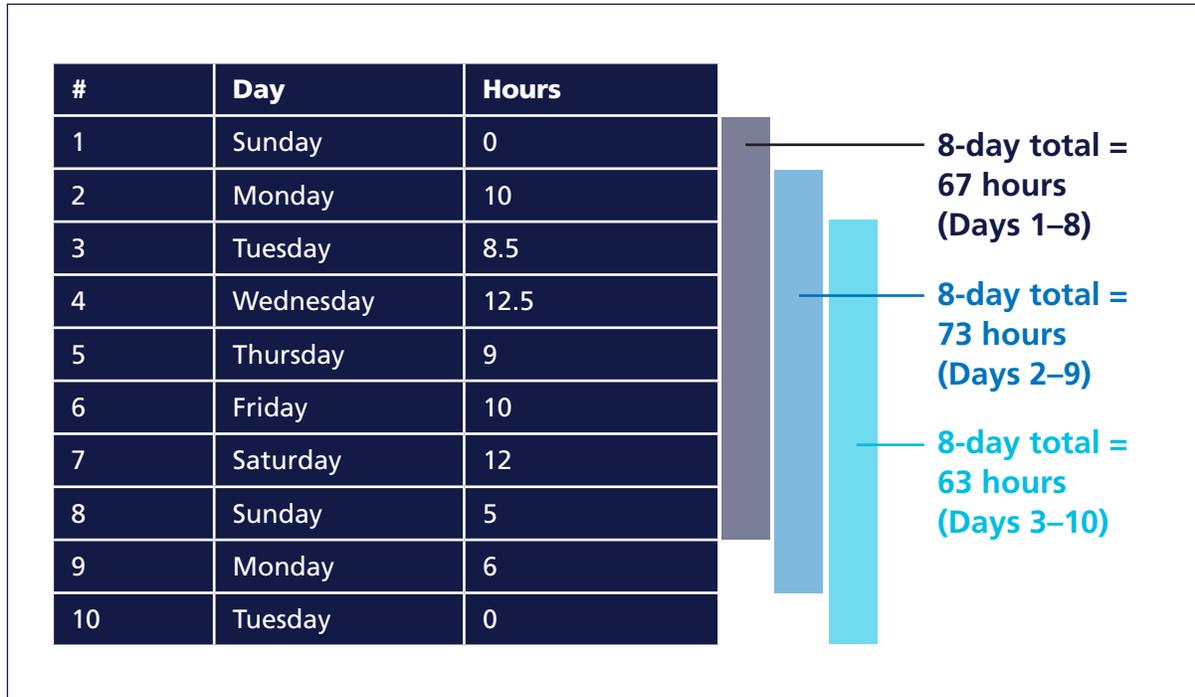
EXAMPLE: In the table below, you have accumulated a total of 67 on-duty (driving and on-duty) hours in Days 1–8. In this example, you are operating on the 70-hour/8-day rule, and therefore are in compliance with the rules at this point as you have only worked 67 hours in the 70-hour period. Once you reach the 70-hour mark in an 8-day period, you cannot drive until you have taken enough off-duty hours to legally operate again.

In this particular example when you reach the 9th day of the cycle (the second Monday) the hours from Day 1 of the cycle (the first Sunday) would drop off and you would then calculate your hours for Days 2–9 (Monday–Monday). Since you were on duty for 6 hours on the second Monday, this totals 73 hours for the prior 8 days and you could be in violation if you drove past the 70-hour mark during the last 3 hours over 70.

On Day 10 of the cycle you do not accumulate any on-duty or driving hours, which brings your total for the last 8 days (Days 3–10) to 63 total hours. You are in compliance since you worked fewer than 70 hours in the previous 8-day period.

These same principles apply for the 60-hour/7-day HOS rule. Additionally, any time you take 34 consecutive hours off duty, this resets your “weekly” cycle of either 60/7 or 70/8 back to zero total hours accumulated. Violations of the 60/7 or 70/8 hour rules can only occur if you drive a CMV past these limits as you can remain on-duty not driving.

70-hour/8-day rule: Calculating the rolling 8-day total



You are required to follow one of these two limits:

1. If your company does not operate vehicles every day of the week, you are not allowed to drive a CMV after you've been on duty **60 hours during any 7-consecutive days**. Once you reach the 60-hour limit, you will not be able to drive a CMV again until you have dropped below 60 hours for a 7-consecutive-day period. You may do other work, but you cannot do any more driving until you are off duty enough days to get below the limit. Any other hours you work, whether they are for a motor carrier or someone else, must be added to the total.
2. If your company operates vehicles every day of the week, your employer may assign you to the 70-hour/8-day schedule. This means that you are not allowed to drive a CMV after you've been on duty 70 hours in any 8-consecutive days. Once you reach the 70-hour limit, you will not be able to drive again until you have dropped below 70 hours for an 8-consecutive-day period. You may do other work, but you cannot do any more driving until you get below the limit. Any other hours you work, whether they are for a motor carrier or someone else, must be added to the total.

34-Hour Restart

The HOS regulations allow property-carrying CMV drivers to “restart” their 60- or 70-hour clock calculations by taking 34 or more consecutive hours off duty or in the sleeper berth, or some combination of both. These regulations are found in [§§395.3\(c\)\(1\) and \(c\)\(2\)](#). After you have taken at least 34 consecutive hours off duty, you have the full 60 or 70 hours available again. The use of a “valid” 34-hour restart resets a driver’s “weekly” hours back to zero. Use of the 34-hour restart is optional; it is not mandatory.

EXAMPLE: If you follow the 70-hour/8-day limit and work 14 hours per day for 5 days in a row, you will have been on duty for 70 hours. You would not be able to drive again until you drop below 70 hours worked in an 8-day period. However, if your company allows you to use the 34-hour restart provision, you would have driving time available immediately after 34 consecutive hours off duty. You would then begin a new period of 8 consecutive days and have 70 hours available.

WHAT IS THE ADVERSE DRIVING CONDITIONS EXCEPTION?



If unexpected adverse driving conditions slow you down, you may drive up to 2 additional hours to complete what could have been driven in normal conditions. This means you could drive for up to 13 hours, which is 2 hours more than allowed under normal conditions. Adverse driving conditions mean things that you could not anticipate, like a highway blocked by a crash or the sudden appearance of fog. Adverse driving conditions do not include situations such as congested traffic during typical “rush hour” periods.

The adverse driving condition exception also allows an extension of the 14-hour “driving window” by up to 2 hours, consistent with the 2-hour extension of driving time permitted. This extension does not, however, increase any available driving time limits beyond the current 60/7 and 70/8 day limits in [§395.3\(b\)](#).

The adverse driving conditions definition covers conditions that are unknown, or could not reasonably be known, to the driver immediately before the start of the duty day or before resuming driving after a qualifying sleeper berth rest break, or to the motor carrier immediately before dispatching the driver. Drivers using an electronic logging device (ELD) are required by [§395.28\(c\)](#) to annotate the adverse driving conditions on their record of duty status (RODS), and include details about the condition. Drivers using paper logs or alternative logging systems are encouraged to similarly note when they experience adverse driving conditions.

This regulation is found in [§395.1\(b\)\(1\)](#), and the definition of “adverse driving conditions” is found in [§395.2](#).

WHAT IS THE CDL SHORT-HAUL EXCEPTION?

The short-haul exception for drivers operating a CMV requiring a commercial driver’s license (CDL) is found in [§395.1\(e\)\(1\)](#). Under this exception, a driver does not have to comply with the requirements of [§§395.8](#) or [395.11](#). To qualify for the exception a driver must:

1. Return to the normal work reporting location and be released from work within 14 consecutive hours;
2. Operate within a 150 air-mile radius (172.6 statute miles) of the normal work reporting location; and
3. Have at least 10 consecutive hours off duty separating each 14 hours on duty. Drivers utilizing the short-haul exception continue to be limited to 11 hours of driving time.

The short-haul exception in [§395.1\(e\)\(1\)](#) allows a driver to use a time record in place of an electronic or paper RODS, provided the specific rule provisions are met. The time records must include the time the driver reports for duty each day, total number of hours the driver is on duty for each day, and the time the driver is released each day. If the individual cannot meet the terms of the exception (e.g., the driver goes beyond the distance limitation or works too many hours), the driver must complete a RODS for that day as soon as the exception no longer applies.

If the driver is required to complete a RODS 8 or fewer days out of the last 30 days, the driver can use a paper RODS for the day. If the driver is required to complete a RODS more than 8 days out of the last 30 days, the driver must use an ELD for the day. Federal ELD regulations are covered in a later section of this document.

When a property-carrying CMV driver is operating under the short-haul exception in [§ 395.1\(e\)\(1\)](#), the driver is also excepted from having to take the required 30-minute break from driving time in ([§ 395.3\(a\)\(3\)\(ii\)](#)).

To summarize, to be able to use the short-haul exception, the property-carrying CMV driver must:

- Operate within a 150 air-miles radius;
- Not exceed a maximum duty period of 14 hours;
- Start and end his/her shift in the same location;
- Have at least 10 hours off between shifts.

The motor carrier that employs the driver must maintain and retain for a period of 6 months accurate and true time records showing:

- The time the driver reports for duty each day;
- The total number of hours the driver is on duty each day;
- The time the driver is released from duty each day; and
- The total time for the preceding 7 days in accordance with [§ 395.8\(j\)\(2\)](#) for drivers used for the first time or intermittently.

WHAT IS THE NON-CDL SHORT-HAUL EXCEPTION?

If you drive short distances in a property-carrying CMV that does not require a CDL, you might be able to use the non-CDL short-haul exception if you:

- Drive a truck that is a CMV that does not require a CDL; and
- Work within a 150 air-mile radius of your normal work reporting location and return to that location.

To qualify for the non-CDL short-haul exception:

- You must not drive past the 14th hour after coming on duty 5 days in any period of 7 consecutive days; and
- You must not drive past the 16th hour after coming on duty 2 days in any period of 7 consecutive days.

Under this exception you are not required to keep a log book, but your company must keep accurate and true time records for 6 months showing:

1. The time the driver reports for duty each day;
2. The total number of hours the driver is on duty each day;
3. The time the driver is released from duty each day; and
4. The total time for the preceding 7 days in accordance with [§ 395.8\(j\)\(2\)](#) for drivers used for the first time or intermittently.

If you come under this exception, you are not eligible for the [§ 395.1\(e\)\(1\)](#) short-haul exception, 16-hour short-haul exception ([§ 395.1\(o\)](#)), or the split sleeper berth provision ([§ 395.1\(g\)](#)). If you qualify for this exception, you are exempt from the requirements of [§§ 395.3\(a\)\(2\)](#), [395.8](#), and [395.11](#). This regulation is found in [§ 395.1\(e\)\(2\)](#).

WHAT IS THE 16-HOUR SHORT-HAUL EXCEPTION?

If you are a property-carrying CMV driver and usually come back to your work-reporting location and go home at the end of your workday, you might be able to use the 16-hour short-haul exception. This exception allows you to extend the 14-consecutive-hour driving window to 16 hours once every 7 consecutive days.

In order to use this exception, you must do the following:

- You must return to your work reporting location that day, as well as for your last 5 duty tours.
- You must be released from duty within 16 hours after coming on duty.
- You may use this exception only once every 7 consecutive days (unless you took 34 consecutive hours off to restart a 7/8-day period).

You are ineligible to use this exception if you use the “Non-CDL Short Haul Exception” explained earlier.

This regulation is found in [§395.1\(o\)](#).

WHAT IS A “DRIVER’S DAILY LOG” AND ELECTRONIC LOGGING DEVICE (ELD)?

The tracking of a driver’s HOS limits is normally accomplished using an electronic logging device (ELD). This can also be done in written form if your time is not required to be recorded electronically. Most motor carriers and drivers who are required to maintain RODS under [§395.8\(a\)](#) need to use an ELD to record their HOS. The rule applies to CMV operators, and to Canadian- and Mexican-domiciled drivers operating in the U.S., unless they qualify for an exception to the rule. For more information about ELDs, visit <https://eld.fmcsa.dot.gov>.



WHAT MUST THE RECORD OF DUTY STATUS INCLUDE?

RODS, or a log, must include a 24-hour graph grid, which is shown in the regulations, and must include the following information on each page:

DRIVER'S DAILY LOG
(ONE CALENDAR DAY – 24 HOURS)

ORIGINAL – Submit to carrier within 13 days
DUPLICATE – Driver retains possession for eight days

U.S. DEPARTMENT OF TRANSPORTATION

Date: (MONTH) (DAY) YEAR

Name of carrier: (NAME OF CARRIER OR CARRIERS)

Main office address: (MAIN OFFICE ADDRESS)

Total miles driving today: (TOTAL MILES DRIVING TODAY)

Truck or tractor and trailer number: VEHICLE NUMBERS—(SHOW EACH UNIT)

I certify that these entries are true and correct

(DRIVER'S SIGNATURE IN FULL)

(NAME OF CO-DRIVER)

TOTAL HOURS

	Midnight	2	3	4	5	6	7	8	9	10	11	Noon	13	14	15	16	17	18	19	20	21	22	23	
Off Duty																								
Sleeper Berth																								
Driving																								
On Duty (Not Driving)																								

REMARKS

Pro or Shipping No. _____

Remarks

Shipping documents number(s) or name of shipper and commodity

- **Date.** You must write down the month, day, and year for the beginning of each 24-hour period. (Multiple consecutive days off duty may be combined on one log page, with an explanation in the "Remarks.")
- **Total miles driving today.** You must write down the total number of miles you drove during the 24-hour period.
- **Truck or tractor and trailer number.** You must write down either the vehicle number(s) assigned by your company, or the license number and licensing State for each truck (and trailer, if any) you drove during the 24-hour period.

- **Name of carrier.** You must write down the name of the motor carrier(s) you are working for. If you work for more than one carrier in a 24-hour period, you must list the times you started and finished work for each carrier.
- **Main office address.** You must write down your carrier's main office address. The city and State are sufficient.
- **Your signature.** You must certify that all of your entries are true and correct by signing your log with your legal name or name of record.
- **Name of co-driver.** You must write down the name of your co-driver if you have one.
- **Time base to be used.** You must use the time zone in effect at your home terminal. Even if you cross other time zones, record time as it is at your terminal. All drivers operating out of your home terminal must use the same starting time for the 24-hour period, as designated by your employer.
- **Remarks.** This is the area where you must list the city, town, or village, and State abbreviation when a change of duty status occurs. You should also explain any unusual circumstances or log entries that may be unclear when reviewed later, such as encountering adverse driving conditions.
- **Total hours.** You must add and write down the total hours for each duty status at the right side of the grid. The total of the entries must equal 24 hours (unless you are using one page to reflect several consecutive days off duty).
- **Shipping document number(s), or name of shipper and commodity.** For each shipment, you must write down a shipping document number (such as a shipping manifest number) or the name of the shipper and what you are hauling.

The Graph Grid

	Midnight	2	3	4	5	6	7	8	9	10	11	Noon	13	14	15	16	17	18	19	20	21	22	23
Off Duty																							
Sleeper Berth																							
Driving																							
On Duty (Not Driving)																							
REMARKS																							

Here is what your graph grid must look like. The other required information may be placed anywhere on the page outside the grid.

You must keep the grid on your log current to your last change of duty status. For example, if you are driving and an inspector stops you and asks to see your logbook, the final entry should show the time and place that you last started driving.

The grid will have the starting time and the hours marked above it. You must draw lines on the grid as follows:

- **Off Duty.** Draw a solid line between the appropriate time markers to show the periods of time you are off duty.
- **Sleeper Berth.** Draw a solid line between the appropriate time markers to show the periods of time you are resting in a sleeper berth.
- **Driving.** Draw a solid line between the appropriate time markers to show the periods of time you are behind the wheel of a CMV in operation.
- **On Duty (Not Driving).** Draw a solid line between the appropriate time markers to show the periods of time when you are on duty, but not driving a CMV. Time spent driving a non-CMV for a carrier would be included here.

The "Remarks"

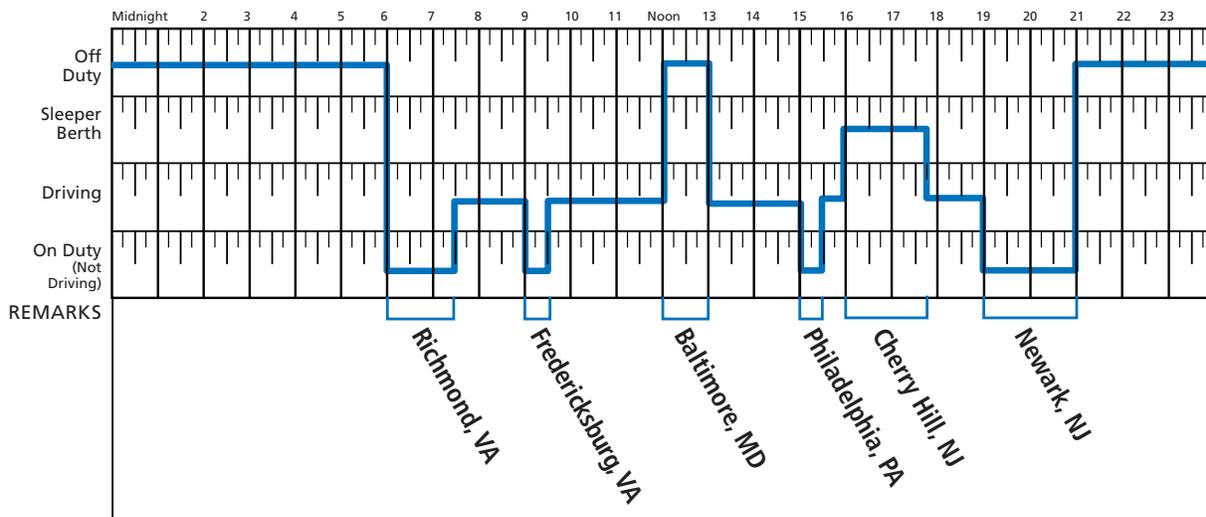
Each time you change your duty status, you must write down the name of the city, town, or village, and State abbreviation, in the Remarks section. If the change of duty status takes place at a location other than a city, town, or village, you must show one of the following:

- The highway number and the nearest milepost followed by the name of the nearest city, town, or village and State abbreviation;
- The highway number and the name of the service plaza followed by the name of the nearest city, town, or village and State abbreviation; or
- The highway numbers of the two nearest intersecting roadways followed by the name of the nearest city, town, or village, and State abbreviation.

You may write other things in the Remarks section, such as shipping information, a note about adverse driving conditions, or when you cross a State line.



A Completed Grid



In this sample log grid, a driver we'll call John Doe went from Richmond, Virginia, to Newark, New Jersey. The driver's day went like this:

- John Doe reported for work at 6:00 a.m. He helped load, checked with dispatch, and did a pre-trip inspection. This is on-duty time. John marked midnight to 6:00 a.m. as off duty, then drew a line straight down to on duty and drew a horizontal line from 6:00 a.m. to 7:30 a.m.
- After driving 1½ hours, John stopped to fuel his truck. John marked the driving time on the **driving line**. The time at the truck stop (½ hour) is marked **on duty (not driving)**.
- John then drove for 2½ hours to the Baltimore terminal where he had lunch. He again recorded his **driving** time. After lunch he recorded his lunch time as **off duty** since he had instructions from his carrier to log his lunch time as off duty and did not have any work responsibilities during this time.
- After lunch John drove for 2 more hours and stopped to make a delivery. He recorded his time again. Following the half-hour delivery stop, which he recorded as **on duty (not driving)**, he started driving again.
- After ½ hour of driving, John stopped, recorded his **driving** time, and went into the sleeper berth from 4:00 p.m. to 5:45 p.m.
- At 5:45 p.m. John recorded his **sleeper berth** time and began driving again. He reached the Newark terminal at 7:00 p.m., did a post-trip inspection, and finished his log and other paperwork.
- He went off duty at 9:00 p.m.

Notice that John was on duty past the 14th hour since he started this driving window at 6:00 a.m. There is no problem with being on duty longer than 14 hours as long as there is no CMV driving time after the 14th hour.

In the **Remarks** section, John wrote down the locations of duty status changes as follows:

- Reported for work at Richmond, VA.
- Stopped and fueled truck in Fredericksburg, VA.
- Ate lunch in Baltimore, MD.
- Made a delivery stop in Philadelphia, PA.
- Entered sleeper the berth in Cherry Hill, NJ.
- Drove to Newark, NJ, checked out, and went off duty.

A Completed Log

U.S. DEPARTMENT OF TRANSPORTATION		DRIVER'S DAILY LOG (ONE CALENDAR DAY – 24 HOURS)		ORIGINAL – Submit to carrier within 13 days DUPLICATE – Driver retains possession for eight days		
04	09	2021	350	123, 20544		
<small>(MONTH)</small>	<small>(DAY)</small>	<small>YEAR</small>	<small>(TOTAL MILES DRIVING TODAY)</small>	<small>VEHICLE NUMBERS—(SHOW EACH UNIT)</small>		
John Doe's Transportation			I certify that these entries are true and correct			
<small>(NAME OF CARRIER OR CARRIERS)</small>			John E. Doe			
Washington, D.C.			<small>(DRIVER'S SIGNATURE IN FULL)</small>			
<small>(MAIN OFFICE ADDRESS)</small>			<small>(NAME OF CO. DRIVER)</small>			
					TOTAL HOURS	
Off Duty						10
Sleeper Berth						1.75
Driving						7.75
On Duty (Not Driving)						4.5
REMARKS						=24
Pro or Shipping No. 101601	Richmond, VA Fredericksburg, VA Baltimore, MD Philadelphia, PA Cherry Hill, NJ Newark, NJ					

After you have completed your log, the regulations allow you 13 days to get the original copy to your carrier.

You must keep a copy of your completed log for the next 7 consecutive days. The copies must be available for inspection by law enforcement officers.

Any time you work for more than one motor carrier during a 24-hour period, you must make extra copies and give a copy of your log to each motor carrier. The log must include:

- All duty time for the entire 24-hour period,
- The name of each motor carrier you worked for during the 24-hour period, and
- The beginning and finishing time, including a.m. or p.m., worked for each motor carrier.

HOURS OF SERVICE RESOURCES

To access additional HOS resources, visit FMCSA's HOS web page at <https://www.fmcsa.dot.gov/regulations/hours-of-service>.

APPENDIX A: EXCEPTIONS FROM THE HOURS OF SERVICE REGULATIONS

Category	Type of Exception	Conditions That Must Be Met	49 CFR Section
<p>150 air-mile radius driver (Short-haul exception)</p>	<ul style="list-style-type: none"> • ELD or logbook and supporting documents not required • 30-minute rest break applicable to property carriers does not apply 	<ul style="list-style-type: none"> • Report and return to work reporting location within 14 consecutive hours • Stay within 150 air-mile radius of work reporting location • Employer must keep time records showing time in, time out, and total number of hours on duty • The motor carrier that employs the driver maintains and retains (for a period of 6 months) accurate and true time records showing: <ul style="list-style-type: none"> – The time the driver reports for duty each day; – The total number of hours the driver is on duty each day; – The time the driver is released from duty each day; – The total time for the preceding 7 days in accordance with §395.8(j)(2) for drivers used for the first time or intermittently. • Property-carrying CMV driver must have at least 10 consecutive hours off duty separating each 14 hours on duty and cannot exceed 11 hours driving 	<p>§ 395.1(e)(1)</p>
<p>150 air-mile radius driver (Short-haul exception–non CDL driver, property-carrying)</p>	<ul style="list-style-type: none"> • 16-hour driving windows allowed twice per 7-consecutive day period, or after any 34-hour restart • ELD or logbook and supporting documents not required • 30-minute break not required 	<ul style="list-style-type: none"> • Vehicle does not require CDL • Report and return to normal work reporting location every day • Stay within 150 air-mile radius of work reporting location • Employer must keep time records showing time in, time out, and total number of hours on duty • The motor carrier that employs the driver maintains and retains (for a period of 6 months) accurate and true time records showing: <ul style="list-style-type: none"> – The time the driver reports for duty each day; – The total number of hours the driver is on duty each day; – The time the driver is released from duty each day; – The total time for the preceding 7 days in accordance with §395.8(j)(2) for drivers used for the first time or intermittently. • Property-carrying non-CDL holder must not drive after the 14th hour after coming on duty for 5 days of any period of 7 consecutive days, or after the 16th hour after coming on duty for 2 days of any period of 7 consecutive days. 	<p>§ 395.1(e)(2)</p>

Category	Type of Exception	Conditions That Must Be Met	49 CFR Section
Adverse driving conditions	<ul style="list-style-type: none"> Up to 2 additional hours of driving time Up to 2 additional hours "driving window" 	<ul style="list-style-type: none"> Weather or traffic condition must be unknown, or could not reasonably be known, to a motor carrier immediately before dispatching the driver, or to a driver before driving at the start of the duty day or after a qualifying rest break as defined under the sleeper berth exception. 	§ 395.1(b)(1) § 395.2
Agricultural operations	<ul style="list-style-type: none"> All HOS regulations 	<ul style="list-style-type: none"> Transporting agricultural commodities or farm supplies for agricultural purposes Within 150 air-miles of the agricultural commodities' source, and 150 air miles from final destination if transporting livestock, or farm supplies' distribution point During a State's declared planting and harvesting season 	§ 395.1(k) § 395.2
Agricultural (Farm Vehicle Operations; 10,001 through 26,000 lbs. GVW/ GVWR)	<ul style="list-style-type: none"> All HOS regulations, among others 	<ul style="list-style-type: none"> Must be a "covered farm vehicle" as defined in § 390.5T Driven by the owner or operator of a farm or ranch or by a family member or employee of that person Transporting agricultural commodities, livestock, machinery, or supplies to or from the farm or ranch Registered in a State with a license plate or some other designation of identifying it as a farm vehicle to law enforcement officials Not for-hire Not transporting hazardous materials requiring placarding No limitation on distance for these lighter vehicles (see next row in table) 	§ 390.5T § 390.39(a)(3)
Agricultural (Farm Vehicle Operations; 26,001 lbs. or greater GVW/GVWR)	<ul style="list-style-type: none"> All HOS regulations, among others 	<ul style="list-style-type: none"> Same conditions as a covered farm vehicle weighing between 10,001 and 26,001 lbs. Anywhere in the vehicle's home State or extending into another State within a 150 air-mile radius (172.6 land miles) of the operator's farm or ranch 	§ 390.5T § 390.39(a)(3)

Category	Type of Exception	Conditions That Must Be Met	49 CFR Section
Alaska	<ul style="list-style-type: none"> • Property-carrying CMVs are exempt from §§ 395.3(a) and (b) • Driving for property-carrying CMV drivers is limited to 15 hours of driving time following 10 consecutive hours off duty • The driver cannot drive after having been on duty for 20 hours or more following 10 consecutive hours off duty • The driver cannot drive after having been on duty for 70 hours in 7 consecutive days or 80 hours in 8 consecutive days, depending on the motor carrier's operations • Drivers that encounter adverse driving conditions may drive and be permitted or required to drive a CMV for the period of time needed to complete the run 	<ul style="list-style-type: none"> • Driving a CMV in Alaska 	§ 395.1(h)
Construction materials and equipment	<ul style="list-style-type: none"> • 24 consecutive hours off duty restarts • 60-hour/7-day or 70-hour/8-day limit 	<ul style="list-style-type: none"> • Transporting construction and pavement materials, construction equipment, and construction maintenance vehicles. • To or from active construction site • Stay within 75 air-miles of normal work reporting location • Does not apply to vehicles placarded for hazardous materials 	§ 395.1(m) § 395.2

Category	Type of Exception	Conditions That Must Be Met	49 CFR Section
Driver's record of duty status	<ul style="list-style-type: none"> Electronic logging device 	<p>A motor carrier may require a driver to record the driver's duty status manually rather than require the use of an ELD if the driver is operating a CMV:</p> <ul style="list-style-type: none"> In a manner requiring completion of a record of duty status on not more than 8 days within any 30-day period; In a driveaway-towaway operation in which the vehicle being driven is part of the shipment being delivered; In a driveaway-towaway operation in which the vehicle being transported is a motor home or a recreation vehicle trailer; or That was manufactured before model year 2000. 	§ 395.8(a)(1)(iii)(A)
Driver-salesperson	<ul style="list-style-type: none"> Exempt from provisions of § 395.3(b) 	<ul style="list-style-type: none"> Driver is employed solely by a private carrier of property that is engaged in the selling of goods, services, or use of goods and transporting those good or services Stays within 100 miles of work reporting location No more than half of all on-duty time spent driving Driving time does not exceed 40 hours in any 7 consecutive days 	§ 395.1(c) § 395.2
Emergency relief	<ul style="list-style-type: none"> All HOS regulations, among others 	<ul style="list-style-type: none"> Declared national, regional, State, or local emergency Must be providing direct assistance to emergency relief 	§ 390.23
Emergency driving conditions	<ul style="list-style-type: none"> All HOS regulations 	<ul style="list-style-type: none"> Can only complete the current run Run could have reasonably been completed if there wasn't an emergency 	§ 395.1(b)(2)
Federal government operated	<ul style="list-style-type: none"> All HOS regulations, among others 	<ul style="list-style-type: none"> None 	§ 390.3T(f)(2)

Category	Type of Exception	Conditions That Must Be Met	49 CFR Section
Fire and rescue, emergency operation (non-government)	<ul style="list-style-type: none"> All HOS regulations, among others 	<ul style="list-style-type: none"> Involved in emergency and related operations 	§ 390.3T(f)(5)
Ground water well drilling	<ul style="list-style-type: none"> 24 consecutive hours off duty restarts 60-hour/7-day or 70-hour/8-day limit 	<ul style="list-style-type: none"> Vehicle used primarily in transportation and operations of a groundwater well drilling rig 	§ 395.1(l) § 395.2
Hawaii	<ul style="list-style-type: none"> ELD or logbook not required 	<ul style="list-style-type: none"> Employer keeps time records showing time in, time out, and total number of hours on duty 	§ 395.1(i)
Local government operated	<ul style="list-style-type: none"> All HOS regulations, among others 	<ul style="list-style-type: none"> None Intrastate exceptions may be different. Check with State enforcement for details. 	§ 390.3T(f)(2)
Movie and television production	<ul style="list-style-type: none"> Exempt from requirements of § 395.3(a) 	<ul style="list-style-type: none"> Transportation of property or passengers to or from a theatrical or television or motion picture production site Stays within 100 air-miles of normal work reporting location Driver may not drive more than 10 hours following 8 consecutive hours off duty Driver may not drive for any period after having been on duty 15 hours following 8 consecutive hours off duty 	§ 395.1(p)
Oilfield operations	<ul style="list-style-type: none"> 24 consecutive hours off duty restarts the 70 hours in 8 days calculations 	<ul style="list-style-type: none"> CMVs used exclusively in transportation of oilfield equipment and servicing field operations gas and oil industry 	§ 395.1(d)(1)
Oilfield operations	<ul style="list-style-type: none"> Waiting time at natural gas or oil well site is recorded as off-duty time; waiting time not counted against 14-hour clock 	<ul style="list-style-type: none"> Specially trained drivers operating specially constructed vehicles used to service gas or oil wells Waiting time must be shown separately on RODS 	§ 395.1(d)(2)

Category	Type of Exception	Conditions That Must Be Met	49 CFR Section
Personal property occasional transportation	<ul style="list-style-type: none"> All HOS regulations, among others 	<ul style="list-style-type: none"> Transportation unrelated to any commercial activity 	§ 390.3T(f)(3)
Propane winter heating fuel; pipeline emergencies	<ul style="list-style-type: none"> All HOS regulations 	<ul style="list-style-type: none"> Regulations must prevent a driver from responding to emergency conditions as defined in § 390.5T 	§ 390.3T(f)(7)
Railroad signal employees	<ul style="list-style-type: none"> All HOS regulations 	<ul style="list-style-type: none"> Provisions do not apply to a signal employee, as defined in § 395.2, who operates a CMV, is engaged in installing, repairing, or maintaining signal systems, is employed by a railroad carrier or a contractor or subcontractor to a railroad carrier, while regulated by the Federal Railroad Administration 	§ 395.1(r)
Retail store deliveries	<ul style="list-style-type: none"> All time limits on driving, duty periods, breaks, time off 	<ul style="list-style-type: none"> Local deliveries from retail stores and/or catalog businesses to the ultimate consumer Stay within 100 air-miles of normal work reporting location Only December 10 through December 25 	§ 395.1(f)
School bus—contractor-operated	<ul style="list-style-type: none"> All HOS regulations 	<ul style="list-style-type: none"> Transportation of school children or school personnel from home to school and from school to home 	§ 390.3T(f)(1)
School bus—government-operated	<ul style="list-style-type: none"> See “Local government operated” entry above 		
Short-haul exception (16-hour) (CDL drivers) Also see § 395.1(e)(2) non-CDL driver entry at beginning of this table	<ul style="list-style-type: none"> 16-hour duty period allowed once per 7-day period, or after any 34-hour restart 	<ul style="list-style-type: none"> Return to work reporting location that day and for last 5 duty tours Be released from duty within 16 consecutive hours Use once every 7 consecutive days or after a 34-hour restart Does not apply if driver is eligible for § 395.1(e)(2) non-CDL driver exception (see above) 	§ 395.1(o)
State government operated	<ul style="list-style-type: none"> All HOS regulations, among others 	<ul style="list-style-type: none"> None Intrastate exceptions may be different. Check with State enforcement for details. 	§ 390.3T(f)(2)

Category	Type of Exception	Conditions That Must Be Met	49 CFR Section
Tow truck responding to emergency	<ul style="list-style-type: none"> All HOS regulations, among others 	<ul style="list-style-type: none"> When responding to government request for wrecked/disabled vehicles 	§ 390.23(a)(3)
Utility service vehicles	<ul style="list-style-type: none"> All HOS regulations 	<ul style="list-style-type: none"> Vehicle being used to repair, maintain, or deliver public utility services including electric, gas, water, sanitary sewer, telephone, television cable, or community antenna service Includes travel to and from activity sites Operates primarily within service area of utility's subscribers or consumers Does not include new construction activity 	§ 395.1(n) § 395.2



Interstate Truck Driver's Guide to Hours of Service



U.S. Department of Transportation
Federal Motor Carrier Safety Administration

Contact Info:

FMCSA Information Line,
1-800-832-5660 or
hoursofservice@dot.gov