**HOURS OF SERVICE / ELD – cheat sheet for drivers; recap of regulations, 49 CFR part 395 “Hours of Service of Drivers” - and common violations**

Review of the basic HOS rules – remember, even 1 second over the times is a potential out-of-service violation

 *\*Drive, as used below = operating a commercial motor vehicle on public roads (driving status in ELD). Non-CMV driving or other type of work (including yard moves, personal conveyance), is not “driving”*

1. 14 hour rule – cannot drive after the 14th hour after coming on duty. 10 hours off duty and/or sleeper time resets the 14 hour clock.
	1. *Split sleeper berth option – can get your 10 hours by splitting your time into 2 periods of at least 7 hours in sleeper + at least 2 hours sleeper or off duty (must be 10 total hours combination, so can do 7.5 & 2.5, 8 & 2, etc – longer period must be all sleeper time). Still cannot drive over 11 hours before the 2nd qualified rest break*
2. 11 hour rule – cannot drive more than 11 total hours in one 14 hour shift
3. 30 minute rest break – must take 30 minute rest break (can be any non-driving status) before driving 8 consecutive hours.
4. 70hour/8 day rule – cannot drive after the 70th hour after coming on-duty in any rolling 8 day period
	1. *60hour/8 day rule – is to be used by companies who do not operate 7 days a week*

**EXEMPTIONS:**

1. **Adverse conditions exemption –** can only be used for situation you couldn’t have possibly predicted (recommend only to be used in case of crash that tied up traffic) – up to an extra 2 hours on duty and 2 hours drive time (so 16 hour day, 13 hours driving). Notate in ELD exact reason used (crash time, date, location) – can only extend for however long you were ACTUALLY held up. Do NOT log time over as “Personal Conveyance” – if your ELD has an adverse conditions option use that, if not, let yourself get in the “red”, the notation would suffice. Avoid using this exemption unless absolutely necessary.
2. **Agricultural exemption –** Within a 150 air mile radius from the pickup location of an agricultural commodity (original, raw state, non-processed items such as produce, milk, livestock), the HOS limits do not apply. Go into “off duty, personal conveyance, reason: Hauling \_\_\_\_\_)”. The 150 only applies to the FIRST pickup location. You are also exempt on the return trip, while within the radius.
3. **COVID exemption –** recommended to never be used unless you are hauling vaccines / medical supplies in DIRECT relief of COVID, or livestock. Expires August 31st, 2022. Routine commercial deliveries, such as food – do not qualify
4. **Short-Haul Exemption –** exempt from the “regular” HOS rules and ELD requirements, if you operate within a 150 air mile radius of the same dispatch and return location every day. Can go outside the radius no more than 8 times in any rolling 30 day period, can use paper logs (or E-logs, or ELD) and must follow regular HOS rules on these long-haul days.
	1. **14 hour WORK day –** you cannot work over 14 hours in 1 day (this is different than the regular HOS 14 hour rule, where you cannot DRIVE after the 14th hour, but can do non-driving work. For short haul, you cannot work at ALL past 14 hours). 10 hours off duty resets the 14
	2. **11 hours of drive time –** cannot drive more than 11 hours in this workday
	3. **Still subject to the 70hr/8day [or 60hr/7day] rule**

*\*There is no 30 minute rest break required with the short-haul exemption*

1. **16 hour “long” day –** regardless of rule set (Long haul vs. short haul) – you can take 1 extended 16 hour day in any rolling 7 day period, provided the previous 5 tours of duty (last 5 times you worked) within the 7 day period – you reported back to the same location
2. **Pre-2000 engine (manufacture year of engine) –** ELD exempt. Keep proof of engine year (ECM printout, picture of engine plate, etc.) in truck at all times if you operate a glider kit (pre-2000 engine installed in newer truck /chassis)

**“SPECIAL” DUTY STATUSES**

1. **Personal Conveyance (PC) –** driving for purely personal reasons (getting food, shopping for personal items, commuting to / from your dispatch location, commuting (bobtailing) from trailer drop off lot to home, etc.) – may be logged as “Off-duty, Personal Conveyance”. Always put a clear and detailed notation, Avoid using unless necessary, and limit use. PC is a privilege, motor carriers reserve the right to limit or eliminate the option to use PC if it is abused.
2. **YARD MOVE –** moving a CMV on private property such as a yard, mechanic shop, motor carrier terminal location, shipper / receiver private property. Cannot use a yard move at public rest areas. Yard move logged as “on-duty” time, but not driving status.

**COMMON VIOLATIONS**

1. **FALSE RODS –** the following are all considered log falsifications, and result in being placed out-of-service if caught on the roadside, and serious penalties during FMCSA investigations.
	1. **Improper duty status, including but not limited to:**
		1. Fueling while OFF DUTY
		2. Improper use of PC or yard move
		3. Disconnecting the ELD at any point and then driving
		4. Driving while in off-duty status (manual drive time is NEVER permitted to be used for ELD-required drivers)
		5. Incorrectly using any of the above exemptions
		6. UNASSIGNED / UNIDENTIFIED MILES – always remember to login to your ELD at all times
2. **FORM AND MANNER VIOLATIONS** – essentially “paperwork” violations. Every item on the ROD must be filled in, including but not limited to:
	1. **Trailer #**
	2. **Shipping ID# / BOL#**
3. **DRIVER FAILED TO CERTIFY INFO GATHERED BY ELD –** must certify (sign) every single log, including all off-duty days
4. **ACCEPT / REJECT ANY PENDING EDITS –** before driving, any pending changes to your log by management must either be ACCEPTED or REJECTED – you cannot leave them as pending / open.
5. **TEAM DRIVING –** if you are team driving, you MUST put the name of your co-driver on your logs. Not doing so is considered a FALSE ROD

**\*All of the above is intended as a quick, concise educational reference only and is not a complete list of all HOS / ELD regulations. For more information, google search “eCFR part 395” -** [**https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-395**](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-395) **, visit the FMCSA’s HOS page -** [**https://www.fmcsa.dot.gov/regulations/hours-of-service**](https://www.fmcsa.dot.gov/regulations/hours-of-service)**; and contact your company supervisor.**