

General rule

The hours of service rules apply to all motor carriers and drivers, with exceptions found in paragraphs (b) through (o) of Section 395.1.

Property-Carrying Operations:

11-hour rule - Drivers are allowed to drive for eleven hours following 10 consecutive hours off duty.

14-hour rule - A motor carrier cannot permit or require a driver to drive after the 14th hour after coming on duty following 10 consecutive hours off duty, except when complying with section 395.1(o).

16-hour Exception - A property-carrying CMV driver may extend the 14-hour on-duty period by 2 additional hours once every 7 days if they:

- Have been released from duty at their normal work reporting location for the previous 5 duty tours;
- Are released from duty at their normal work reporting location within 16 hours after coming on duty following 10 consecutive hours off duty; and
- Have not taken this exemption within the previous 6 consecutive days, except following a 34-hour restart of a 7/8-day period.

60 and 70-hour rules - A motor carrier must not permit or require a driver to drive after a total of:

- 60 hours on duty in 7 consecutive days (carrier does not operate CMVs every day of the week), **OR**
- 70 hours on duty in 8 consecutive days (carrier operates CMVs every day of the week), **AND**
- An off duty period of 34 or more consecutive hours may restart a driver's 7 or 8 consecutive day period as long as the driver has not exceeded 60 or 70-hours on duty.

Passenger-Carrying Operations:

10-hour rule - Drivers are allowed to drive for 10 hours following 8 consecutive hours off duty.

15-hour rule - A motor carrier cannot permit or require a driver to drive after 15 hours are spent on duty following 8 consecutive hours off duty.

60 and 70-hour rules - A motor carrier must not permit or require a driver to drive after a total of:

- 60 hours on duty in 7 consecutive days (carrier does not operate CMVs every day of the week), or
- 70 hours on duty in 8 consecutive days (carrier operates CMVs every day of the week).

Note: If a property or passenger-carrying driver works more than one job of any kind, that time must also be included as On Duty Time.

Driver's record of duty status:

Every driver shall prepare a record of duty status (Driver's daily log) in his/her own handwriting for each 24-hour period, unless operating under the 100 air-mile radius exemption. Failure to complete or retain the log, or knowingly falsifying logs or other reports, makes the driver and/or carrier liable to prosecution.

100 air-mile radius exemption:

A driver is exempt from maintaining the driver's daily log requirements of Section 395.8 if all of the following are true:

- The driver operates within a 100 air-mile radius of the normal work reporting location.
- The driver returns to the work reporting location and is released from work within 12 consecutive hours.
- Each 12 hours on duty are separated by at least:
 - 10 consecutive hours off duty for property-carrying drivers, or
 - 8 consecutive hours off duty for passenger-carrying drivers.
- The driver does not exceed a maximum of:
 - 11 hours driving time following 10 consecutive hours off duty for property-carrying drivers, or
 - 10 hours driving time following 8 consecutive hours off duty for passenger-carrying drivers.
- The motor carrier that employs the driver maintains and retains for a period of six months accurate and true time records that show:
 - 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 for first-time or intermittent drivers.

Submitting/retaining duty status log:

The driver must submit the original log sheet to the employing carrier within 13 days after completion. When a motor carrier uses a driver initially or intermittently, that carrier must obtain from him/her a signed statement giving the total time on duty during the immediately preceding 7 days and the time at which he/she was last relieved of duty. Records of duty status must be maintained, with all supporting documents, for a minimum of six months.

Automatic on-board recording devices:

Alternatively, motor carriers may require a driver to use an automatic on-board recording device to record duty status. The driver must still have in his/her possession records of duty status in automated or written form, for the previous seven consecutive days. All hard copies of the driver's records of duty status must be signed by the driver.