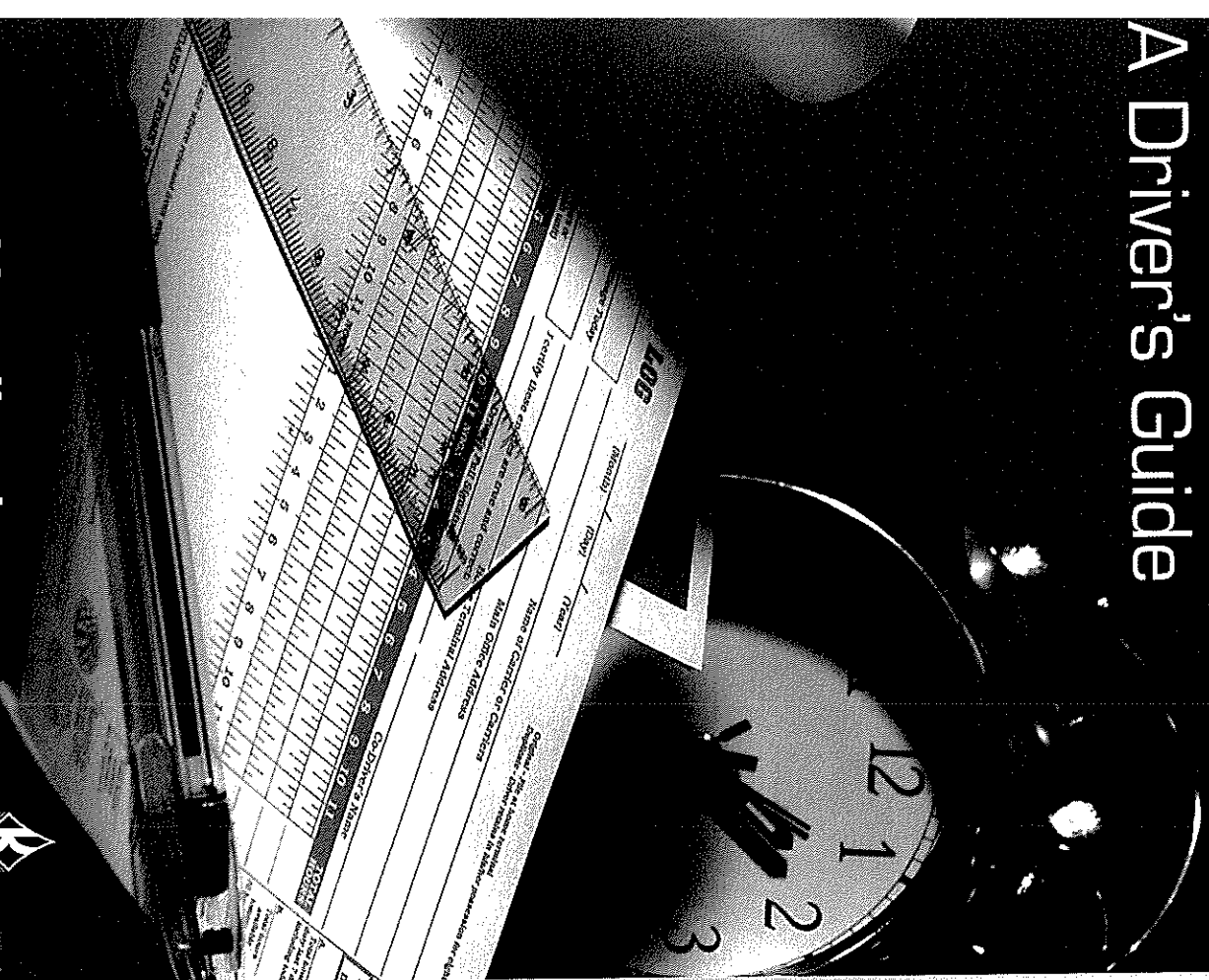


HOURS OF SERVICE

A Driver's Guide



Driver Handbook

Second Edition



J.J. Keller
& Associates, Inc.
Since 1953

HOURS OF SERVICE: A Driver's Guide Second Edition

Introduction

Millions of commercial motor vehicles are on the road every day, rolling up billions of miles every year. It's a lot of driving, and it requires professionals to do the job safely. Among other things, that means living by the hours of service regulations...and a big part of those regs is that most of those miles need to be logged.

Keeping a daily log is an important part of your job. In order to keep fatigued drivers off the road, the law requires that you keep track of the time you spend behind the wheel and on the job. The best and most efficient way for you to keep track of your hours of service is with a logbook, your "record of duty status."

Hours of Service Regulations

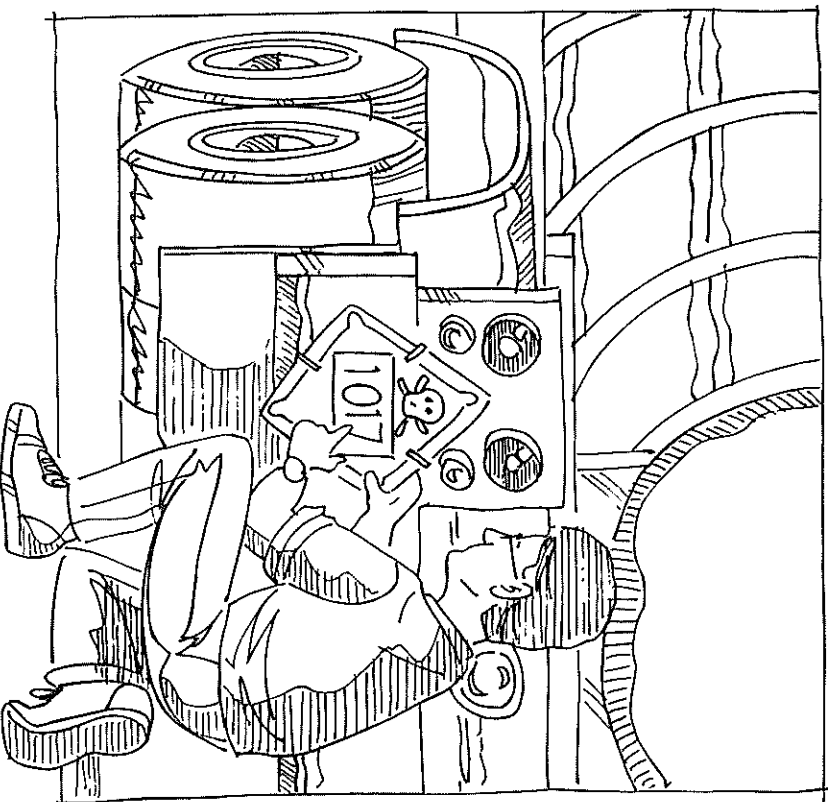
A driver's hours of service are regulated by both federal and state agencies. On the federal level, hours of service of drivers are part of the Federal Motor Carrier Safety Regulations (FMCSR). They are issued and enforced by the Federal Motor Carrier Safety Administration (FMCSA) of the Department of Transportation (DOT).

Specifically, Part 395 of the FMCSR covers hours of service of interstate drivers and outlines the requirements and exceptions that apply. Many states also have hours of service requirements for *intrastate* operations. These requirements may match the federal requirements in whole or in part. It is your responsibility and your company's to keep current on the hours of service regulations that apply to you.

Who Is Regulated?

The federal regulations concerning Hours of Service and the Record of Duty Status apply to carriers and drivers of property-carrying commercial motor vehicles involved in interstate (or foreign) commerce that:

- 1) Have a gross vehicle weight rating or gross combination weight rating, or have a gross vehicle weight or gross combination weight, of more than 10,000 pounds; or
- 2) Transport hazardous materials which require placarding.



Responsibility for compliance with the regulations lies with both the driver and carrier. It may be cliché, but ignorance of the law is no excuse. Violations are punishable by fines and drivers are likely to be placed out of service.

Federal Requirements

Basically, the federal requirements contain three maximum limits established to reduce highway accidents by keeping the fatigued driver off the road:

- 11 Hours Driving Rule
- 14 Consecutive Hours On-Duty Rule
- 60/70 Hours of Service Rule.

Your knowledge and understanding of these three rules and how they apply, along with the proper application of the rules, will keep you legal and safe.

11 Hours Driving Rule

All time spent behind the wheel is considered driving time. After 11 hours of driving time, you must have 10 consecutive hours off duty before you can drive again.

The regulations provide two ways a driver may extend his/her driving time:

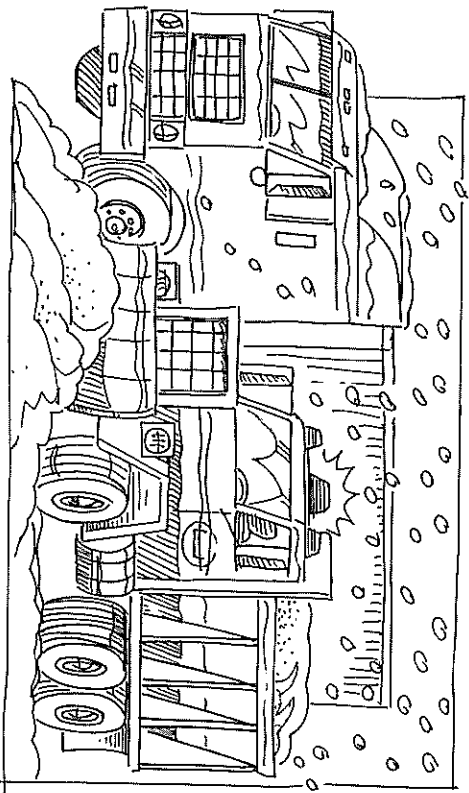
- Adverse Driving Conditions
- Sleeper Berth.

Note: An explanation of sleeper berth usage can be found on pg. 6).

Adverse Driving Conditions

If you encounter "adverse driving conditions" such as snow, sleet or fog, or unusual road or traffic conditions on a run that could normally be completed in 11 hours, you are allowed an

additional 2 hours of driving to complete the run. However, you must not have known or been able to foresee the situation at the time you began your run. Also, you cannot drive after the 14th consecutive hour after coming on duty. This exception is *not* an excuse for you to get in 13 hours of driving.



14 Consecutive Hours On Duty

You cannot drive after 14 consecutive hours after coming on duty. You cannot drive again until you have 10 consecutive hours of rest.

Lunch breaks or other off-duty time do not extend the 14-hour period. The 14 hours are consecutive from the time you start your tour of duty.

The only time that would not count toward the 14 hours is a qualifying sleeper berth period that is used toward accumulating 10 hours of rest by using two periods in the sleeper berth.

Short-Haul Exception (16 hour)

There is an exception to the 14-hour rule that you can use on a periodic basis if you regularly return to your normal work reporting location.

Under this exception, you are allowed to accumulate 11 hours of driving time within 16 consecutive hours on duty once every 7 days, provided you:

- Return to the work reporting location on that day, and were released from duty at that work reporting location for the previous 5 on-duty days;
- Are released from duty within 16 hours after coming on duty (no additional on-duty time after 16 hours); and
- Only use this exception once every 7 consecutive days (unless you have complied with the 34-hour voluntary restart provision — see 60/70 hour rules).

Short-Haul Exception (Non-CDL)

If you are a short-haul operator who is not required to hold a commercial driver's license (CDL), works within a 150 air-mile radius of your normal work reporting location, and returns to your normal work reporting location each day, you can extend the 14 hour limit by 2 hours twice in a 7 day period.

Under this provision you may not drive beyond the 14th hour after coming on duty 5 days a week or after the 16th hour after coming on duty 2 days a week. Keep in mind that the 11 hour driving limit, 10 consecutive hour off-duty requirement, and 60-hour/7-day and 70-hour/8-day limit still apply.

Also, under this provision, you are exempt from keeping a log-book. Your employer must maintain and retain accurate time records showing when your duty period began and ended each day and your total number of hours on duty each day.

Note: If you use this provision you are not eligible to use the 100 air-mile radius exception, sleeper berth exception, or the short-haul exception (16 hour) mentioned above.

Sleeper Berth

Under the sleeper berth option you can accumulate the equivalent of 10 consecutive hours off duty in two rest periods.

One of your rest periods must be at least 8 consecutive hours (but no more than 10 consecutive hours) and must be spent in the sleeper berth.

The other, separate, rest period, must be at least two consecutive hours (but no more than 10 consecutive hours) spent either in the sleeper berth, off duty, or any combination of the two.

When calculating available driving time when using the split-sleeper berth option, you must be careful. You do not have the full 11 hours of driving time available after each sleeper berth period.

For example, let's say you drive for 6 hours then spend 8 hours in the sleeper berth. After the 8 hours in the sleeper berth, you do not have 11 hours of driving time available. You must subtract the 6 hours of driving time prior to the sleeper berth period from the total of 11 hours allowed to determine how many hours of driving time is available ($11-6=5$). You may drive for another 5 hours before you must take 2 hours off in the sleeper berth, off duty, or any combination of the two.

Let's say you then drive for the 5 hours that are available and then take 2 hours off duty. How many hours of driving time are available? You must re-calculate the driving hours available from the end of the first sleeper berth period. After the first sleeper berth period you drove 5 hours so you subtract the 5 hours from the total of 11 hours allowed to determine the number of hours of driving time that is available ($11-5=6$).

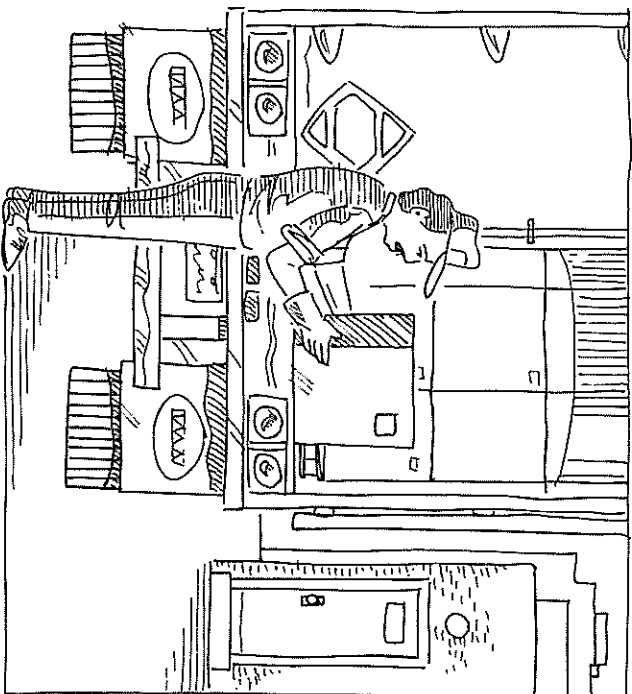
The pattern described above continues to be true until you have 10 consecutive hours off duty.

You can also extend the 14 consecutive hour period by using the split sleeper berth option. Though the 8 consecutive hour period is not counted as part of the 14 hours, the separate 2 hour period is counted. Following the second period, the hours available

under the 14-hour rule must be re-calculated from the end of the first of the two rest periods.

For example, using the scenario above, count the hours starting from the end of the first sleeper berth period and subtract from 14. After the 8 hour sleeper berth period, you drove for 5 hours and took 2 hours off duty for a total of 7 hours. Subtract the total number of hours (7 hours) from the 14 allowed to determine the number of on duty hours available ($14-7=7$).

The sleeper berth can also be used when accumulating 10 consecutive hours of off-duty time. Sleeper berth time can be combined with any legitimate off-duty time as long as the periods are consecutive (not broken by any on-duty or driving activities) and add up to at least 10 hours.



60/70 Hours of Service Rule

Drivers working for a company that does not operate motor vehicles every day of the week must not drive after accumulating 60 hours on duty during any 7 consecutive days. If your company

operates vehicles every day of the week, you must not drive after accumulating 70 hours on-duty time in any 8 consecutive days. You may, however, continue to perform non-driving duties after reaching these limits and not be in violation.

On-duty time is defined as all time from the time you begin work or are required to be ready for work until you are relieved from work and all responsibility for doing work.

On-duty time includes time spent:

- Waiting to be dispatched;
- Inspecting, servicing, or conditioning a commercial motor vehicle;
- Driving (at the controls of your vehicle);
- In or on your vehicle (except time spent in the sleeper berth);
- Loading or unloading your vehicle;
- Repairing, obtaining assistance, or attending to a disabled vehicle;
- Performing any other work for a motor carrier;
- Complying with drug or alcohol testing requirements; and
- Performing compensated work for any other employer.

A monthly summary sheet is one of the most convenient ways to keep track of available on-duty time. Many duty status records are in book-form and contain monthly summary sheets. If, for example, you work on the 70-hour/8-day schedule, add the hours worked during the last 7 days (today plus the preceding 6 days). If it totals 70 hours or more, you have no driving hours available for the next day. Remember that you can perform non-driving activities after reaching the 70-hour limit and not be in violation.

MONTHLY SUMMARY SHEET

If you operate on the period of 70 hours in 8 days, use the summary sheet on the left; if you operate on the period of 60 hours in 7 days, use the summary sheet on the right. The figures 1 to 31 represent calendar days, and entries should be made for each day - even when driver does not work. If no work is performed, enter zero (0) in first column and complete other columns as explained below.

70 HOURS - 8 DAYS		60 HRS/7 DAY	
Day of mo.	Hours Worked Today (Total of rows 3 & 4 on graph)	Day of mo.	Hours Worked Today (Total of rows 3 & 4 on graph)
A Total hours on-duty last 7 days -OR- Total hours on-duty since rest		A Total hours on-duty last 6 days -OR- Total hours on-duty since rest	
B Hours available tomorrow, col. A minus on-duty hours		B Hours available tomorrow, col. A minus on-duty hours	
C Total hours on-duty last 8 days -OR- Total hours on-duty since rest		C Total hours on-duty last 7 days -OR- Total hours on-duty since rest	
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9		9	
10		10	
11		11	
12		12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
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31		31	

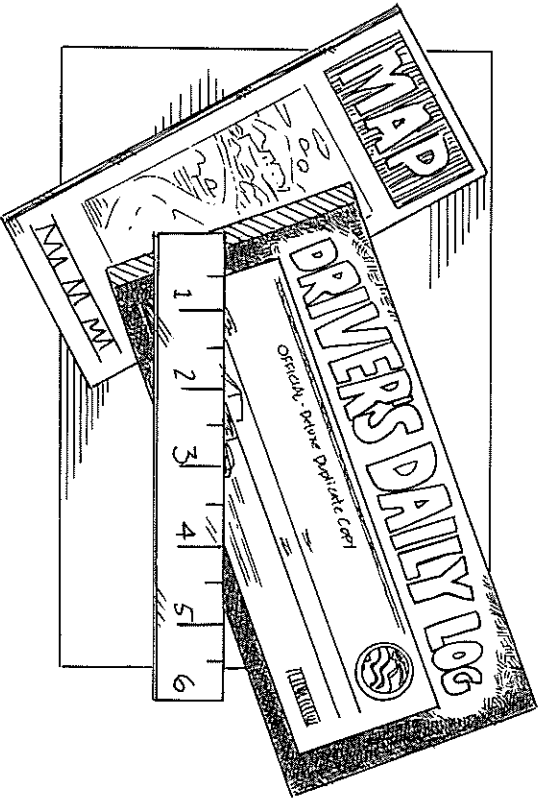
If you work on the 60-hour/7-day schedule, the procedure is the same. You would simply total your hours for the last 6 days (today plus the preceding 5 days) and subtract from 60 to find out how many hours were available for the next day. If the total was 60 or more, you would have no driving hours available for the next day.

34-Hour Restart

The regulations include an optional "restart" provision. This allows you to "restart" your 60 or 70 hour clock after having at least 34 consecutive hours off duty.

Duty Status Record

In order to check your compliance with the above-stated rules, you must keep track of your hours of service. Your carrier has the option to select the format which best suits its operation.



Written format options include:

- 1) Driver's Daily Log, standard or modified
- 2) Driver's Multi-Day Log, standard or modified
- 3) Vertical Graph Grid, combined with a company record
- 4) Horizontal Graph Grid, combined with a company record.

Alternatively, a driver may record his or her duty status by using an on-board recording device that meets the requirements of Sec. 395.15.

Log Contents

The duty status record or daily log is to be filled out in duplicate for each 24-hour period. All entries must be legible and in your own handwriting. No matter which form your carrier chooses to use, the following information must be included:

- A vertical or horizontal graph grid with a remarks section;
- 24-hour period starting time, selected by the carrier for your terminal;
- The date;
- Total miles driving today;
- Truck or tractor and trailer numbers;
- Name of the carrier;
- Carrier's main office address;
- Place for the driver's signature/certification;
- Name of co-driver;
- Total hours (at the end of the grid); and
- Shipping document number or name of shipper and commodity.

Days Off and Vacation

If you are off duty for a weekend, a holiday period of several days, or even a two-week vacation, you may use one log entry to enter the dates in the Remarks section and to show the off-duty time on the graph grid.

DRIVER'S DAILY LOG
(CA 100729)

Total Miles Driven Today: _____

Month: / Day: / Year: _____

Driver's Full Signature: _____

Name of Carrier or Company: _____

Main Office Address: _____

Co-Printer's Name: _____

License # (State follow each cell): _____

Identify these entries as true and correct.

1. OFF DUTY
 2. SLEEPER BERTH
 3. DRIVING
 4. ON DUTY (not driving)

REMARKS: _____

SHIPPING DOCUMENTS: _____

B/L or Manifest No. _____

or _____

Shipper & Commodity: _____

Enter name of place you reported and where released from work and where and when each change of duty occurred.

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It is permissible to pre-print certain information such as the carrier's name and main office address on the forms.

Exemption From Keeping A Daily Logbook

Drivers operating within a 100 air-mile radius of their normal reporting location may be exempt from the logging requirement. To fall under this exemption you must be back to your work reporting location within 12 hours and have 10 consecutive off-duty hours before working another 12 hours. You also cannot exceed the 11 hours maximum driving time. Your employer must still maintain accurate records of the time you report for duty and are released from duty each day, your total hours on duty each day, and the total hours worked during the preceding 7 days if you are a new or intermittent driver. And, you still must comply with the 60/70 hours of service rule.

Note: You may also be exempt from keeping a daily log book if you qualify for the short-haul exception (non-CDL). See pg. 5 for details.

DRIVER'S DAILY LOG
(CA 100729)

Total Miles Driven Today: _____

Month: / Day: / Year: 05 / 19 / 23

Driver's Full Signature: _____

Name of Carrier or Company: JTK Training Co.

Main Office Address: _____

Co-Printer's Name: _____

License # (State follow each cell): _____

Identify these entries as true and correct.

1. OFF DUTY
 2. SLEEPER BERTH
 3. DRIVING
 4. ON DUTY (not driving)

REMARKS: OFF DUTY 19-23

SHIPPING DOCUMENTS: _____

B/L or Manifest No. _____

or _____

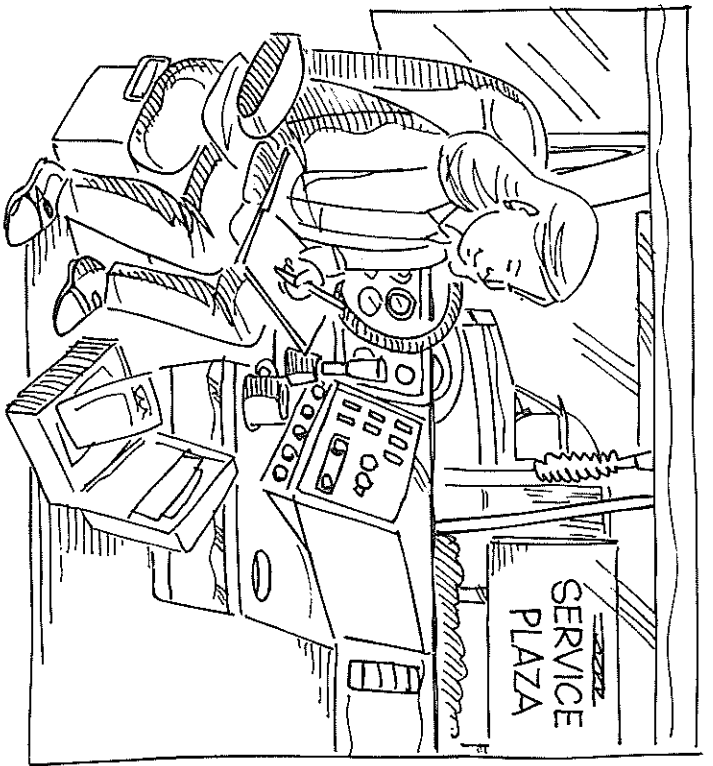
Shipper & Commodity: _____

Enter name of place you reported and where released from work and where and when each change of duty occurred.

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Filling Out the Log

You must keep your logbook current to the time shown for the last change of duty status. This means your logbook must be up-to-date at all times. If possible, use a ruler to draw the graph lines. This will give a neat appearance to your daily log. Draw the lines in the middle of the space provided for each of the categories and no one can doubt the meaning. There are four categories to be recorded: Off Duty, Sleeper Berth, Driving, On Duty (Not Driving); and the total of the hours shown in all four categories must add up to 24 hours. If they don't, there's been a mistake.



The Remarks section records the location of your changes in duty status. Changes in duty status of 15 minutes or more can be shown directly on the graph with the locations shown in the Remarks section. Short stops of less than 15 minutes can be shown by simply drawing a line from the appropriate time marker into the Remarks section and noting the location and length of time stopped. It is a good idea to indicate the reason for short stops.

If a change of duty status occurs at a location other than a city, town, or village, the location can be recorded in one of the following ways: 1) the highway number and nearest milepost; 2) the highway number and the name of the service plaza; or 3) the highway numbers of the nearest two intersecting roadways. Each of these should be followed by the name of the nearest city, town or village and the state abbreviation.

A current logbook keeps you aware of your hours of service at all times. It is most important in allowing you to calculate your availability for driving time for the next duty period.

A sample Driver's Daily Log page is reproduced below. Keep in mind that when driving in a team operation, each driver in the team must complete his or her own Record of Duty Status.

A Completed Record

DRIVER'S DAILY LOG (F4 HOURS)

10 / 1 / 05 (Month/Day/Year)

380 (Total Miles Driven Today)

TT# 367 / TZ # 1680 (Truck/Trailer)

Another Trucking Company (Company Name)

St. Louis, MO (Home Office Address)

John A. Brown (Driver's Full Signature)

CONDUCTOR'S NAME

1. OFF DUTY
2. SLEEPER
3. DRIVING
4. ON DUTY (NOT DRIVING)

REMARKS

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

St. Girardeau, MO
Springfield, IL
Holt, IL

SUSPENSE DOCUMENTS: 1622C (SIC of Manufacturer No.)
A. Eric Co. A.S., Miss. (Shipper & Commodity)

From: Bureau of Planning and Information, Federal Motor Carrier Safety Administration, 400 North Dearborn Street, Chicago, Illinois 60610
DISEASE TRANSMISSION AT RISK: 2003-2004
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Duty Status Record Retention

The regulations require that you either submit or forward by mail the original driver's record of duty status to your employer within 13 days following completion of the form. The carrier then retains the record for 6 months from the date of receipt.

The second copy or duplicate must be retained by you for a period of 8 days and be in your possession while on duty.

