What are the exceptions to the HOS regulations?

Q: What are the exceptions to the HOS regulations?

A: **Exceptions From the Hours-of-Service Regulations**

Category	Type of Exception	Conditions That Must Be Met	49 CFR Section
100 air-mile radius driver (Also see driver salesperson)	• Logbook not required	• Report and return to work reporting location within 12 consecutive hours • Stay within 100 air-mile radius of work reporting location • Keep time records showing time in, time out, and total number of hours	§395.1(e)(1)
150 air-mile radius driver	• 16-hour driving windows allowed twice per 7-day period, or after any 34-hour restart • Logbook not required	• 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 • Keep time records showing time in, time out, and total number of hours	§395.1(e)(2)
Adverse driving conditions	• Up to 2 additional hours of driving time	• Additional driving time must fall within 14-hour driving window • Weather or traffic condition must be unknown at start of run	§395.1(b)(1) §395.2
Agricultural operations	• All hours-of-service regulations	• Transporting agricultural commodities or farm supplies • Within 150 air-miles of farm supplies or commodities origin • 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]	• AII hours-of-service regulations, among others	• 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 • License plate or some other means of identifying it as a farm vehicle to enforcement personnel • Not for-hire • Not transporting hazardous materials requiring placarding • No limitation on distance for these lighter vehicles (see next row in table)	§390.5 §390.39(a)(3)
Agricultural [Farm Vehicle Operations; 26,001 lbs. or GREATER GVW/GVWR]	• AII hours-of-service regulations, among others	• 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 • License plate or some other means of identifying it as a farm vehicle to enforcement personnel • Not for-hire • Not transporting hazardous materials requiring placarding • 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	§390.5 §390.39(a)(3)
Alaska	• 15 hours of driving time • 20 hours of duty time • 70 hours/7 days or 80 hours/8 days	• Driving a commercial motor vehicle in Alaska	§395.1(h)
Construction materials and equipment	• 24 consecutive hours off duty restarts 60-hour/7-day or 70-hour/8-day limit	• Vehicle used to transport construction and pavement materials, construction equipment, and construction maintenance vehicles • To or from active construction site • Stay within 50 air-miles of normal work reporting location • Does not apply to vehicles placarded for hazardous materials	§395.1(m)
Driver-salesperson	• 60-hour/7-day limit • 70-hour/8-day limit • Modified 100 air-mile radius logbook provision	• Sell goods or services • Stay within 100 miles of work reporting location • No more than half of all working time spent driving • Driving time does not exceed 40 hours in any 7 consecutive days	§395.1(c) §395.2
Emergency relief	• All hours-of-service regulations, among others	• Declared national, regional, State, or local emergency	§390.23

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Emergency driving conditions	• All hours-of-service regulations	• Legal run could have been completed if there wasn't an emergency	§395.1(b)(2)
Federal government operated	• All hours-of-service regulations, among others	• None	§390.3(f)(2)
Fire and rescue, emergency operation (non government)	• All hours-of-service regulations, among others	• None	§390.3(f)(5)
Ground water well drilling	• 24 consecutive hours off duty restarts 60-hour/7-day or 70-hour/8-day limit	• Vehicle used primarily in transportation and operations of a groundwater well drilling rig	§395.1(l)
Hawaii	• Logbook not required	• Keep time records showing time in, time out, and total number of hours	§395.1(i)
Local government operated	• All hours-of-service regulations, among others	• None* *Intrastate exceptions may be different. Check with State enforcement for details.	§390.3(f)(2)
Movie and television production	• 10 hours driving time • 15-hours extendable driving window • 8 consecutive hours off duty	• Transportation of property or passengers to or from a theatrical or television or motion picture production site • Stay within 100 air-miles of normal work reporting location	§395.1(p)
Oilfield operations	• 24-hour "restart" of 70 hours in 8 days calculations	• CMVs used exclusively in transportation of oilfield equipment and servicing field operations gas and oil industry • Accurate time records must be available for inspection	§395.1(d)(1)
Oilfield operations	• Waiting time at natural gas or oil well site not counted as on-duty time	• Specially trained drivers operating specially constructed vehicles used to service gas or oil wells • Waiting time must be shown separately on log	§395.1(d)(2)
Personal property occasional transportation	• All hours-of-service regulations	• Transportation unrelated to any commercial activity	§390.3(f)(3)
Propane winter heating fuel; pipeline emergencies	• All hours-of-service regulations	• Emergency conditions as defined in §390.5	§390.3(f)(7)
Railroad signal employees	• All hours-of-service regulations	• Provisions do not apply to a signal employee, as defined in §395.2, who operates a commercial motor vehicle, 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	• All time limits on driving, duty periods, breaks, time off	• 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	• All hours-of-service regulations	• Transportation of school children and/or school personnel from home to school and from school to home	§390.3(f)(1)
School bus government operated	• See "Local government operated" entry above		

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Short-haul exception (16-hour) Also see the “100 air-mile radius driver” and “150 airmile radius driver” entries at beginning of this Table	• 16-hour duty period allowed once per 7-day period, or after any 34-hour restart	• 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 150 air-mile radius exception (see above)	§395.1(o)
State government operated	• All hours-of-service regulations, among others	• None* *Intrastate exceptions may be different. Check with State enforcement for details.	§390.3(f)(2)
Tow truck responding to emergency	• All hours-of-service regulations, among others	• When responding to government request for wrecked/disabled vehicles	§390.3(f)(2)
Utility service vehicles	• All hours-of-service regulations	• Vehicle being used to repair, maintain, 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)

Explanation of the various exceptions to the HOS rules

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