

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]	All 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]	All 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 air-mile 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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