

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)	<ul style="list-style-type: none"> Logbook not required 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 16-hour driving windows allowed twice per 7-day period, or after any 34-hour restart Logbook not required 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Up to 2 additional hours of driving time 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> All hours-of-service regulations 	<ul style="list-style-type: none"> 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]	<ul style="list-style-type: none"> All hours-of-service regulations, among others 	<ul style="list-style-type: none"> 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]	<ul style="list-style-type: none"> All hours-of-service regulations, among others 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 15 hours of driving time 20 hours of duty time 70 hours/7 days or 80 hours/8 days 	<ul style="list-style-type: none"> Driving a commercial motor vehicle in Alaska 	§395.1(h)
Construction materials and equipment	<ul style="list-style-type: none"> 24 consecutive hours off duty restarts 60-hour/7-day or 70-hour/8-day limit 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 60-hour/7-day limit 70-hour/8-day limit Modified 100 air-mile radius logbook provision 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> All hours-of-service regulations, among others 	<ul style="list-style-type: none"> Declared national, regional, State, or local emergency 	§390.23

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Emergency driving conditions	<ul style="list-style-type: none"> All hours-of-service regulations 	<ul style="list-style-type: none"> Legal run could have been completed if there wasn't an emergency 	§395.1(b)(2)
Federal government operated	<ul style="list-style-type: none"> All hours-of-service regulations, among others 	<ul style="list-style-type: none"> None 	§390.3(f)(2)
Fire and rescue, emergency operation (non government)	<ul style="list-style-type: none"> All hours-of-service regulations, among others 	<ul style="list-style-type: none"> None 	§390.3(f)(5)
Ground water well drilling	<ul style="list-style-type: none"> 24 consecutive hours off duty restarts 60-hour/7-day or 70-hour/8-day limit 	<ul style="list-style-type: none"> Vehicle used primarily in transportation and operations of a groundwater well drilling rig 	§395.1(l)
Hawaii	<ul style="list-style-type: none"> Logbook not required 	<ul style="list-style-type: none"> Keep time records showing time in, time out, and total number of hours 	§395.1(i)
Local government operated	<ul style="list-style-type: none"> All hours-of-service regulations, among others 	<ul style="list-style-type: none"> None* *Intrastate exceptions may be different. Check with State enforcement for details. 	§390.3(f)(2)
Movie and television production	<ul style="list-style-type: none"> 10 hours driving time 15-hours extendable driving window 8 consecutive hours off duty 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 24-hour "restart" of 70 hours in 8 days calculations 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Waiting time at natural gas or oil well site not counted as on-duty time 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> All hours-of-service regulations 	<ul style="list-style-type: none"> Transportation unrelated to any commercial activity 	§390.3(f)(3)
Propane winter heating fuel; pipeline emergencies	<ul style="list-style-type: none"> All hours-of-service regulations 	<ul style="list-style-type: none"> Emergency conditions as defined in §390.5 	§390.3(f)(7)
Railroad signal employees	<ul style="list-style-type: none"> All hours-of-service regulations 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> All time limits on driving, duty periods, breaks, time off 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> All hours-of-service regulations 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none">• 16-hour duty period allowed once per 7-day period, or after any 34-hour restart	<ul style="list-style-type: none">• 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	<ul style="list-style-type: none">• All hours-of-service regulations, among others	<ul style="list-style-type: none">• None* *Intrastate exceptions may be different. Check with State enforcement for details.	§390.3(f)(2)
Tow truck responding to emergency	<ul style="list-style-type: none">• All hours-of-service regulations, among others	<ul style="list-style-type: none">• When responding to government request for wrecked/disabled vehicles	§390.3(f)(2)
Utility service vehicles	<ul style="list-style-type: none">• All hours-of-service regulations	<ul style="list-style-type: none">• 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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