

THE COMPLETE GUIDE TO  
**HOURS  
OF  
SERVICE**

**TEN FOUR**  
TRUCK INSURANCE

# Chapter 1: Where Did These Rules Come From Anyways?

Before we dive into the specifics of Hours of Service rules and regulations, I always like to take a step back and ask a simple question:

Where did all this come from?

So, before we dive in, I want to take a step back. I want to understand how these rules started, what problems they were trying to solve, and how they've evolved over the years. When we look at the history, it helps make a lot more sense of where we are today.

## **The Early Days: 1935–1938**

Let's rewind the clock to 1935.

That's when Congress passed the Motor Carrier Act, which gave the Interstate Commerce Commission (ICC) the power to regulate commercial motor vehicles. Trucks were becoming more common on U.S. highways, hauling heavier freight across longer distances and the government realized it was time to put some structure and safety into this fast-growing industry.

Just a few years later, in 1938, the first Hours of Service rules were introduced. These early rules applied not only to truck drivers but also to bus drivers, a fact many folks forget. The goal was simple: set basic limits on how long a person could work and drive to reduce fatigue-related crashes.

Those original rules established three foundational limits:

- A 10-hour driving limit
- A required 8-hour rest period

- A 60-hour on-duty limit over 7 days

Sound familiar? A lot of what we still use today has its roots right there in 1938.

### **Slow Change, Then a Big Shift: 1938–2003**

From 1938 all the way through the mid-1990s, the rules stayed mostly the same. A few minor updates came and went, but nothing that dramatically reshaped the industry.

That changed in 1999, when the Federal Motor Carrier Safety Administration (FMCSA) was formed. Their mission was crystal clear: improve safety on the roads especially when it comes to commercial vehicles. FMCSA began investing in new research on driver fatigue, circadian rhythms, and the impact of sleep on driving performance.

That research led to a major HOS update in 2003, which many drivers and fleet managers will recognize as the rules that shaped modern operations:

- 11-hour driving limit
- 14-hour workday (on-duty) limit
- 10 consecutive hours off-duty
- And the introduction of the 34-hour restart

This was a huge shift. It forced carriers to rethink how they scheduled freight and how they managed their drivers' time.

### **Enter the ELD: 2010–2012**

By the early 2010s, regulators were looking for ways to make logging hours more accurate and less open to manipulation. That's when electronic logging devices (ELDs) entered the picture.

In 2012, Congress passed a law requiring most commercial drivers to use ELDs instead of paper logs. I remember this time vividly. I was working for a large carrier, and we were actually ahead of the curve. We started using ELDs around 2010, well before it was required.

And let me tell you drivers were not thrilled. Change never comes easy in this business. But in hindsight, those early adopters had a serious advantage. We made our mistakes early. We learned how the systems worked and where they broke. So when the mandate finally came down, we were ready.

### **Why the History Matters**

So why share all of this? Why spend time on a history lesson?

Because if you understand why the rules exist, you'll have a better shot at understanding how to follow them and even more importantly, how to use them to your advantage.

These regulations weren't pulled out of thin air. They were built in response to real problems: fatigue-related crashes, unsafe work practices, and public risk. When you see the evolution of Hours of Service rules through that lens, it starts to make a lot more sense.

So now that you know where this all came from, you're ready for what's next.

Let's dig into the rules themselves and how you can use them to stay compliant, avoid fines, and keep your drivers and your company protected.

# Chapter 2: The Great Divide

## Before We Go Any Further...

In trucking, there are countless variations, different trailers, different freight, and different kinds of equipment, but when it comes to how the Hours of Service rules apply, it really comes down to one critical distinction: interstate versus intrastate carriers. An interstate carrier is one that operates across state lines or hauls freight that has crossed state lines, even if the driver never personally leaves their home state. An intrastate carrier, on the other hand, stays entirely within one state, moving freight that begins and ends within that same state. This simple divide, whether your operation crosses state boundaries, forms the foundation for which set of rules you're required to follow.

## Break It Down

An interstate driver is anyone who either crosses state lines themselves or hauls freight that has crossed state lines, even if their own trip never leaves their home state. That second part often causes confusion. For example, if you're hauling a load that was shipped from another state and your job is just to move it from one city to another within your state, you're still considered interstate. Which means the federal Hours of Service rules apply. On the other hand, an intrastate driver is someone whose work stays completely within a single state, and the freight they move both starts and ends within that state. Picture hauling produce from a farm to a grocery store, all within the same state; that's intrastate, and in that case, your state's own HOS rules govern how you operate.

| Type of Driver    | Definition  | Rules Apply                          | Example   |
|-------------------|---|--------------------------------------|---|
| Interstate Driver | Operates across state lines OR hauls freight that has crossed state lines, even if the trip is entirely in-state. | Federal Hours of Service (HOS) rules | Hauling a load shipped from another state to a local warehouse in your state. |
| Intrastate Driver | Operates completely within one state and hauls freight that begins and ends within that same state.               | State-specific HOS rules             | Hauling produce grown and delivered within the same state.                    |

## Quick Rule Comparison

| Rule             | Interstate                   | Intrastate (Varies by State) |
|------------------|------------------------------|------------------------------|
| Max driving time | 11 hours                     | Often up to 15 hours         |
| On-duty time     | 14 hours                     | Some allow 15–16 hours       |
| Breaks           | 30 min after 8 hours driving | May be waived/modified       |
| Weekly limits    | 60/70 hrs in 7/8 days        | Some allow 80 hrs in 8 days  |

*Check your state's specific rules if intrastate!*

## Short-Haul Exemptions

For Interstate Drivers:

You may be exempt from using an ELD if:

- You operate within 150 air miles of your start point
- You return to the same location
- You stay within that 150-mile radius

Even if you cross state lines—you may still qualify!

For Intrastate Drivers:

Some states:

- Allow a larger radius than 150 miles
- May waive exemption rules entirely

*Check your local state regulations!*

What About ELDs?

If you're an interstate driver:

You'll most likely need an ELD unless:

- You qualify for the short-haul exemption

If you're intrastate:

Your state may allow:

- Paper logs
- Different tracking methods

Again, state laws matter here.

### **What Counts as a CMV (Commercial Motor Vehicle)?**

According to FMCSA Section 390.5, a vehicle is a CMV if it:

- Weighs 10,001 lbs or more (GVWR or GCWR)
- Is designed to carry 9+ passengers *for compensation*
- Is designed for 16+ passengers (paid or not)
- Transports hazardous materials requiring placards

A van under 10,000 lbs? Not a CMV (*unless you're hauling hazmat or passengers as defined above.*)

A truck over 10,001 lbs? CMV which means:

- 11-hour drive limit
- 14-hour on-duty window
- Mandatory ELD
- Weekly hour limits apply

Passenger Vehicles: What's Commercial?

- 9–15 people for money (e.g., airport shuttle)? = CMV
- 16+ people, period (even unpaid)? = CMV
- Your family in a big van to the beach? = *Not* a CMV

Hazmat Loads = CMV

If you transport placard-required hazmat, you're operating a CMV—no matter the size or weight.

We're not diving into hazmat rules but just know:  
Placards = HOS rules apply.

### **Exemptions to Watch For**

Some drivers and vehicles qualify for *special exemptions*. These can include:

- Agricultural haulers during planting/harvest
- Utility service vehicles during emergencies
- Oil field/specialized equipment
- Temporary emergency exemptions (e.g. weather, fuel shortages)

### **Final Checklist**

Know if you're interstate or intrastate

Know if your vehicle qualifies as a CMV

Understand which rules apply to you

Always check state and FMCSA exemptions

# Chapter 3: More Than Just Driving

## Who Needs to Use an ELD?

Let's make this crystal clear:

A driver must use an ELD (Electronic Logging Device) if:

- You need to keep RODS (Record of Duty Status) for more than 8 days in any 30-day period
  - 6 days of driving in 30 days? No ELD required
  - 9 days? You need an ELD
- Your vehicle is model year 2000 or newer
  - Older engines (1999 and earlier) = ELD exempt
  - Some companies may require ELDs anyway
- You operate in interstate commerce and don't qualify for exemptions (like: Short-haul, Agriculture, Oilfield, or Drive-away/tow-away)

*Intrastate rules can vary by state. Always check your state's regulations.*

## Your Basic Driver Day

Your day is built around a 24-hour cycle:

| Time Block               | Limit                                |
|--------------------------|--------------------------------------|
| On-Duty                  | 14 hours                             |
| Driving (within on-duty) | 11 hours max                         |
| Break                    | 10 hours off-duty/sleeper (or split) |

After 8 hours of driving, you need a 30-minute break

Break can be in:

- Off-duty
- Sleeper berth
- On-duty not driving
- Or a combination—but it must be 30 minutes straight

Not “15 now, 15 later”. It must be continuous

## **Understanding Duty Statuses**

### **DRIVING**

- Your wheels are moving on public roads? You're in Driving status
- Most ELDs switch to this automatically

### **ON-DUTY (Not Driving)**

- You're working, just not driving  
Examples:
- Fueling
- Pre-/Post-trip inspection
- Loading/unloading
- Paperwork

Being in On-Duty (Not Driving) counts toward your 14-hour clock

### **OFF-DUTY vs. SLEEPER BERTH**

Both count toward your 10-hour break—but they're not the same:

| Scenario                                  | Log As        |
|---|---------------|
| Sleeping in bunk                          | Sleeper Berth |
| Away from truck or at home                | Off-Duty      |
| Sitting at receiver, not allowed to leave | On-Duty       |
| In sleeper waiting for load               | Sleeper Berth |

Be careful! Logging Off-Duty in the wrong city can raise red flags with DOT officers.

### Special Duty Statuses

#### YARD MOVE

Use this when:

- You're on private property (shipper, receiver, terminal)
- The area is:
  - Fenced or gated
  - Considered non-public roadways

Keep in mind, this keeps you On-Duty, but doesn't burn drive time

Truck stops are NOT yards

Most ELDs limit yard move to 15 mph

#### PERSONAL CONVEYANCE (PC)

Use PC only for personal use of the truck.

NOT advancing freight or repositioning for dispatch.

Acceptable PC Uses:

- Going to hotel, restaurant, laundromat, store
- Driving to a safe place after being asked to leave shipper/receiver

PC can be used even if you're loaded. What matters is WHY you're moving the truck.

What You CANNOT Do Under PC:

- Go home after a delivery
- Move to a new area for better freight
- Drive back to a facility to pick up a load
- Reposition for the company or dispatch

Rule of Thumb:

If dispatch told you to move, it's not PC

**Don't Forget: Certify Your Logs**

At the end of your shift (or start of the next day), certify your logs.

It's a simple tap on most ELDs.

Skipping certification = potential violation during inspection

# Chapter 4: Splitting Time

Let's Be Honest—This One's Confusing

You've probably heard of the 8 and 2 split, or maybe even the 7 and 3. And if you've been scratching your head trying to figure it out, you're not alone.

Even safety managers and compliance officers get tripped up here.

The rule itself is pretty straightforward...

But figuring out how much time you get back?

That's where most folks get lost.

Let's clear it up.

## What Is the Split Sleeper Rule?

Normally, drivers are required to take a 10-hour break before starting a new shift. But the split sleeper rule lets you break that up into two parts:

You can split your break as either:

- 8 hours + 2 hours, OR
- 7 hours + 3 hours

This is especially helpful when:

- You're waiting at a shipper/receiver
- You want to pause your clock instead of wasting time

## How the Split Works

Here's the breakdown:

| Part | Time Requirement      | Where It Can Be Taken       |
|------|-----------------------|-----------------------------|
| 1    | At least 7 or 8 hours | Sleeper berth only          |
| 2    | At least 2 or 3 hours | Off-duty, sleeper, or a mix |

Doesn't matter which comes first, however, the parts of the breaks must be consecutive, and the combined total must be 10 hours.

### **Real-Life Example**

Scenario:

- Driver starts at 7:00 a.m., and drives for 5 hours (until noon)
- Sits at a shipper for 2 hours in the sleeper → First part of the split
- Drives 5 more hours (2:00 p.m. to 7:00 p.m.)
- Then takes 8 hours in the sleeper (7:00 p.m. to 3:00 a.m.) → Second part of the split

Result:

They've met the 10-hour split sleeper rule.

### **But now what?**

How Much Time Do They Get Back?

The new 14-hour and 11-hour clocks start from the end of the first break (2:00 p.m. in this case).

So from 2:00 p.m. forward, they had:

- 14 hours of on-duty time
- 11 hours of drive time

They already used:

- 5 hours of driving
- 0 hours of new on-duty time

After the 8-hour break (at 3:00 a.m.), they now have:

- 6 hours left to drive
- 9 hours left on their 14-hour clock

## **Common Misunderstanding**

Myth:

After the second part of the break, I get a full 14 and 11 hours back.

Truth:

You only get back what you didn't use after the first part of the split.

That's why tracking what you've already used is so important.

## **You Can Keep Splitting!**

If you take another qualifying 2+ hour break later,  
that can start another split cycle.

Example:

- You take 8 hours, then drive
- Later, you take another 2 hours
- That 2 hours starts the next split

You can keep rolling this way, as long as each pair adds up to 10 hours and follows the rules.

## **Split Rule Checklist**

Use this to keep yourself compliant:

- One part is at least 7 or 8 hours (in sleeper berth only)
- Other part is at least 2 or 3 hours (off-duty/sleeper/mix)
- Both parts are consecutive
- Total time equals 10 hours
- You track how much drive/on-duty time you've already used after the first break

## **Final Tips**

- Let your ELD help you. Most modern ELD systems track the splits for you
- Use the split to save drive time when delays hit
- Know that it's math-heavy, but powerful when used correctly
- Don't assume you got a full reset. Always double check your remaining time

# Chapter 5: Eight Days a Week

Let's talk about how a truck driver's week stacks up against your typical Monday-to-Friday 9-to-5.

## Driver Hours: The 8-Day Window

- Over any rolling 8-day period, a driver can work up to 70 hours total.
- You might hear someone say:  
"I'm coming up on my 70."  
That means they're approaching that 70-hour limit.

## Two Options When You're Close to 70 Hours

### Option 1: 34-Hour Reset

- Take a full 34 consecutive hours off duty.
- Resets your 70-hour clock back to zero.
- You're back with a fresh 70 after the reset.
- Best-case scenario: do it at home (not on the road!).

### Option 2: Use Recap Hours

- After 8 full days of work, your hours start rolling back on your clock.
- Each night at midnight, you get back the hours you worked 8 days ago.

### Example:

If it's Tuesday, and 8 days ago (Monday) you worked 10 hours, you'll get those 10 hours back at midnight this Tuesday.

## Recap Hours Only Work If...

You've actually worked on that day 8 days ago.

### Watch Out:

If you burn through your 70 hours in just 5 days, you might have nothing left to roll back on days 6, 7, or 8. On day 9, if you didn't work on day 1? You get zero recap hours.

### Smart Time Management Tips

- If possible, don't burn 14 hours every day. A few 8-hour days can save you later.
- Sometimes you'll need to push hard through tight schedules, long loads, etc. But if there's an opportunity to pace yourself, take it.

Pro Strategy: Push for a few days and plan a 34-hour reset when needed. That gives you a clean slate and helps you line up your next load smoothly.

## Recap Hours In a Nutshell

On Day...

You Get Back Hours From...

|        |       |
|--------|-------|
| Day 9  | Day 1 |
| Day 10 | Day 2 |
| Day 11 | Day 3 |

Keep this cycle going, and you can keep rolling without resets as long as you've managed your hours well.

### Key Takeaways

- Know your hours
- Watch your daily totals
- Use your ELD tools
- Pace yourself when you can

That's how you stay compliant and stay rolling.

# Chapter 6: Exceptions to the Rules

Exemptions let you operate outside normal Hours of Service (HOS) rules—but only under specific circumstances. They're useful, but not a free pass.

Let's walk through the most common exemptions, what they mean, and how to use them the right way.

## What Are Exemptions?

- FMCSA says: "In this case, you don't have to follow all normal HOS rules."
- They are not common, but very helpful when applicable.
- They are often used during emergencies, seasonal demand, or for certain types of loads.
- However, they still have rules, and misusing them can lead to violations.

## 1. Seasonal Exemptions

Who it's typically for: Tanker drivers, especially propane/fuel haulers

- Apply in winter months when fuel is needed for home heating.
- Usually affects Midwest or cold-weather states.
- FMCSA posts updates on its website.

Check their website regularly if you're in the tanker world.

## 2. Short-Haul Exemption

Who it's for: Local/regional drivers

Requirements:

- Operate within 150 air-miles (≈172 road miles)
- Start and end at the same location daily

- Work no more than 14 hours in a day

You Must Keep Time Records:

- Name
- Start & end times
- Total hours worked
- Total hours driven
- Total drive time over past 7 days
- Retain records for 6 months

Common Myths:

- “I can drive 14 hours.” → Nope! Still limited to 11 driving hours
- “No logs = no rules.” → You still need a 10-hour break, just no ELD required

Disqualifiers:

- Haul hazmat
- Exceed 150-mile or 14-hour limits
- Break limits 8+ times in 30 days = must switch to ELD

If you're constantly near the edge?

Just use an ELD it may avoid a lot of hassle.

### **3. Adverse Driving Conditions Exemption**

The adverse conditions exception is a regulatory provision that allows commercial truck drivers to exceed the maximum number of hours they can drive in a day by up to 2 hours under certain road or weather conditions.

What qualifies:

- Weather/road/traffic conditions that were unknown before the trip

Examples:

- Snowstorms, fog, black ice, unplanned traffic backups, rural road closures

What's Not Allowed:

- Regular traffic
- Known weather problems
- Rush hour in big cities

Driver Responsibility:

- Communicate with dispatch
- Note the delay in your logs
- Remove yourself from exemption once conditions clear  
Failure to do so = falsification violation

#### **4. Agricultural (Ag) Exemption**

For: Drivers hauling agricultural commodities

FMCSA Checklist Applies Highlights:

- Family-owned and operated equipment
- Within 150 air miles
- Not hauling hazmat
- May not need a CDL or ELD

Ag rules can be tricky, don't guess. Always check the FMCSA's ag exemption checklist.

#### **Final Thoughts: Use Exemptions Wisely**

Exemptions help you stay productive

Save time and money—if used correctly

Misuse = violations, fines, downtime

Always ask:

“Do I qualify for this exemption?”

“Have I documented everything?”

“Would this pass a DOT inspection?”

### Quick Reference: Exemptions at a Glance

| Exemption Type     | Main Benefit                          | Main Requirements  | Watch Out For                               |
|--------------------|---------------------------------------|--|---|
| Seasonal (Tanker)  | Bypass normal HOS in cold months      | Hauling fuel/propane in cold states                            | Rules may change yearly                     |
| Short-Haul         | No ELD if local                       | ≤150 air miles, ≤14 hrs/day, time records required             | Hazmat disqualifies, must stay compliant    |
| Adverse Conditions | Extend driving time in bad conditions | Unexpected weather or road hazards                             | Must note reason and stop when delay clears |
| Ag Exemption       | May not need ELD/CDL                  | Ag products, within 150 air miles, non-hazmat, FMCSA checklist | Very nuanced. Always double-check           |

# Chapter 7: Truth or Consequences

## Why This Matters

Understanding and following HOS rules is not just about avoiding fines—it's about safety, liability, and protecting your company and drivers.

## Top Hours Of Service Violations

### 1. Falsification of Logs

- Logging "off-duty" when actually working.
- Misusing Personal Conveyance or Yard Move.
- Fix: Always be in the correct duty status.

### 2. No ELD When Required

- Required if operating across state lines or outside exemption rules.
- Fix: Know whether you qualify for an exemption (Short-haul, Ag, etc.).

### 3. Driver's Log Not Current

- Often caused by ELD disconnection (loose cables, no signal).
- Fix: Check logs regularly and verify ELD connection.

## Who Gets Penalized?

- Drivers may face personal fines (up to \$1,000+).
- Companies get hit with CSA points under the Hours of Service BASIC.
- High CSA scores = DOT audits, insurance hikes, and lost contracts.

It's not just on the driver. Dispatch and office staff must understand the hours-of-service rules.

- Unrealistic schedules = Violations.
- Example: Planning a 12-hour trip inside an 11-hour driving window.

## **Audit The Logs**

- Even with ELDs, manual oversight is key.
- Red Flags:
  - Excessive Personal Conveyance time
  - Unrealistic pre-trips (e.g., "2-minute inspections")
- Audit logs daily if possible.

## **Trip Planning Matters**

- Know your hours available before you start the trip.
- 8 hours left but a 9-hour trip? That's a guaranteed violation.
- Plan routes that match the driver's legal drive time.

## **Real Life Consequences**

If a Crash Happens:

- Even if not your fault, driving past HOS limits can make you liable.
- 82% of crash-involved car drivers will hire a lawyer.
- Lawyers will argue: "If you weren't over hours, you wouldn't have been there."

## **If The DOT Audits You:**

- Weak programs = Unsatisfactory rating → shut down.
- Conditional rating? Get ready for:
  - Lost brokers
  - Higher insurance
  - Lost customers

## The Cost of Non-Compliance

| Issue        | Impact                            |
|--------------|-----------------------------------|
| Fines        | \$1,000+ per violation            |
| Lost Drivers | Cost to replace: \$6,000–\$12,000 |
| Empty Trucks | Lost revenue                      |
| Bad CSA Data | DOT audits, insurance hikes       |

### The Solution: Company Wide Hours Of Service Knowledge

- Drivers: Log accurately. Know your hours.
- Dispatch: Build legal, realistic schedules.
- Compliance: Audit daily. Train regularly.
- Leadership: Set the tone. Enforce accountability.

“If something goes wrong, are you able defend your decisions in court?” If not, it’s time to tighten up your program.

# Interstate vs. Intrastate Hours of Service Rules

| Driver Type        | Definition  | HOS Rule Source           |
|--------------------|---|---------------------------|
| Interstate Drivers | Operate across state lines OR haul goods that will eventually cross state lines.  | Federal HOS Rules (FMCSA) |
| Intrastate Drivers | Operate strictly within one state, hauling goods produced and delivered in-state. | State-Specific HOS Rules  |

Even if a driver never leaves the state, they may still be considered interstate if the freight is part of interstate commerce.

## Comparison of Hours of Service (HOS) Rules

| HOS Rule Element       | Federal/Interstate Rule                                      | Typical Intrastate Variations (e.g., TX, FL, CA)       |
|------------------------|--|--|
| Daily Driving Limit    | 11 hours driving after 10 hours off-duty                     | 12–15 hours driving allowed in some states             |
| On-Duty Limit          | No driving after 14 hours on duty                            | Some states allow 15–16 hours on duty                  |
| Rest Break Requirement | 30-minute break after 8 hours of driving                     | May be waived or modified                              |
| Weekly Driving Limit   | 60/70 hours in 7/8 consecutive days                          | Some states allow up to 80 hours in 8 days             |
| Short-Haul Exemption   | Up to 150 air-mile radius, no logs with time-tracking limits | May be extended or exempted entirely                   |
| ELD Requirement        | Required for most carriers                                   | May allow paper logs or exempt intrastate-only drivers |

Always check your state DOT for specific intrastate exemptions or variations.

# Vehicle Types for Hours of Service Compliance

FMCSA Definition of a Commercial Motor Vehicle (CMV) is a vehicle used in interstate commerce that:

- Has a GVWR or GCWR of 10,001 lbs or more, or
- Is designed to transport 9+ passengers (including the driver) for compensation, or
- Is designed to transport 16+ passengers (not for compensation), or
- Is used to transport hazardous materials in quantities requiring placards

If a vehicle meets any of these criteria, federal HOS rules apply (assuming it's used in interstate commerce).

## Vehicle Type & HOS Applicability

| Vehicle Type                      | Do HOS Rules Apply?   |
|-----------------------------------|---|
| Light-Duty Vehicles (<10,001 lbs) | No—unless carrying placarded hazmat or passengers                       |
| Heavy-Duty Trucks (10,001+ lbs)   | Yes—Full HOS rules apply (11/14/70-hour limits, ELDs, etc.)             |
| Passenger Vans (9–15 passengers)  | Yes—if for compensation (e.g., airport shuttles, paid transport)        |
| Large Buses (16+ passengers)      | Yes—Full HOS rules for passenger carriers apply                         |
| Hazmat Vehicles                   | Yes—plus additional restrictions (e.g., route planning, fueling safety) |
| Agricultural Vehicles             | May be exempt during planting/harvest seasons (ag exemption)            |
| Utility Service Vehicles          | May be exempt for emergency restoration work                            |
| Oilfield or Specialized Vehicles  | May have special exceptions (e.g., off-duty breaks, restart windows)    |