

> Examples

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## Introduction

Listed below are 28 examples of the Federal hours-of-service rules for property-carrying commercial motor vehicles as published on December 27, 2011 (76 FR 81134). Most, but not all of the examples focus on the changes to the hours-of-service rules in the December 27, 2011 Final Rule. As there are two different compliance dates with this rule, in each example the compliance date for the appropriate provision has been indicated accordingly (see NOTE below). Four examples of the hours-of-service rules for passengercarrying vehicles are also included. A 60/70 hour rule example for property and passengercarrying vehicles is also included. Each example includes:

- One or two completed grids from a driver's Record of Duty Status (log) (where there are two consecutive logs, the labels "Day 1 " and "Day 2" are used to tell the two days apart);
- A brief description of any violations that may exist; and
- An in-depth explanation of the hours-of-service rules as they apply to the sample $\log (\mathrm{s})$.
Each blue horizontal line drawn within each log grid is labeled with the number of consecutive hours the driver spent in that duty status:


A red "violation arrow," is used to indicate the point at which the driver went into violation of the $11,14,60 / 70$ hour rule, for example.


Finally, on some examples an arrow labeled "CP" is used to indicate various "Calculation Points," such as "CP\#1," "CP\#2," etc. A calculation point is the time of day at which a driver of a property-carrying commercial motor vehicle would begin to count his or her driving and/or on-duty time so as to calculate compliance with the driving and/or on-duty limits. A calculation point would normally appear after a 10-hour break or equivalent:


When reviewing the following examples, unless otherwise indicated, you can assume that the driver had at least 10 consecutive hours off duty before the start of each "Day 1" or standalone log.

NOTE: Unless otherwise indicated, these examples only apply to property-carrying vehicles. As there are different compliance dates for various provisions in the December 27, 2011 hours-of-service Final Rule, throughout these logbook examples the appropriate compliance dates for these various provisions have been indicated accordingly.

## EXAMPLE 1: 14-Hour Driving Window

## Day 1



Violations: There are no violations in this example.
Explanation: This is an example of the 14 consecutive-hour "driving window." After 10 consecutive hours off duty, the driver had 14 hours available and started his/her driving window at Midnight on Day 1. At 2:00 p.m., the driver had reached the end of the 14-hour window (10 hours driving; 3 hours on duty; 1 hour off duty). The driver may not drive a commercial motor vehicle once he or she has reached the end of the 14 consecutive-hour period (unless a 16-hour day is available [Section 395.1(o)]), and in this example the driver goes off duty for the required 10 consecutive hours starting at 2:00 p.m. on Day 1.

## EXAMPLE 2: 10 Consecutive Hour Off-Duty Break

Day 1


Day 2


Violations: There are no violations in this example.
Explanation: This is an example of the 10 consecutive hour off-duty period. After 10 consecutive hours off duty on Day 1, the driver was on duty for 1 hour, drove for 5 hours, off duty for 1 hour, and drove for another 5 hours. While not having used all available hours in the 14-hour "driving window" at this point, the driver decides to take his/her 10 consecutive hour break. The driver goes off duty for 1 hour, followed by 8 hours in the sleeper-berth (S/B), followed by 1 more hour off duty. This constitutes a legal 10 consecutive hour break for the driver, and at 8:00 a.m. on Day 2, he/she has 11 hours of driving and 14 on-duty hours available.

## EXAMPLE 3: Driving Limit*

## Day 1



Day 2


Violations: There are no violations in this example.
Explanation: This is an example of the maximum of 11 hours of driving within the "driving window." After 10 consecutive hours off duty, the driver had 14 hours available (and 11 hours driving) starting at 10:00 a.m. on Day 1. The driver was on duty for 1 hour, drove for 5 hours, went off duty for 1 hour, drove for another 6 hours between 5:00 p.m. and 11:00 p.m., and was on duty for 1 hour. In this example, the driver drove the maximum 11-hour limit within the 14 -hour "driving window" and is therefore in compliance with the rule. Starting at Midnight on Day 2, the driver may not drive a commercial motor vehicle until he/she goes off duty for a minimum of 10 consecutive hours, which is indicated on the log (10 sleeper-berth (S/B) hours). In addition, the 1 hour ( $1 / 2$ hour minimum) off-duty break between 4:00 p.m. and 5:00 p.m. on Day 1 is necessary as the driver may drive only if 8 hours or less have passed since the end of the driver's last off-duty period of at least 30 minutes.
*The compliance date for the 30-minute break provision is July 1, 2013.

## EXAMPLE 4: Driving Limit

Day 1


Day 2


Violations: There is a violation of the 11 and 14-hour rules at 2:00 p.m. on Day 1.
Explanation: This is an example of the maximum of 11 hours of driving within the "driving window." After 10 consecutive hours off duty prior to the start of Day 1, the driver had 14 hours available (and 11 hours driving) starting at Midnight on Day 1. The driver was on duty for 1 hour, drove for 4 hours, went off duty for 1 hour, drove for another 4 hours, went off duty for 1 hour, and drove for another 4 hours between 11:00 a.m. and 3:00 p.m. In this example between 2:00 p.m. and 3:00 p.m. on Day 1, the driver drove for 1 hour over the maximum 11 hour limit, and also drove for 1 hour over the legal 14-hour "driving window" limit and is therefore in violation of these two rules. At 2:00 p.m. on Day 1, the driver must stop driving. He/she could remain on duty (not driving), and must go off duty for a minimum of 10 consecutive hours before driving again. In this example, the driver started this off-duty period at 3:00 p.m. and is therefore in violation.

## EXAMPLE 5: Rest Breaks*

Day 1


Day 2


Violations: There is a violation in this example at 6:00 p.m. on Day 1.
Explanation: This is an example of the limit on consecutive hours of driving and necessary rest breaks. After 10 consecutive hours off duty, the driver had 14 hours available (and 11 hours driving) starting at 10:00 a.m. on Day 1. A driver may drive only if 8 hours or less have passed since the end of the driver's last off-duty period of at least 30 minutes. Therefore, in this example after 1 hour on duty, 5 hours of driving, and another 2 hours on duty, the driver must take his/her necessary 30-minute break at 6:00 p.m. As the driver drove the commercial motor vehicle at this point he/she is in violation of the 30-minute break provision at 6:00 p.m. on Day 1. Starting at Midnight on Day 2, the driver must go off duty for a minimum of 10 consecutive hours before he/ she may drive again, which is indicated on the log.
*The compliance date for the 30-minute break provision is July 1, 2013.

## EXAMPLE 6: Rest Breaks*

## Day 1



Day 2


Violations: There are no violations in this example.
Explanation: This is another example of the limit on consecutive hours of driving and necessary rest breaks. A driver may drive only if 8 hours or less have passed since the end of the driver's last off-duty period of at least 30 minutes. In this example, beginning with the start of the driving window at 10:00 a.m. on Day 1, the driver was on duty for 1 hour, drove for 2 hours, was on duty for 3 hours, and then drove 2 more hours - totaling 8 hours (combined driving and on-duty time). At 6:00 p.m. on Day 1, the driver takes the required minimum 30-minute off-duty break, then goes back on duty for $1 / 2$ hour, and completes the 14 -hour "driving window" at 12:00 Midnight with 4 hours of driving and 1 hour of on-duty time. Once again, starting at Midnight on Day 2, the driver must go off duty for a minimum of 10 consecutive hours before he/she may drive again, which is indicated on the log ( 5 hours off duty, followed by 5 hours in the sleeper-berth (S/B).
*The compliance date for the 30-minute break provision is July 1, 2013.

## EXAMPLE 7: Restart Provision*

Day 1


Day 3


Violations: There are no violations in this example.
Explanation: This is an example of the restart provision relating to the 60 -hour/7 day or 70 -hour/ 8 day calculation(s), which may only be used once per week. On Day 1 the driver chooses to begin use of the restart. The restart must include two periods between 1:00 a.m. and 5:00 a.m. [home terminal time]. In this example, there are two periods highlighted between 1:00 a.m. and 5:00 a.m. (one on Day 1 and one on Day 2), so at 10:00 a.m. on Day 2 the driver has taken a legitimate restart break. At this time, the calculation of the driver's $60 / 7$ and $70 / 8$ hours/days has been reset to zero (0). The driver is then driving/on duty for 14 more consecutive hours and before driving again must go off duty for 10 consecutive hours starting at Midnight on Day 3 as is indicated on the log example. The driver must note the period used to restart his/her hours in the remarks on his/her log. The remark indicating the restart period is required if more than one 34-hour restart occurs within a 168-hour period, otherwise, the remark is optional [Section 395.3(d)].
[NOTE: Highlighting is shown only for explanatory purposes, and would not be required on the actual log.]

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## EXAMPLE 8: Restart Provision*

Day 1


Day 2


Violations: There may be a violation at 5:00 p.m. on Day 2 if the driver did not have available hours (restart does not meet final rule conditions).

Explanation: This is an example of the restart provision relating to the 60 -hour/7 day or 70 -hour/ 8 day calculation(s), which may only be used once per week. The restart must include two periods between 1:00 a.m. and 5:00 a.m. In this example the driver begins his/her restart at 7:00 a.m. on Day 1. There are not two periods between 1:00 a.m. and 5:00 a.m., therefore there is no authorized restart allowing the 60/70 hour rule to reset to zero. Consequently, at 5:00 p.m. on Day 2, the driver would be in violation if he/she exceeds the 60 -hour/7 day or 70 -hour/8 day limits by driving a commercial motor vehicle at that point.
[NOTE: Highlighting is shown only for explanatory purposes, and would not be required on the actual log.]
*The compliance date for the new restart provision is July 1, 2013.

## EXAMPLE 9: Restart Provision*

| $1 / 1$ $1 / 2$ <br> SAT SUN | $\begin{gathered} 1 / 3 \\ \text { MON } \end{gathered}$ | $\begin{gathered} 1 / 4 \\ \text { TUE } \end{gathered}$ | $\begin{gathered} 1 / 5 \\ \text { WED } \end{gathered}$ | $\begin{aligned} & \text { 1/6 } \\ & \text { THU } \end{aligned}$ | $\begin{aligned} & 1 / 7 \\ & \text { FRI } \end{aligned}$ | $\begin{aligned} & 1 / 8 \\ & \text { SAT } \end{aligned}$ | $\begin{gathered} 1 / 9 \\ \text { SUN } \end{gathered}$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 48 hours consecutive off duty. | From Monday (1/3) through Friday (1/7), driver accumulates a total of 60 hours (on duty and driving) for that period. |  |  |  |  | Driver starts new 34-hour restart period beginning with Saturday (1/8). |  |

Violations: There are no violations in this example.
Explanation: This is an example of the new restart provision. After June 30, 2013, a driver may not take an off-duty period to restart the calculation of 60 hours in 7 consecutive days or 70 hours in 8 consecutive days until 168 or more consecutive hours have passed since the beginning of the last such off-duty period. In this example, the driver reaches his/her maximum 60 hours (on duty and driving) in 7 days on Friday (1/7) and therefore can begin a new 34-hour restart starting on Saturday ( $1 / 8$ ). This is because the 168 -hour period is counted from the beginning of the last prior restart, which was on Saturday (1/1). The restart must include two periods between 1:00 a.m. and 5:00 a.m. as well.
*The compliance date for the new restart provision is July 1, 2013.

## EXAMPLE 10: Restart Provision*



Violations: There is a violation in this example beginning on Sunday (1/9).
Explanation: This is another example of the new restart provision. After June 30, 2013, a driver may not take an off-duty period to restart the calculation of 60 hours in 7 consecutive days or 70 hours in 8 consecutive days until 168 or more consecutive hours have passed since the beginning of the last such off-duty period. In this example, the driver reaches his/her maximum 60 hours (on duty and driving) in 7 days on Thursday (1/6). The driver begins his/her next "claimed" 34 -hour restart on Friday (1/7), which goes through Saturday (1/8) (48 total hours). The driver then begins to drive the commercial motor vehicle on Sunday ( $1 / 9$ ) and is in violation at this point, as the "claimed" restart beginning on Friday (1/7) did not meet the hours of service rule conditions. This is because the 168 -hour period is counted from the beginning of the last prior restart, which in this example was on Saturday (1/1), and the next restart cannot start until Saturday (1/8). The restart must include two periods between 1:00 a.m. and 5:00 a.m. as well.
*The compliance date for the new restart provision is July 1, 2013.

## EXAMPLE 11: Restart Provision*



Day 2


Day 3


Day 4


Day 5


Day 6


Day 7


SECOND 34-HOUR RESTART BEGINS HERE
Day 8
(DRIVER BEGAN COUNT 168 HOURS FROM BEGINNING OF 1st RESTART [MIDNIGHT - DAY 1])


Day 9
CP\#2


Violations: There are no violations in this example.
Explanation: This is an example of the new 34-hour restart provision. The new restart provision may only be used once per week (once every 168 hours). In this example, the driver starts a first off-duty restart period at 12:00 midnight on Day 1. The new restart provision must also include two periods between 1:00 a.m. and 5:00 a.m. (home terminal time) which this first restart clearly does. A second legal 34-hour restart period begins at midnight on Day 8. This second restart does not begin until 168 hours have passed since the beginning of the first restart, and does include the two mandatory periods between 1:00 a.m. and 5:00 a.m.

The calculation point \#1 for the 60-hour/7-day rule begins at 10:00 a.m. on Day 2, as the driver has taken a valid restart under the new hours of service rule provisions. In the following 6 days (Days 2 through 7), the driver accumulates a total of 60 on-duty and driving hours, and thus begins their second 34 -hour restart at midnight on Day 8. Calculation point \#2 for the driver's next available 60 hours in 7 days begins at 10:00 a.m. on Day 9, after the second 34-hour restart is complete.
*The compliance date for the new restart provision is July 1, 2013.
U.S. Department of Transportation

## EXAMPLE 12: Restart Provision*



Day 2
CP\#1


Day 3


Day 4


Day 5


Day 6


Day 9


Violations: There is a violation of the 60-hour/7-day rule at 4:00 p.m. on Day 7 in this example.
Explanation: This is another example of the new 34-hour restart provision. The new restart provision must include two periods between 1:00 a.m. and 5:00 a.m. (home terminal time). In this example, the driver starts a first off-duty restart period at 12:00 midnight on Day 1. The new restart provision must also include two periods between 1:00 a.m. and 5:00 a.m. (home terminal time) which this restart clearly does. A second legal 34-hour restart period begins at midnight on Day 8 . This second restart does not begin until 168 hours have passed since the beginning of the first restart, and also includes the two mandatory periods between 1:00 a.m. and 5:00 a.m.

There is a 60-hour/7-day rule violation in this example. In between the two 34-hour restart periods, the driver accumulates the following on-duty and driving hours (total in parentheses) starting on Day 2 (13); Day 3 (11); Day 4 (12); Day 5 (12); and Day 6 (12). Therefore, beginning on Day 7, the driver has already accumulated 60 total on-duty (and driving) hours for the prior 5 days. On Day 7, after a 10 consecutive hour break, he/she is on duty for 6 hours, and then drives for 2 hours, which results in a 60-hour/7-day rule violation at 4:00 p.m. on Day 7, as the driver had already used up all 60 of the available hours (driving and on duty) in the 7 -day period. The driver drives a commercial motor vehicle 2 hours over the 60-hour/7-day limit on Day 7 (between 4:00 p.m. and 6:00 p.m.). This violation occurs prior to the driver reaching the second restart period on Day 8, which resets the "weekly" hours of service calculation back to zero (0).
*The compliance date for the new restart provision is July 1, 2013.

## EXAMPLE 13: Restart Provision*



Day 2
(CP\#1


Day 3


Day 4


Day 5


Day 6


Day 7 SECOND 34-HOUR RESTART BEGINS HERE (ACCORDING TO DRIVER)


Day 8


Violations: There is a violation of the 60-hour/7-day rule at Noon on Day 8 in this example.
Explanation: This is another example of the new 34-hour restart provision. Per new Section 395.3(d) of the Federal Motor Carrier Safety Regulations: "After June 30, 2013, a driver may not take an off-duty period allowed by paragraph (c) of this section to restart the calculation of 60 hours in 7 consecutive days or 70 hours in 8 consecutive days until 168 or more consecutive hours have passed since the beginning of the last such off-duty period." In this example, the driver takes two separate 34-hour restarts - one beginning at Midnight on Day 1, and another beginning at Midnight on Day 7. However, the driver has not waited the necessary 168 hours to begin the second restart (Day 7). Therefore, all of the on-duty and driving time hours from the prior 6 days must be counted. By the end of Day 6, the driver has accumulated a total of 60 hours of driving and on-duty time and can no longer drive until taking the necessary hours off duty. As the restart on Day 7 is not valid (driver did not wait 168 from last restart to begin) when he/she starts driving on Day 8 at noon, the driver is in violation of the 60-hour/7-day rule by 3 hours (driving).
*The compliance date for the new restart provision is July 1, 2013.

## EXAMPLE 14: Restart Provision*

## Day 1



Day 2


Day 3


Day 4


DRIVER BEGINS 34-HOUR RESTART HERE


4-HOUR DRIVING VIOLATION STARTS HERE -
Day 6 DRIVER DID NOT TAKE VALID RESTART UNDER NEW HOS RULE PROVISIONS


Violations: There is a 4 hour [driving] violation of the 60-hour/7-day rule at 5:00 p.m. on Day 6 in this example.

Explanation: This is another example of the new 34-hour restart provision. The new restart provision must include two periods between 1:00 a.m. and 5:00 a.m. (home terminal time). In this example, the driver starts with an available 60 hours in 7 days beginning at midnight on Day 1. Subsequently, the driver accumulates the following total on-duty and driving hours (in parentheses) starting on Day 1 (13.5); Day 2 (13.5); Day 3 (13.5); Day 4 (13.5); and Day 5 (6). Therefore, at 6:00 a.m. on Day 5, he/she has already accumulated 60 total on-duty (and driving) hours for the prior 5 days, and will then begin a 34 -hour restart at this time. The new restart provision must also include two periods between 1:00 a.m. and 5:00 a.m. (home terminal time) which this restart clearly does not (only one period on Day 6.) Consequently, this is not a legal 34-hour restart per the new hours-of-service changes. Once the driver begins driving at 5:00 p.m. on Day 6, he/she is in violation by 4 four hours of driving over the 60-hour/7-day limit, as the driver did not take a valid restart, and reset the "weekly" hours back to zero (0).
*The compliance date for the new restart provision is July 1, 2013.
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## EXAMPLE 15: Restart Provision - "Weekend Off"*

Day 1 - Saturday FIRST 34-HOUR RESTART BEGINS HERE


Day 2 - Sunday


Day 3 - Monday


Day 4 - Tuesday


Day 5 - Wednesday


Day 6 - Thursday


Day 7 - Friday


Day 8 - Saturday


Day 9 - Sunday


Violations: There are no violations in this example.
Explanation: This example demonstrates the use of a weekend off to utilize the new 34-hour restart provision. In this example, the driver works 13.5 hours a day (combination of driving and on duty time) Monday through Thursday (Days 3-6), and 15.5 total on duty and driving hours on Friday (Day 7). That totals 69.5 hours (on duty and driving) in those 5 days. The company operates vehicles 7 days a week, so the driver is operating on the 70 -hour/ 8 -day rule schedule. This driver is off duty every Saturday and Sunday ( 48 hours consecutive total), and uses this time as his or her 34-hour restart (a valid restart under the new provisions). The rule allows the driver to do this, as in this example, the driver does not begin their second restart until Day 8 (168 hours after the start of the first restart on Day 1). The driver also does not drive a commercial motor vehicle after 70 hours in the 8 -day period, and therefore there are no violations in this particular example.
*The compliance date for the new restart provision is July 1, 2013.

## EXAMPLE 16: 16-Hour Driving Window

Day 1


Day 2
CP\#2


Violations: There are no violations in this example.
Explanation: This is an example of the 16 consecutive-hour "driving window." This provision is only available once "weekly" to certain drivers, and is not available to all drivers (refer to Section 395.1(o) of the Federal Motor Carrier Safety Regulations). After 10 consecutive hours off duty on Day 1, the driver had 16 consecutive hours available beginning at 10:00 a.m. (CP\#1). This provision allows the driver to drive in the 15th and 16th hours as long as he/she does not drive beyond the 16th hour since coming on duty, or exceed the 11-hour driving limit (CP\#2).

Per Section 395.1(o), drivers may take a 16-hour duty period (instead of a 14-hour period) if, during the last five duty periods the driver worked, the driver returned to the normal work reporting location and did not exceed 14 hours. This would allow a driver to use this exception once every 7 days.

However, the last subparagraph in 395.1(o) allows the 16-hour exception to be used again as soon as the driver has had 34 or more consecutive hours off duty.
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## EXAMPLE 17: 16-Hour Driving Window

Day 1


Day 2


Violations: There is a 16-hour rule violation in this example at 2:00 a.m. on Day 2.
Explanation: This is another example of the 16 consecutive hour "driving window." This provision is only available once "weekly" to certain drivers, and is not available to all drivers (refer to Section 395.1(o) of the Federal Motor Carrier Safety Regulations). After 10 consecutive hours off duty on Day 1, the driver had 16 consecutive hours available beginning at 10:00 a.m. (CP\#1). This provision allows the driver to drive in the 15th and 16th hours as long as he/she does not drive beyond the 16th hour since coming on duty, or exceed the 11-hour driving limit (CP\#2) (with release from duty at end). In this example, starting at 10:00 a.m. on Day 1, the driver reaches a combined 16 hours of driving, on-duty, and off-duty time (10 driving, 4 on duty, 2 off duty) at 2:00 a.m. on Day 2. The driver then drove the commercial motor vehicle between 2:00 a.m. and 3:00 a.m. on Day 2 after the 16 -hour "driving window" had been completed, and is in violation for this 1-hour period.

## EXAMPLE 18: Two-Driver Property-Carrying Commercial Motor Vehicle*

Day 1


Violations: There are no violations in this example.
Explanation: This is an example of the change in the definition of on-duty time that would allow a driver in a moving property-carrying commercial motor vehicle to spend up to 2 hours in the passenger seat immediately before or after 8 consecutive hours in the sleeper-berth (S/B), and classify this as off-duty time. After 10 consecutive hours off duty the prior day, starting at Midnight on Day 1 the driver was on duty for a total of 6 hours (including 4 hours driving). The driver then takes a 10 consecutive hour break consisting of 8 hours in the S/B and 2 hours in the passenger seat of a moving property-carrying commercial motor vehicle.

It is recommended that the driver note in the Remarks section of the log that this 2-hour period between 2:00 to 4:00 p.m. on Day 1 was spent in the passenger seat of a moving propertycarrying commercial motor vehicle as indicated above.
*The effective date for the change in the definition of on-duty time in Section 395.2 is February 27, 2012.

## EXAMPLE 19: Two-Driver Property-Carrying Commercial Motor Vehicle*

Day 1


Day 2


Violations: There are no violations in this example.
Explanation: This is another example of the change in the definition of on-duty time that would allow a driver in a moving property-carrying commercial motor vehicle to spend up to 2 hours in the passenger seat immediately before or after 8 consecutive hours in the sleeper-berth (S/B), and properly classify this as off-duty time. In this example, the driver takes 4 consecutive hours in the passenger seat between 2:00 and 6:00 p.m. on Day 1, immediately after the 8 consecutive hours in the S/B. However, only the first 2 hours in the passenger seat of the commercial motor vehicle can be combined with the 8 hours in the $S / B$ to get the required 10 consecutive hours off duty.

It is recommended that the driver note in the Remarks section of the log that this 2-hour period between 2:00 to 4:00 p.m. on Day 1 was spent in the passenger seat of a moving property-carrying commercial motor vehicle. Therefore, at 4:00 p.m. on Day 1, the driver's status becomes "on-duty/not driving" and the driver starts the calculation of his/her next available 14hour "driving window" (CP\#1). He/she is on duty for 2 hours (between 4:00 and 6:00 p.m. on Day 1), drives for 5 hours, goes off duty for 1 hour, drives for 5 more hours starting on Day 2, is on duty for 1 hour, and then goes off duty for 10 consecutive hours between 6:00 a.m. and 4:00 p.m. on Day 2. During this period the driver remained in compliance as he/she did not drive over 11 hours or drive past the 14th hour.
*The effective date for the change in the definition of on-duty time in Section 395.2 is February 27, 2012.

## EXAMPLE 20: Two-Driver Property-Carrying Commercial Motor Vehicle*

Day 1
CP\#1


Day 2


Violations: There is a 14-hour violation at 4:00 p.m. on Day 2 in this example.
Explanation: This is another example of the change in the definition of on-duty time that would allow a driver in a moving property-carrying commercial motor vehicle to spend up to 2 hours in the passenger seat immediately before or after 8 consecutive hours in the sleeper-berth (S/B), and properly classify this as off-duty time. In this particular example, the driver takes 10 consecutive hours off duty on Day 1, and begins his/her available 14-hour "driving window" at 10:00 a.m. on Day 1 (CP\#1).

The driver then is on duty for 2 hours, followed by 4 hours of driving, then 8 consecutive hours in the S/B. The driver then is in the passenger seat of a moving property-carrying commercial motor vehicle for 6 hours, starting at Midnight on Day 2. The first 2 hours in the passenger seat of the commercial motor vehicle can be combined with the 8 hours in the $\mathrm{S} / \mathrm{B}$ to get the required 10 consecutive hours off-duty Therefore, at 2:00 a.m. on Day 2, the driver starts the calculation of his/her next available 14-hour "driving window" (CP\#2).

The driver's status becomes "on-duty/not driving" and he/she is on duty for 4 hours (between 2:00 a.m. and 6:00 p.m. on Day 2) followed by 3 hours driving, 1 hour off duty, 5 more hours driving, 1 hour on duty, and then 1 more hour of driving between 4:00 and 5:00 p.m. on Day 2. Starting at CP\#2 at 2:00 a.m. on Day 2, the driver reaches the end of the 14-hour period at 4:00 p.m., and therefore may not drive after this point. He/she drove for one hour and there is a 14hour violation (unless a 16-hour day was available to the driver [Section 395.1(o)]).
(It is recommended that the driver note in the Remarks section of the log that the 6-hour period between Midnight and 6:00 a.m. on Day 2 was spent in the passenger seat of a moving propertycarrying commercial motor vehicle).
*The effective date for the change in the definition of on-duty time in Section 395.2 is February 27, 2012.

## EXAMPLE 21: Sleeper-Berth Use*

Day 1


Violations: There are no violations in this example.
Explanation: This is an example of the current sleeper-berth (S/B) provisions as affected by other changes from the December 2011 Final Rule. There are three separate calculation points (CPs) indicated in this example. CP\#1 starts after 10 consecutive hours off on Day 1. After CP\#3 on Day 2 , the driver takes a $1 / 2$-hour off-duty break between $1: 00 \mathrm{p} . \mathrm{m}$. and 1:30 p.m. in order to meet one of the new regulations (prohibition on driving if 8 hours or more have passed since the end of the driver's last off-duty period of at least 30 minutes). He/she took the $1 / 2$ hour break to extend driving time availability even though not at the 8 hour on-duty limit yet. The 14 consecutive-hour calculation started at 2:00 a.m. on Day 2 (CP\#2) and continues until 4:00 p.m., when the driver goes into the S/B for 8 hours.
*The compliance date for the 30-minute rest break provision is July 1, 2013.
U.S. Department of Transportation

## EXAMPLE 22: Sleeper-Berth Use

Day 1


Day 2


Violations: There is an 11-hour rule violation from 6:00 a.m. to 7:00 a.m. on Day 2.
Explanation - 11-Hour Limit: After 10 hours off duty, the driver had 11 hours of driving time available at 10:00 a.m. (CP\#1) on Day 1. At the end of Day 1, the driver had 3 hours remaining and, without a valid 10-hour break, the driver violated the 11-hour limit by driving an additional 1 hour at 6:00 a.m. on Day 2.
[NOTE: The driver had 8 consecutive hours in the sleeper-berth (S/B), but that break does not give the driver any extra driving time (that is, it does not change the calculation point by itself). In addition, the driver cannot use the S/B provision because he/she did not obtain the equivalent of 10 hours of rest by getting a combination of at least 8 (but less than 10) consecutive hours in a $\mathrm{S} / \mathrm{B}$ and another break of at least 2 (but less than 10) consecutive hours.]

Explanation - 14-Hour Limit: Calculation of the 14-hour limit begins at 10:00 a.m. on Day 1 (CP\#1). The driver used 9 of 14 hours on Day 1. Although the driver then got 8 consecutive hours in a S/B, that rest break is not included in the 14-hour calculation. The 14-hour calculation continues into Day 2, and at 7:00 a.m. the driver has accumulated 13 hours and has not driven a commercial motor vehicle past the 14-hour duty limit.
[NOTE: The driver had 8 consecutive hours in the $\mathrm{S} / \mathrm{B}$, but that does not change the calculation point because the driver did not obtain a second break of at least 2 (but less than 10) consecutive hours.]

## EXAMPLE 23: Sleeper-Berth Use

## Day 1



Day 2


Violations: There are no violations.
Explanation - 11-Hour Limit: After 10 hours off duty, the driver had 11 hours of driving time available at 2:00 a.m. (CP\#1) on Day 1. The driver used those 11 hours by 4:00 p.m. on Day 1, when he or she entered the sleeper-berth ( $\mathrm{S} / \mathrm{B}$ ) for 8 consecutive hours. Because the driver accumulated at least 10 hours of rest using a combination of at least 8 consecutive hours in a S/B and another break of at least 2 consecutive hours, he or she was eligible for the S/B provision. This moves the calculation point to the end of the first of the two periods of rest, or 10:00 a.m. on Day 1 (CP\#2). Starting the calculation from there, the driver accumulated another 10 hours of driving by 5:00 a.m. on Day 2. By 7:00 a.m. on Day 2, the driver accumulated another pair of qualifying breaks totaling at least 10 hours. This moves the calculation point again, to the end of the first of the two breaks, or 12:00 Midnight on Day 2 (CP\#3). From there, the driver accumulated another 10 hours of driving by 1:00 p.m. on Day 2. This pattern continued, with no 11-hour violations.
[NOTE: When using the $S / B$ provision, the order of the qualifying breaks does not matter - the break of "at least 2 hours" can fall before or after the S/B period of "at least 8 hours."]

Explanation - 14-Hour Limit: Calculation of the 14-hour limit begins at 2:00 a.m. on Day 1 (CP\#1). The driver accumulates 14 hours by 4:00 p.m. before entering the S/B. Because the driver then met the requirements for the S/B provision (see above), the calculation point moves to the end of the first qualifying break, or 10:00 a.m. on Day 1 (CP\#2). So at Midnight on Day 2, the driver had accumulated 6 hours (any $S / B$ period of at least 8 but less than 10 consecutive hours is excluded from the 14 -hour calculation).

By 7:00 a.m. on Day 2, the driver accumulated another pair of qualifying breaks totaling at least 10 hours and has not exceeded the 14 -hour limit. This moves the calculation point again, to the end of the first of the two breaks, or Midnight on Day 2 (CP\#3). From there, the driver accumulated 13 of 14 hours by 1:00 p.m. on Day 2 (any S/B period of at least 8 but less than 10 consecutive hours is excluded from the 14-hour calculation). This pattern continued with no violations.

## EXAMPLE 24: Sleeper-Berth Use

Day 1
CP\#1


Day 2


Violations: There is an 11-hour rule violation from 6:30 a.m. - 1:00 p.m., and a 14-hour rule violation from 8:00 a.m. - 1:00 p.m., both on Day 2.

Explanation - 11-Hour Limit: After 10 hours off duty, the driver had 11 hours of driving time available at 10:00 a.m. on Day 1 (CP\#1). The driver did not have another 10-hour break (or the equivalent) until 1:00 p.m. on Day 2, so the calculation point never changes. The driver accumulated 6 total hours of driving on Day 1 and reached the 11 hour (driving) limit at 6:30 a.m. on Day 2.

Explanation - 14-Hour Limit: Calculation of the 14-hour limit begins at 10:00 a.m. on Day 1 (CP\#1). At Midnight on Day 1, the driver still had 8 hours remaining because any S/B period of at least 8 but less than 10 consecutive hours is excluded from the 14 hour calculation. The driver reached the 14-hour limit at 8:00 a.m. on Day 2, where the violation began.
[NOTE: The S/B periods in these examples do not establish a second calculation point because the driver did not obtain a combination of at least 8 (but less than 10) consecutive hours in a S/B and another break of at least 2 (but less than 10) consecutive hours. The second S/B period was only $11 / 2$ hours in length.]

## EXAMPLE 25: "Waiting Time" at Well Site*

Day 1


Violations: There are no violations in this example.
Explanation: This is an example of "waiting time" for certain drivers at oil or gas well sites [See 395.1 (d)(2)]. This time - which is off duty and does extend the 14-hour period - is denoted from 4:00 p.m. to Midnight on Day 1 in this example. This "waiting time" must be shown on the paper log or electronic equivalent as off duty and identified by annotations in the remarks section of the log or a separate line added to the log grid. In this example, the "waiting time" is shown by an annotation in the remarks section of the log.
*The effective date for the revisions to the oilfield exemption in Section 395.1(d)(2) is February 27, 2012.

## EXAMPLE 26: "Waiting Time" at Well Site*

Day 1


Day 2


Violations: There are no violations in this example.
Explanation: This is an example of "waiting time" for certain drivers at oil or gas well sites [See 395.1(d)(2)]. This time - which is off duty and does extend the 14 -hour period - is denoted from 4:00 p.m. to Midnight on Day 1 in this example. This "waiting time" must be shown on the paper log or electronic equivalent as off duty and identified by annotations in the remarks section of the log or a separate line added to the log grid. In this example, the "waiting time" is shown on a 5th line added to the log grid.
*The effective date for the revisions to the oilfield exemption in Section 395.1(d)(2) is February 27, 2012.

## EXAMPLE 27: Oilfield/Split Break with Well Waiting*



Day 2


Violations: There is no violation in this example.
Explanation: This is an example of the use of the oilfield exemption for hours of service. It explains the point of whether or not a driver is permitted to use well waiting [time] and the split break together. In this example, after 10 consecutive hours off duty on Day 1, the driver had 14 hours available (and 11 hours driving) beginning at 10:00 a.m. The driver drove for 3 hours, then spent 4 hours in the sleeper-berth (S/B), drove for 3 more hours, was on duty for 3 hours, spent 1.5 hours of waiting time at the well site, drove for 3.5 hours, and then spent 6 hours in "other sleeping accommodations". This is an example of "waiting time" for certain drivers at oil or gas well sites. The 4 hours in the S/B may be combined with the 6-hour break between 4:00 a.m. and 10:00 a.m. on Day 2 to constitute a legal break. In addition, the 1.5 hours of waiting time at the oil well site is not counted towards the 14 -hour calculation. This time - which is off-duty and does extend the 14 -hour period - is denoted from 11:00 p.m. on Day 1 to 12:30 a.m. on Day 2. Therefore, in this example, the driver has only 12.5 of his or her 14 allowable hours at 4:00 a.m. on Day 2, which is used to drive after the 6 hours in the "other sleeping accommodation" on Day 2.

[^1]
## EXAMPLE 28: Oilfield - Well Waiting Time*

Day 1


Day 2


Violations: There are no violations in this example.
Explanation: This is an example of the use of the oilfield exemption for hours of service, and use of the 5th line on the record of duty status graph grid. It explains periods of off-duty time as oil-well waiting accumulated, which is excluded from the calculation of the available "14-hour driving window" time. After 10 consecutive hours off duty, the driver had 14 hours available (including 11 hours driving) starting at 10:00 a.m. on Day 1. The driver was on duty for 4 hours, then drove for 2 hours, was off duty for 1 hour, drove for 3 hours, was off duty for 2 hours, and then drove for 5 hours. This is an example of "waiting time" for certain drivers at oil or gas well sites. The 1-hour off duty between 4:00 p.m. and 5:00 p.m. on Day 1, and the 2-hours off duty between 8:00 p.m. and 10:00 p.m. on Day 1 are excluded from the 14-hour calculation, and are denoted on the 5th line of the record of duty status graph grid. This time (3 hours in total) is off duty and does extend the 14-hour period. In this example, the driver has used all 14 allowable hours at 3:00 a.m. on Day 2, which means he/she must take a minimum 10 consecutive hour break at this point.
*The effective date for the revisions to the oilfield exemption in Section 395.1(d)(2) is February 27, 2012.

## EXAMPLE 29: Passenger-Carrying Vehicles

## Day 1



Violations: There are no violations.
Explanation - 10-Hour Limit: After 8 consecutive hours off duty, the driver was eligible to drive for up to 10 hours beginning at 2:00 a.m., which the driver did. He/she then took 8 consecutive hours off duty, giving the driver another 10 hours of driving time available.

Explanation - 15-Hour Limit: After 8 consecutive hours off duty, the driver had 15 on-duty hours available at 2:00 a.m. By Noon, the driver had used 10 of those hours. The driver then took another 8 -hour break, giving him/her another full 15 hours available.
[NOTE: The 8-hour break can be any combination of off-duty and S/B time, as long as the time is all consecutive and not broken by any on-duty activity.]

## EXAMPLE 30: Passenger-Carrying Vehicles

Day 1


Day 2


Violations: There are no violations.
Explanation - 10-Hour Limit: After 8 consecutive hours off duty, the driver was eligible to drive for up to 10 hours beginning at 8:00 a.m. on Day 1. The driver reached the 10-hour driving limit at 6:00 a.m. on Day 2, when he/she stopped driving. The driver then took another 8 consecutive hours off duty, giving him/her another 10 hours of driving time available.
[NOTE: Off-duty periods of less than 8 consecutive hours do not result in additional driving time.]
Explanation - 15-Hour Limit: After 8 consecutive hours off duty, the driver, at 8:00 a.m. on Day 1, had 15 on-duty hours available during which to drive a commercial motor vehicle. By including only on-duty and driving time in this calculation, the driver reached the 15-hour limit ( $2+4+2+2$ $+1+3+1=15$ ) at 6:00 a.m. on Day 2, when he or she had to stop driving. At that point, the driver continued working for 2 hours, which is allowed as long as there is no more commercial motor vehicle driving. In order to return to driving, the driver needed at least 8 consecutive hours off duty, which was obtained by 4:00 p.m. on Day 2, at which point the driver again had 15 on-duty hours available ( 10 of which could be driving).
[NOTE: Off-duty and sleeper-berth (S/B) periods, no matter how short, are not included in the 15 -hour calculation. In addition, a driver can continue to work beyond the 15-hour limit, as long as there is no more commercial motor vehicle driving.]

## EXAMPLE 31: Passenger-Carrying Vehicles

Day 1


Violations: There is a 15-hour violation from 10:00 p.m. - Midnight.
Explanation - 10-Hour Limit: After 8 consecutive hours off duty, the driver was eligible to drive for up to 10 hours beginning at 2:00 a.m. on Day 1. The driver reached the 10-hour driving limit at Midnight, so there are no 10 -hour rule violations on this log.

Explanation - 15-Hour Limit: After 8 consecutive hours off duty, the driver, at 2:00 a.m. on Day 1, had 15 on-duty hours available during which to drive a commercial motor vehicle. The driver accumulated 15 on-duty hours (including on-duty and driving time) by 9:00 p.m. The 15-hour rule was violated when the driver drove a commercial motor vehicle at 10:00 p.m. without first having another 8 consecutive hours off duty.
[NOTE: Off-duty and sleeper-berth (S/B) periods, no matter how short, are not included in the 15-hour calculation.]

## EXAMPLE 32: Passenger-Carrying Vehicles

Day 1


Violations: There is a 10-hour rule violation from 8:00 p.m. - 9:00 p.m.
Explanation - 10-Hour Limit: After 8 consecutive hours off duty, the driver was eligible to drive for up to 10 hours beginning at 4:00 a.m. on Day 1. The driver reached the 10-hour driving limit at 6:00 p.m. and violated the rule by continuing to drive for another hour starting at 8:00 p.m.
[NOTE: The 2 hour off-duty period does not provide the driver with additional driving time.]
Explanation - 15-Hour Limit: After 8 consecutive hours off duty, the driver, at 4:00 a.m., had 15 on-duty hours available during which to drive a CMV. The driver accumulated just 14 on-duty hours (including on-duty and driving time) by 9:00 p.m., so there were no violations.
[NOTE: Off-duty and sleeper-berth (S/B) periods, no matter how short, are not included in the 15-hour calculation.]

## EXAMPLE 33: 60/70 Hour Rule (Property And Passenger-Carrying)

The 60- and 70-hour limits require drivers to stop driving a commercial motor vehicle upon accumulating 60 or 70 on-duty hours (including all on-duty and driving time) over a period of 7 or 8 consecutive days, respectively. Prior to the sample log grid shown below, suppose the driver, using the 70 -hour limit, accumulated the following on-duty hours over 8 days:

| $\stackrel{1}{\text { Sunday }}$ | $\stackrel{2}{\text { Monday }}$ | $\begin{gathered} 3 \\ \text { Tuesday } \end{gathered}$ | $4$ <br> Wednesday | $\begin{gathered} 5 \\ \text { Thursday } \end{gathered}$ | $\begin{gathered} 6 \\ \text { Friday } \end{gathered}$ | $\begin{gathered} 7 \\ \text { Saturday } \end{gathered}$ | $\begin{gathered} 8 \\ \text { Sunday } \end{gathered}$ | Total |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 0 | 10 | 8.5 | 12.5 | 9 | 10 | 12 | 5 | $67$ |

[NOTE: Assume this driver's "day" runs from midnight to midnight, as shown in the sample log below. Employers can choose their own start times for the "day," but that time must be indicated on the log.]

Because the driver did not accumulate more than 70 on-duty hours over 8 consecutive days (Sunday - Sunday), he or she was in compliance with the 70 -hour limit.
[NOTE: A driver can accumulate more than 60/70 hours without being in violation, as long as no commercial motor vehicle driving is done after reaching the 60/70-hour limit.]

To determine how many hours are available for the next day, Monday, the driver has to check the 8 -consecutive-day period from Monday to Monday. During that period the driver has accumulated 67 hours so far, and therefore only has 3 hours remaining during which to drive on Monday. Here is the driver's Monday log grid:


The driver reached the 70-hour limit at 1:00 p.m. after completing 3 on-duty hours. At this point, the driver should not have driven for the remainder of the day, but he or she violated the 70-hour rule by getting behind the wheel at 3:00 p.m. for one hour.

At the end of the day on Monday, the new 8-day calculation looks like this:

| 1 <br> Monday | 2 <br> Tuesday | 3 <br> Wednesday | 4 <br> Thursday | 5 <br> Friday | 6 <br> Saturday | 7 <br> Sunday | 8 <br> Monday | Total |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 10 | 8.5 | 12.5 | 9 | 10 | 12 | 5 | 8 | 75 <br> hours |

After midnight, the driver enters a new day, Tuesday, and a new 8-consecutive-day period, from Tuesday to Tuesday. The 10 hours worked on the prior Monday (day \#1 above) drop out of consideration. During this new 8-day period from Tuesday to Tuesday, the driver has accumulated 65 hours so far, and therefore has 5 hours during which to drive on Tuesday before again hitting the 70 -hour limit.
[NOTE: If the driver operates a property-carrying vehicle and takes 34 or more consecutive hours off duty and/or in a sleeper berth, he or she would have a full 70 hours available again, and the hours worked in the days before the 34-hour period began would no longer need to be considered. This " 34 -hour restart" provision can be used even if the driver has exceeded the 60 - or 70 -hour limit before going off duty. This provision does not apply to drivers of passengercarrying vehicles.]
U.S. Department of Transportation

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[^0]:    *The compliance date for the new restart provision is July 1, 2013.

[^1]:    *The effective date for the revisions to the oilfield exemption in Section 395.1(d)(2) is February 27, 2012.

