HOURS OF SERVICE (HOS) FACT SHEET
SHORT-HAUL EXCEPTION

HOS Changes

1. Short-Haul Exception

2. Adverse Driving Conditions Exception

3. 30-Minute Break

4. Sleeper Berth Provision

HOURS OF SERVICE FINAL RULE
On June 1, 2020, the Federal Motor Carrier Safety Administration (FMCSA) published the Hours of Service final rule that revises the HOS regulations in 49 CFR Part 395, which prescribe driving limits for commercial motor vehicle (CMV) drivers.

The rule includes four changes designed to offer drivers greater flexibility, while maintaining the highest safety standards on our Nation’s roads, and was developed based on extensive public and industry input.

HOURS OF SERVICE (HOS) FACT SHEET
SHORT-HAUL EXCEPTION

Changes to the Short-Haul Exception

This factsheet explains the differences between the short-haul exception under the previous HOS rule and the new rule that takes effect on September 29, 2020.

Property and passenger carriers using the short-haul exception in §395.1(e)(1) are not required to take a 30-minute break from driving, and are permitted to record hours in a time record, rather than a graph grid log or electronic logging device (ELD). Short-haul operators can drive within a larger air-mile radius and have a longer duty-period under the new rule.

### Previous
- Drive within a 100 air-mile radius
- Do not exceed a maximum on-duty period of 12 hours
- Start and end shift in the same location
- Have at least 8 hours off (passenger carrier) or 10 hours off (property carrier) between duty periods

### New
- Drive within a 150 air-mile radius
- Do not exceed a maximum on-duty period of 14 hours
- Start and end shift in the same location
- Have at least 8 hours off (passenger carrier) or 10 hours off (property carrier) between duty periods

No other provisions of the §395.1(e)(1) short-haul exception have changed, nor has the non-CDL short-haul exception in §395.1(e)(2) (property-carrying).

Short-Haul Exception and Electronic Logging Devices/Logbooks

While operating under the short-haul exception, drivers are permitted to keep a time record instead of recording time in a graph grid or with an ELD.

- When using the short-haul exception, the motor carrier must record the driver’s time in, time out, and total number of hours per day
  - Time must include the total time for the 7 preceding days
  - Records must be maintained for 6 months

- When a driver no longer meets the short-haul exception (drives too far/works too many hours), the driver must complete a regular log or use an ELD for the day (§395.8)

- If a driver is required to complete a log for:
  - 8 or fewer days within the last 30 days, a driver can use a paper log with a graph grid or an ELD
  - More than 8 days within the last 30 days, a driver must use an ELD to record time for that day

Examples on reverse
Example

**No Violation** In this example, the property-carrying driver has taken 10 consecutive hours off-duty before coming on-duty at midnight and being released from duty at 2 p.m. During that time, the driver drove for 9 hours, and spent the remaining time on breaks or on-duty, not driving. The driver returned to the normal work reporting location at 2 p.m., was released within 14 consecutive hours, and stayed within a 150 air-mile radius.

<table>
<thead>
<tr>
<th>Date</th>
<th>Start Time (All)</th>
<th>End Time (All)</th>
<th>Total Hours</th>
<th>Driving Hours</th>
<th>Truck Number</th>
<th>Start Location</th>
<th>End Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/7/20</td>
<td>12:00 am</td>
<td>2:00 p.m.</td>
<td>14</td>
<td>9</td>
<td>123456789</td>
<td>123 Main St Burbank, CA</td>
<td>123 Main St Burbank, CA</td>
</tr>
</tbody>
</table>

**Violation** In this example, the property-carrying driver has taken 10 consecutive hours off-duty before coming on-duty at midnight. The driver drove for 10 hours, and spent the remaining hours on breaks or on-duty, not driving. The driver was released at 3:00 p.m. from a location that was different from the normal work reporting location where the shift began. Since the driver drove 1 hour past the 14-hour limit, and did not return to the reporting location within that time, the motor carrier is in violation.

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