

2. HOS Overview

- Drivers operating **fire trucks and rescue vehicles** while involved in emergency operations.
- Drivers operating CMVs designed or used to transport between **9 and 15 passengers** (including the driver) when there is no direct compensation and the vehicles are not over 10,000 pounds or hauling a placarded amount of hazardous materials.
- Drivers of CMVs used primarily in the transportation of **propane winter heating fuel** or used to respond to a **pipeline emergency**, if the regulations would prevent the driver from responding to an “emergency condition requiring immediate response” as defined in 390.5 (this does not include requests to refill empty gas tanks).
- Drivers of **off-road motorized construction equipment**, not including mobile cranes. This is limited to equipment which (by its design and function) is obviously not intended for use on a public road. The exemption applies when operated at construction sites and when operated on a public road as long as the equipment is not used in furtherance of a transportation purpose.

On-Duty or Off-Duty?

Complying with the hours-of-service rules is easier if you know the difference between being “on duty” and “off duty.” In fact, the distinction is critical if you want to stay in compliance. The more time you spend on duty, the more likely you won’t be able to do any more driving until you take some time off duty.

- **On-duty time** includes all time you are working or are required to be ready to work, for

2. HOS Overview

any employer, whether paid or unpaid. If you are working or obligated to do something or be somewhere for a motor carrier, whether paid or not, OR are doing paid work for anyone else, you are on duty.

- **Off-duty time** includes times when you are relieved of all duty and responsibility for performing work and are free to pursue activities of your own choosing and are free to leave the place where your vehicle is parked. If you are not doing any work (paid or unpaid) and are under no obligations for a motor carrier, and you are not doing any paid work for anyone else, you are off duty.

The following chart can help distinguish between on- and off-duty time. Additional details can be found in chapters 2 and 3.

ACTIVITY	ON DUTY	OFF DUTY
Being on-site	All time spent at a plant, terminal, or other shipper or carrier facility.	You have been relieved of all duty and responsibility and are free to leave the premises.
Service & inspections	Servicing or inspecting a CMV at any time, even on a day off. This includes fueling, making adjustments, checking the tires, pre- and post-trip inspections, etc.	--
Driving	Driving a CMV (logged as "driving" time). This includes time spent driving from the last stop to home, being dispatched from home, and time spent at the controls while stuck in a traffic jam, for example.	Driving a CMV for personal conveyance. See below for details.

2. HOS Overview

ACTIVITY	ON DUTY	OFF DUTY
Other CMV time	<p>Other time spent in or on a CMV is usually on duty.</p> <p>Attending to hazardous materials (explosives) under 397.5, even when resting in a parked vehicle.</p> <p>Any time beyond 2 hours spent in a passenger seat on a moving CMV immediately before or after you spend 8 consecutive hours in a sleeper berth. If you do not rest in a sleeper for 8 hours, then ALL time in a passenger seat on a moving vehicle is on duty.</p>	<p>Time spent in a sleeper berth (logged as "sleeper berth" time).</p> <p>Resting in or on a <i>parked</i> CMV, as long as you have no responsibilities or obligations to the company.</p> <p>Up to 2 hours spent riding in the passenger seat of a <i>moving</i> property-carrying vehicle immediately before or after you spend 8 consecutive hours in a sleeper berth.</p>
Loading/unloading	Loading or unloading a CMV, supervising or assisting in the loading or unloading of a CMV, and attending a CMV that is being loaded or unloaded. Time when you are required to remain with the vehicle to move it when necessary, even if you are just sitting in a parked vehicle.	"Waiting" time at a terminal, plant, or port if you have been relieved of all duties and responsibilities and are free to walk away and do whatever you want to for a given period of time. Can also be spent in a sleeper berth (logged as "sleeper berth").
Remaining in readiness	Remaining in readiness to operate a CMV.	Times when you are relieved of all duties and responsibilities, are free to leave the vehicle, and are free to do activities of your own choosing.
Paperwork	Giving or receiving paperwork for shipments that were loaded or unloaded, and filling out your log, inspection forms, or other business paperwork.	--