

**DRIVER'S TIME RECORD**

Driver's Name (print) \_\_\_\_\_ Employee No. \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

<p style="text-align: center;"><b>DRIVER'S MAY PREPARE THIS REPORT INSTEAD OF A DAILY LOG BOOK IF THE FOLLOWING APPLIES:</b></p> <ul style="list-style-type: none"> <li>Operates within 100 air-miles of home terminal (CDL drivers) or 150 air miles for non-CDL drivers.</li> <li>Returns to "home terminal" and is released from work within 12 consecutive on-duty hours.</li> <li>At least 10 consecutive hours off-duty separates each 12 hours on duty.</li> </ul>	<p style="text-align: center;"><b>INTERMITTENT DRIVERS</b></p> <p>Shall complete this form for 7 days preceding any day driving duties are performed.</p> <p>This includes preceding month.</p>
---	---

DATE	START TIME (ALL DUTY)	BREAK TIME	LUNCH BREAK TIME	BREAK TIME	END TIME (ALL DUTY)	TOTAL HOURS WORKED	TRUCK NUMBER	TERMINAL ADDRESS
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								

**NOTE:** State laws related to driver hours-of-service regulations must be compatible with federal regulations (49 CFR § 355) with only limited variances allowed. Please see other side of this time sheet for US DOT interpretations of federal regulations related to use of the short-haul exemption in lieu of completing a driver's daily log book. Absent specific language in statute, states adhere to federal interpretations.

**49 CFR PART 395 – HOURS OF SERVICE OF DRIVERS (RELEVANT REGULATIONS FOR USE OF SHORT-HAUL HOS EXEMPTION)**

**§395.1 Scope of rules in this part.**

**(e) Short-haul operations—**(1) 100 air-mile radius driver. A driver is exempt from the requirements of §§395.8 and 395.11 if:

- (i) The driver operates within a 100 air-mile radius of the normal work reporting location;
- (ii)(A) The driver, except a driver-salesperson or a driver of a ready-mixed concrete delivery vehicle, returns to the work reporting location and is released from work within 12 consecutive hours;
- (B) The driver of a ready-mixed concrete delivery vehicle returns to the work reporting location and is released from work within 14 consecutive hours;
- (iii)(A) A property-carrying commercial motor vehicle driver, except the driver of a ready-mixed concrete delivery vehicle, has at least 10 consecutive hours off duty separating each 12 hours on duty;
- (B) A driver of a ready-mixed concrete delivery vehicle has at least 10 consecutive hours off duty separating each 14 hours on duty;
- (C) A passenger-carrying commercial motor vehicle driver has at least 8 consecutive hours off duty separating each 12 hours on duty;
- (iv)(A) A property-carrying commercial motor vehicle driver, except the driver of a ready-mixed concrete delivery vehicle, does not exceed the maximum driving time specified in §395.3(a)(3) following 10 consecutive hours off duty; or
- (B) A driver of a ready-mixed concrete delivery vehicle does not exceed 11 hours maximum driving time following 10 consecutive hours off duty; or
- (C) A passenger-carrying commercial motor vehicle driver does not exceed 10 hours maximum driving time following 8 consecutive hours off duty; and
- (v) The motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing:
  - (A) The time the driver reports for duty each day;
  - (B) The total number of hours the driver is on duty each day;
  - (C) The time the driver is released from duty each day; and
  - (D) The total time for the preceding 7 days in accordance with §395.8(j)(2) for drivers used for the first time or intermittently.

**(o) Property-carrying driver.** A property-carrying driver is exempt from the requirements of §395.3(a)(2) if:

- (1) The driver has returned to the driver's normal work reporting location and the carrier released the driver from duty at that location for the previous five duty tours the driver has worked;
- (2) The driver has returned to the normal work reporting location and the carrier releases the driver from duty within 16 hours after coming on duty following 10 consecutive hours off duty; and
- (3) The driver has not taken this exemption within the previous 6 consecutive days, except when the driver has begun a new 7- or 8-consecutive day period with the beginning of any off-duty period of 34 or more consecutive hours as allowed by §395.3(c).

**(m) Construction materials and equipment.** In the instance of a driver of a commercial motor vehicle who is used primarily in the transportation of construction materials and equipment, any period of 7 or 8 consecutive days may end with the beginning of any off-duty period of 24 or more successive hours.

**KEY DOT INTERPRETATIONS OF RULES in 49 CFR §395**

**Question 15: May an operation that changes its normal work-reporting location on an intermittent basis utilize the 100-air-mile radius exemption?**

**Guidance:**

Yes. However, when the motor carrier changes the normal reporting location to a new reporting location, that trip (from the old location to the new location) must be recorded on the record of duty status because the driver has not returned to his/her normal work reporting location.

**Question 21: When a driver fails to meet the provisions of the 100 air-mile radius exemption (section 395.1(e)), is the driver required to have copies of his/her records of duty status for the previous seven days? Must the driver prepare daily records of duty status for the next seven days?**

**Guidance:**

The driver must only have in his/her possession a record of duty status for the day he/she does not qualify for the exemption. A driver must begin to prepare the record of duty status for the day immediately after he/she becomes aware that the terms of the exemption cannot be met. The record of duty status must cover the entire day, even if the driver has to record retroactively changes in status that occurred between the time that the driver reported for duty and the time in which he/she no longer qualified for the 100 air-mile radius exemption. This is the only way to ensure that a driver does not claim the right to drive 10 hours after leaving his/her exempt status, in addition to the hours already driven under the 100 air-mile exemption.

**EDITORIAL NOTE –** "Record of duty status" is a reference to a paper log book.