

CALIFORNIA
HIGHWAY
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CVSS

COMMERCIAL VEHICLE **SAFETY SUMMIT**

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Hours-of-Service/Electronic Logging Device



*Inter*state vs *Intra*state Commerce

Interstate

- Trade, traffic, or transportation between a place within California (CA) and a place outside of CA.
- Between two places in CA through another state or place outside of the United States (U.S.).
- Between two places within CA as part of trade, traffic, or transportation originating or terminating outside of CA or the U.S.

*Example: Transporting intermodal shipping containers to and from a port.

Intrastate

- Any carrier engaged in trade, traffic, or transportation not defined in interstate transportation.



Hours-of-Service Requirements

Interstate

- A driver is subject to interstate hours-of-service (HOS) rules immediately upon dispatch to transport interstate freight, or when the driver's intended route involves crossing state lines or national boundaries, whether the vehicle is loaded or empty.

Intrastate

- A driver never engaged in interstate commerce is required to comply with intrastate HOS rules.
- A driver previously engaged in interstate commerce may operate under intrastate HOS rules immediately upon transporting a load consisting solely of intrastate freight.
- Intrastate drivers, except when driving a tank vehicle transporting more than 500 gallons of flammable liquid, may use interstate HOS driving and on-duty limits regardless of operation as they are more restrictive.



Hours-of-Service Requirements

Hazardous Substances or Hazardous Wastes

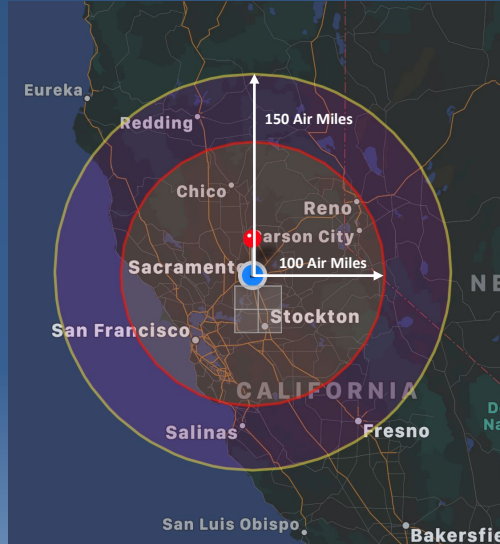
- A driver transporting hazardous substances or hazardous wastes as defined in §171.8 of Title 49, Code of Federal Regulations (CFR), is subject to interstate HOS limits regardless of interstate or intrastate operation.



Interstate Hours-of-Service Changes Effective September 2020

Interstate

- Short-Haul Exception for commercial driver license (CDL) drivers:
- Extended the maximum driving distance from 100 to **150** air miles.
- Extended the maximum duty period from 12 to **14** hours.
- May only drive **11** of the 14 hours.



Intrastate

- Short-Haul Exception for non-CDL and CDL drivers:
- **No change.**
- The maximum driving distance is **100** air miles.
- **No change.**
- The maximum duty period is **12** hours.
- May drive the entire **12** hours.



*Inter*state Hours-of-Service Changes Effective September 2020

*Inter*state

- Adverse driving conditions definition:
Adverse driving conditions not known or reasonably known to the **driver** immediately prior to beginning duty day or immediately before driving after qualifying sleeper berth period or the motor carrier immediately prior to dispatching the driver.
- May extend the **duty period** up to 2 hours. Previously, only driving time could be extended up to 2 hours.

*Intra*state

- Adverse driving conditions definition:
 - **No change.**
 - Adverse driving conditions none of which were known to the person dispatching the run at the time it was begun.
- May extend driving time up to 2 hours, but not the duty period.



*Inter*state Hours-of-Service Changes Effective September 2020

*Inter*state

*Intra*state

- 30-minute rest break:
 - Required after **driving** for 8 hours.
 - Previously, it was required after 8 hours on duty.
- 30-Minute rest break may be satisfied by:
 - Off-duty.
 - Sleeper berth.
 - **On-duty, not driving.**

- 30-minute rest break:
 - **California does not have a 30-minute rest break requirement.**



*Inter*state Hours-of-Service Changes Effective September 2020

*Inter*state

- Split sleeper berth provision (property carrying vehicle):
 - Two periods combined to equal at least 10 hours off-duty.
 - One period must be at least **7** hours in the sleeper berth combined with another period of at least **2** hours:
 - Off-duty, sleeper berth or off-duty combined with sleeper berth.
 - Neither qualifying, paired rest period is counted against the **14** hour driving window.

*Intra*state

- Split sleeper berth provision (property carrying vehicle):
 - Two periods combined to equal at least 10 hours off-duty.
 - One period must be at least 8, but less than 10 hours in the sleeper berth combined with another period of at least 2 hours:
 - Off-duty, sleeper berth or off-duty combined with sleeper berth.
 - The sleeper berth period of at least 8 hours is not counted against the **16** hour driving window.
 - **No change.**



Hours-of-Service Documentation Electronic Logging Device

Interstate

- Unless exempted, an electronic logging device (ELD) has been required since December 2019.

Intrastate

- The ELD requirement has not been implemented at this time.
- **No change.**
- The ELD mandate for California is not expected until at least July 2022.

Note: Although an intrastate driver transporting hazardous substances or hazardous wastes is subject to interstate HOS limits, they are not subject to the ELD requirement.



Hours-of-Service Documentation Electronic Logging Device

Exemptions

- Driveaway-towaway operation.
- A motor vehicle is the commodity being transported.
- Vehicle transported is empty or unladen.
- At least one set of wheels of the towed vehicle must be on the roadway.



Hours-of-Service Documentation Electronic Logging Device

Exemptions

- Vehicles manufactured before model year 2000.
- A Federal Motor Carrier Safety Administration (FMCSA) interpretation includes vehicles manufactured in model year 2000 and newer with an engine replacement predating model year 2000.



Hours-of-Service Documentation Electronic Logging Device

Exemptions

- The driver is not required to complete a record of duty status more than 8 days in a 30-day period.*

*Intrastate trips are NOT included in the 8-day calculation.

USA Truck, Inc.
3200 Industrial Park Rd.
Van Buren, AR 72956

01022008
(Month) (Day) (Year)

00E
(Driver's LAST name - Printed)

JOHN
(Driver's FIRST name - Printed)

20
(Month) (Day) (Year)

123456789
(Employee Number)

123456789
(Co-Driver's LAST name - Printed)

JOHN
(Co-Driver's FIRST name - Printed)

1 2 3 4 5 6 7 8 9 10 11 NOON 1 2 3 4 5 6 7 8 9 10 11

1: OFF DUTY
2: SLEEPER
3: DRIVING
4: ON DUTY (NOT DRIVING)
REMARKS

LITTLE ROCK, AR PT1
DALLAS, TX LUNCH
CORPUS CHRISTI, TX LOADING
HOUSTON, TX DINNER
ORANGE, TX OFF DUTY

3
10
10.5
0.5
24
7.25
6
30.75
39.25
11

123456789
(Tractor Number)

54321
(Trailer Number 1)

651
(Trailer Number 2)

JOHN Doe
(Driver's Signature in Full)

I certify these entries are true and correct.

DATE 1-2-08
(Tractor Number) 6788
(Trailer Number 1) 54321
(Trailer Number 2)

Driver's Daily Vehicle Inspection Report

☒ I detect no defect or deficiency in this motor vehicle as would be likely to affect the safety of its operation or result in its mechanical breakdown.

☐ I detect and list defects or deficiencies in this motor vehicle as would be likely to affect the safety of its operation or result in its mechanical breakdown.

Remarks

Driver Making Report
☐ Defects corrected.
☐ Defects need not be corrected for safe operation of vehicle.

MECHANIC'S SIGNATURE
DRIVER'S SIGNATURE



Hours-of-Service Documentation Electronic Logging Device

Common Issues Encountered Roadside

- Vehicle is required to be equipped with an ELD and is not.
 - The ELD is operating in Automatic On-Board Recording Device (AOBRD) mode.
 - The ELD cannot be viewed from outside the vehicle.
 - The driver is operating a vehicle with a malfunctioning ELD for more than 8 days.
 - The driver failed to note malfunction of ELD and notify carrier in writing within 24 hours.
 - Driver does not know how to transfer ELD data to the FMCSA “Web Service.”
- *California only accepts “Telematic” method of transfer.**
- The driver does not possess blank logbook pages in case of a malfunction or instructions on how to operate the ELD.



Hours-of-Service and Electronic Logging Device

Exemptions

- The FMCSA may grant an exemption to HOS and ELD requirements for certain operations. Examples include:

HOS

ELD

- Railroad employees responding to unplanned events, such as a derailment or train collision within 300 miles of their normal work reporting location may exceed some of the HOS limits while responding to the event.
- Drivers of property carrying rental vehicles, rented for 8 days or less, are exempt from the ELD requirement.
- Drivers hauling livestock and insects, such as bees, are exempt from the ELD requirement.

A list of exemptions can be found on the Commercial Vehicle Safety Alliance Web site here: <https://www.cvsa.org/inspections/exemptions/>



Hours-of-Service and Electronic Logging Device

References

- Information relating to ELD requirements may be found here:

<https://eld.fmcsa.dot.gov/>

- Information relating to interstate HOS are contained in Part 395, CFR, and may be found here:

<https://www.fmcsa.dot.gov/regulations/title49/b/5/3>

- Information relating to intrastate HOS are contained in Sections 1212, 1212.5, and 1213 of Title 13 of the California Code of Regulations may be found here:

<https://govt.westlaw.com/SiteList>



Questions?



Commercial Vehicle Section
(916) 843-3400



For more information,
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