

Module 18

Radius Exemption – 160 Kilometres



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Things to think about ...

Drivers who drive within 160 kilometres of their home terminal may qualify for a daily log exemption (i.e., do not need to fill out a daily log) if the motor carrier maintains a record of duty status for the driver.

What criteria must a driver meet to qualify for a daily log exemption?

What is a record of duty status?

What documentation does an exempt driver need to possess?

What will I learn in this module?

- Daily log exemption
- Record of duty status
- Documentation for exempt drivers



What criteria must a driver meet to qualify for a daily log exemption?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 1 Interpretation*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 81(2) Requirement to Fill Out a Daily Log*

A driver does not need to fill out a daily log as long as the driver meets all of the following criteria:

- Driver operates a commercial vehicle within a radius of 160 kilometres of the home terminal. The home terminal is the motor carrier's place of business where the driver normally reports for work. Radius means "by air" so using the home terminal as the centre point on a map, a driver can drive within a 160-kilometre circle (radius).
- Driver returns to the home terminal each day to start a minimum of 8 consecutive hours of off-duty time. This includes drivers who work split shifts.
- Driver works for a motor carrier that maintains a record of duty status for each day that includes the following:
 - Driver's name
 - Date
 - Driver's duty status
 - Elected cycle
 - Hour at which each duty status begins and ends
 - Total number of hours spent in each duty status for each day. The motor carrier must record zero (0) hours for days when the driver is off-duty and not working for the motor carrier.

- Whether the off-duty deferral exemption is used and if Day 1 or Day 2 (if applicable)
- Use of the adverse driving and emergency exemptions (if applicable)
- Odometer readings for any personal use of the commercial vehicle (if applicable)
- Driver is not driving under a permit issued under these Regulations (refer to Modules 10 - 13 for further information regarding permits)

All other limitations and requirements in the Federal *Commercial Vehicle Drivers Hours of Service Regulations* still apply including the daily, work shift and cycle limits.

The driver must ensure that the motor carrier keeps accurate records of duty status for the driver for a minimum of 6 months. If the motor carrier fails to keep accurate duty status records, both the driver and motor carrier can be charged with failing to complete a daily log. Therefore, if the motor carrier is not maintaining accurate duty status records, the driver must fill out a complete daily log.





What is a record of duty status?

Motor carriers can use a record of duty status to record the information required when drivers are using the daily log exemption. Motor carriers may use their own version of the record of duty status as long as it contains the information listed on the previous pages. The motor carrier must account for every hour of the 24-hour day. Although the motor carrier is responsible for maintaining duty status records, drivers can also keep records.

The following 5 examples illustrate some options that a carrier can use to record the required information.

Example #1

2007 Record of Duty Status

Duty Status Codes	
1	= Off-Duty
2	= Driving
3	= On-Duty, Not Driving

Driver's Name: _____

Month: February

Year: 2007

Start time for the day: Midnight

Date	Duty Status	1	3	2	3	2	3	1	2	1		Total Time
27	Time Started at	0:00	6:00	6:30	7:30	9:30	10:45	12:15	13:45	17:30		Off-Duty: 14.0
	Time Finished at	6:00	6:30	7:30	9:30	10:45	12:15	13:45	17:30	24:00		Driving: 6.0
	Time spent	6.0	0.5	1.0	2.0	1.25	1.5	1.5	3.75	6.5		On-Duty, Not Driving: 4.0
Remarks:								Cycle 1: X		Cycle 2:		Total: 24.0

Note: Record the following in the Remarks section:

1. Deferral of off-duty time
2. Driver extends driving time or reduces off-duty time because of unforeseen adverse driving condition or an emergency
3. Driver uses vehicle for personal use (odometer readings)



Example #2

Record of Duty Status

Driver Name: _____

Date: February 27, 2007

Elected Cycle: Cycle 1

Time	Off-Duty	Driving	On-Duty (not driving)	Remarks
0:00				
6:00	6.0			
6:30			0.5	
7:30		1.0		
9:30			2.0	
10:45		1.25		
12:15			1.5	
13:45	1.5			
17:30		3.75		
24:00	6.5			
Total	14.0	6.0	4.0	

Note: Record the following in the Remarks section:

1. Deferral of off-duty time
2. Driver extends driving time or reduces off-duty time because of unforeseen adverse driving condition or an emergency
3. Driver uses vehicle for personal use (odometer readings)



Example #3

RECORD OF DUTY STATUS
(For drivers operating within 160 km of home terminal)

Driver's Name: _____ Month: February Year: 2007

Start time of day: Midnight

Duty Status	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Totals
Off-duty																								14	
Driving																								6	
On-duty - Not Driving																								4	
Remarks																				Cycle 1: X Cycle 2:		24			

Note: Record the following in the Remarks section:

1. Deferral of off-duty time
2. Driver extends driving time or reduces off-duty time because of unforeseen adverse driving condition or an emergency
3. Driver uses vehicle for personal use (odometer readings)

Example #4

Record of Duty Status
(For drivers operating within 160 km of home terminal)

Driver's Name: _____ Month: February Year: 2007

Start time for the day: Midnight

Date	Duty Status	Time Block from/to (every hour of the day must be accounted for) 24 hour day										Total hours for each duty status
		←	→									
27	Time Started at	0:00	6:00	6:30	7:30	9:30	10:45	12:15	13:45	17:30		
	Time Finished at	6:00	6:30	7:30	9:30	10:45	12:15	13:45	17:30	24:00		
	Time Off-Duty	6.0						1.5		6.5		Off-Duty: 14.0
	Time Driving			1.0		1.25			3.75			Driving: 6.0
	Time On-Duty not driving		0.5		2.0		1.5					On-Duty, not driving: 4.0
Remarks:									Cycle 1: X Cycle 2:		Total: 24.0	

Note: Record the following in the Remarks section:

1. Deferral of off-duty time
2. Driver extends driving time or reduces off-duty time because of unforeseen adverse driving condition or an emergency
3. Driver uses vehicle for personal use (odometer readings)



Example #5

RECORD OF DUTY STATUS

DATE: November 30, 2006		NAME: James Smith				UNIT NO: 203			
Start From	Arrive Time	Leave Time	Destination	Deliver Arrive Time	Deliver Leave Time	Duty Status Hours			Comments and Bill of Lading No.
						Off Duty	Driving	Other On-Duty	
1125 Main Street	5:30	7:00	1125 Main Street			5.50	0.50	1.50	Pre-Trip/Load Truck
1125 Main Street		7:30	2345 Fraser Street	7:45	8:00		0.25	0.25	B2345
2345 Fraser Street		8:00	1945 Nanaimo Street	8:15	9:00		0.25	0.75	B3345
1945 Nanaimo Street		9:00	3356 Kent Street	9:30	10:00		0.50	0.50	B3445
3356 Kent Street		10:00	1345 Boundary Road	10:30	11:30		0.50	1.00	B5654
1345 Boundary Road		11:30	1125 Main Street	12:00	12:30	0.50	0.50	-	Lunch
1125 Main Street		12:30	1125 Main Street	13:00	13:30		0.50	0.50	Un-Load/Re-Load
1125 Main Street		13:30	2366 West 41st Avenue	14:00	14:30		0.50	0.50	B6744
2366 West 41st Avenue		14:30	1750 Maple Street	14:45	15:00		0.25	0.25	B7599
1750 Maple Street	15:30	16:00	1125 Main Street			8.00	0.50	0.50	Post Trip
Total Hours:						14.00	4.25	5.75	

Remarks:

Finish Mileage:

Start Mileage:

Total Mileage:

Personal Use of Commercial Motor Vehicle			
End Odometer:			
Start Odometer:			
Total Kilometers:			

Cycle 1 Cycle 2

Driver's Signature (Certified True & Correct)



Can a motor carrier simplify the record of duty status for delivery and school bus drivers?

Delivery and school bus drivers who operate within the 160-kilometre radius have a number of periods of driving time interrupted by a number of short periods of on-duty time (other than driving). In these situations, a motor carrier can combine the periods of driving time and combine the periods of on-duty time (other than driving) and record them on a record of duty status.

Example #6

Duty status record for a school bus driver with multiple entries.

Driver Name: _____ Date: _____

Elected Cycle: Cycle 1

Time	Off-Duty	Driving	On-Duty (not driving)	Remarks	
0:00					
7:00	7.00				
7:15			0:15		
7:45		0:30			
8:15	0:30				
8:30			0:15		
9:15		0:45			
9:30			0:15		
14:00	4.30				
14:30		0:30			
14:45			0:15		
15:30		0:45			
15:45			0:15		
16:15		0:30			
24:00	7:45				
Total	19:45	3:00	1:15		TOTAL: 24



<p>Total On-Duty Hours 4 hours 15 minutes</p>



Example #7

Same driver information as Example #6 but a simplified duty status record combining periods of driving time and combining periods of on-duty time.

Record of Duty Status
(For drivers operating within 160 km of home terminal)

Driver's Name: _____ Month: _____ Year: _____

Start time for the day: Midnight

Date	Duty Status	Time Block from/to (every hour of the day must be accounted for) 24 hour day										Total hours for each duty status	
		←											→
27	Time Started at	0:00	7:00	9:30	14:00	16:15							
	Time Finished at	7:00	9:30	14:00	16:15	24:00							
	Time Off-Duty	7.00	0:30	4:30		7:45							Off-Duty: 19:45
	Time Driving		1:15		1:45								Driving: 3:00
	Time On-Duty not driving		0:45		0:30								On-Duty, not driving: 1:15
Remarks:							Cycle 1: X	Cycle 2:	Total: 24.0				

This simplified duty status record allows a driver who drives within the 160-kilometre radius to record pickups and deliveries in blocks of on-duty and driving time. This reduces the number of entries recorded on the record of duty status.

In this example, the motor carrier does not temporarily relieve the driver from responsibility during the 15-minute periods between driving times so the motor carrier records the periods as on-duty, not driving time. The driver's total on-duty time is only 4 hours and 45 minutes so these periods do not adversely effect the driver's available driving time.



What documentation does an exempt driver need to possess?

At the request of an inspector, a driver who qualifies for the daily log exemption must possess and produce the following:

- Any supporting documents or relevant records that the driver receives during the current trip. The current trip starts when the driver departs from the carrier's home terminal. Examples of supporting documents include receipts for meals, fuel, or repairs; bills of lading; violation tickets and roadside inspections.
- The driver must be able to explain to the inspector why the driver qualifies for the daily log exemption.

At the request of an inspector, a motor carrier may need to produce / fax a driver's record for the day and the motor carrier should be able to produce this quickly.

Change to Home Terminal

There are several situations where it is common for a carrier to change the home terminal for a driver:

- In the school bus industry, bus drivers take their bus home and begin and end their workday at an "out park" location. An "out park" location can be at the driver's home or a parking place near the home such as a farm, school or shopping centre. For these drivers, the "out park" location is their home terminal (normal work-reporting location).
- In the gravel truck industry, city gravel haulers drive out to various rural locations and work for 2 - 3 weeks at a time and stay in a hotel. For these drivers, the hotel is their home terminal.
- In the oil / gas service industry, drivers work from a motel for a week or so, then change motels to do a different job. For these drivers, the motel is their home terminal.

A motor carrier can change the home terminal for a driver to a new location to qualify for the daily log exemption. In these situations, the driver and motor carrier must do the following:

- On the day that the trip from the old location to the new location occurs, the driver must record the change in a daily log because the driver has not returned to the normal home terminal. For example, in the oil / gas service industry on the day(s) that the

driver is moving to a new motel at a different location, the driver uses a daily log to record all duty status activities. Once the driver is operating from the new motel, the driver qualifies for the daily log exemption again.

- For the days that the driver qualifies for the daily log exemption, the motor carrier must maintain a record of duty status for the driver.



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What happens if a driver fails to meet the daily log exemption criteria?

If a driver drives beyond the 160-kilometre radius or fails to meet any of the other daily log exemption criteria listed on page 3 and 4, the driver must do the following:

- Fill out a daily log for the day the driver does not qualify for the exemption. A driver must prepare a daily log as soon as the driver is aware that he/she will not qualify for the exemption.
- Record all driving hours in a day regardless of whether the driver qualified for the exemption or not. The daily log must account for the entire day including changes in duty status that occurred earlier in the day (when the driver still qualified for the exemption).
- Record in the Remarks section of the daily log the number of off-duty and on-duty hours for each day in the previous 14 days. As an alternative, the driver can carry the record of duty status for the previous 14 days instead of entering this information in the Remarks section of the daily log.



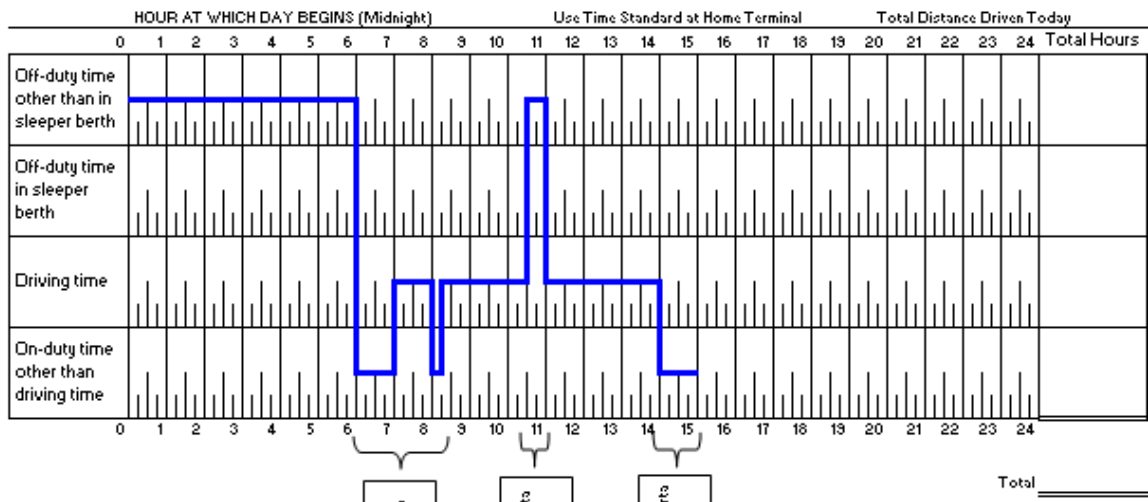
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Example #8

DRIVER DAILY LOG - Drivers who occasionally are required to complete a daily log (normally driving within 160 km radius) Date: February 15, 2007

Motor Carrier: ABC Motor Carrier		Odometer Finish
Principal Place of Business: 789 - 10 Street NE, Calgary, AB	Vehicle Plate or Unit # (Show All Units) 123 & 456	Odometer Start 120143
Home Terminal Address: Same as above	Cycle 1 (7 days) <input checked="" type="checkbox"/> Cycle 2 (14 days)	Distance Travelled by Vehicle km/ml



REMARKS

DAILY DEFERRAL USED: ___ Day 1 ___ Day 2

Other Motor Carrier (Name & Address) _____ _____ Name of Co-driver _____	PERSONAL USE OF COMMERCIAL VEHICLE <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Start Odometer</td> <td style="width: 50%;">End Odometer</td> </tr> </table>	Start Odometer	End Odometer
Start Odometer	End Odometer		

PREVIOUS DAYS' TIME RECORDS														
Previous Day (first = 1)	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Total Hours On-Duty		10	10	10	10			10	10	10	10	10	10	10
Total Hours Off-Duty	24	14	14	14	14	24	24	14	14	14	14	14	14	24

Printed Name of Driver _____

Signature of Driver (Certified True & Correct) _____

In this example, the driver travels beyond the 160-kilometre radius from the home terminal so begins to fill in a daily log. The driver records all changes in duty status for the entire day. The driver records all hours for the day including the hours when the driver qualified for the exemption.

In addition, in the Remarks section, the driver records the number of off-duty and on-duty hours for each day in the previous 14 days.



Example #9

The 6 hours of off-duty time on Feb. 1, 2007 are part of 8 consecutive hours of core off-duty time. The 6.5 hours of off-duty time at the end of Feb. 3, 2007 are part of 8 consecutive hours of core off-duty time.

RECORD OF DUTY STATUS
(For drivers operating within 160 km of home terminal)

Driver's Name: Joe Smith Month: February Year: 2007

Start time of day: Midnight

Date	Duty Status	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Totals
1	Off-duty																									8.75
	Driving																									13.75
	On-duty - Not Driving																									1.5
	Remarks																						Cycle 1: X Cycle 2:	24		

Note: Record the following in the Remarks section:

1. Deferral of off-duty time
2. Driver extends driving time or reduces off-duty time because of unforeseen adverse driving condition or an emergency
3. Driver uses vehicle for personal use (odometer readings)

RECORD OF DUTY STATUS
(For drivers operating within 160 km of home terminal)

Driver's Name: Joe Smith Month: February Year: 2007

Start time of day: Midnight

Date	Duty Status	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Totals
2	Off-duty																									10
	Driving																									12.5
	On-duty - Not Driving																									1.5
	Remarks																						Cycle 1: X Cycle 2:	24		

Note: Record the following in the Remarks section:

1. Deferral of off-duty time
2. Driver extends driving time or reduces off-duty time because of unforeseen adverse driving condition or an emergency
3. Driver uses vehicle for personal use (odometer readings)

RECORD OF DUTY STATUS
(For drivers operating within 160 km of home terminal)

Driver's Name: Joe Smith Month: February Year: 2007

Start time of day: Midnight

Date	Duty Status	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Totals
3	Off-duty																									14
	Driving																									6
	On-duty - Not Driving																									4
	Remarks																						Cycle 1: X Cycle 2:	24		

Note: Record the following in the Remarks section:

1. Deferral of off-duty time
2. Driver extends driving time or reduces off-duty time because of unforeseen adverse driving condition or an emergency
3. Driver uses vehicle for personal use (odometer readings)



The driver who is exempt from keeping a daily log still must follow the same daily, work shift and cycle limits as a driver using a daily log. Therefore, in this example, the driver has the following violations:

Daily Limits (24-hour period specified by carrier)

Regular Time:

- No driving after 13 hours driving

Feb. 1

- **Driver reached 13 hours driving at 20:15**
- **Driver needed to stop driving**
- **Driver drove in violation from 20:15 – 21:00 for a total of 45 minutes**

- No driving after 14 hours on-duty

Feb. 1

- **Driver reached 14 hours on-duty at 21:45**
- **Driver needed to stop driving**
- **Driver drove in violation from 21:45 – 22:00 for a total of 15 minutes**

- At least 10 hours off-duty before driver can drive again

- 8 consecutive off-duty hours
- 2 additional off-duty hours (blocks \geq 30 minutes) that are not part of 8 consecutive hours

Feb. 1

- **Driver failed to take 2 additional hours that are not part of 8 consecutive hours**
- **Driver only took 0.75 hours**



Work Shift Limits (period between end of one core rest period and start of next core rest period)

A core rest period is 8 or more consecutive hours of off-duty time so the 6 hours (0:00 – 6:00) on Feb. 3 do not qualify as a core rest period. Therefore, there are only 2 work shifts:

- Work Shift #1 6:00 (Feb. 1) – 22:00 (Feb. 1)
- Work Shift #2 8:00 (Feb. 2) – 17:30 (Feb. 3)

⊗ No driving after 13 hours driving

Work Shift #1 (Feb. 1)

- Driver reached 13 hours driving at 20:15
- Driver needed to stop driving
- Driver drove in violation from 20:15 – 21:00 for a total of 45 minutes

Work Shift #2 (Feb. 3)

- Driver reached 13 hours driving at 7:00
- Driver needed to stop driving
- Driver drove in violation from 7:00 – 7:30, 9:30 – 10:45 and 13:45 – 17:30 for a total of 5.5 hours

⊗ No driving after 14 hours on-duty

Work Shift #1 (Feb. 1)

- Driver reached 14 hours on-duty at 21:45
- Driver needed to stop driving
- Driver drove in violation from 21:45 – 22:00 for a total of 15 minutes

Work Shift #2 (Feb. 3)

- Driver reached 14 hours on-duty at 24:00 (Feb. 2)
- Driver needed to stop driving
- Driver drove in violation from 6:30 – 7:30, 9:30 – 10:45 and 13:45 – 17:00 for a total of 6 hours

⊗ No driving after 16 hours elapsed time (includes all time in work shift)

Work Shift #2 (Feb. 3)

- Driver reached 16 hours on-duty at 24:00 (Feb. 2)
- Driver needed to stop driving
- Driver drove in violation from 6:30 – 7:30, 9:30 – 10:45 and 13:45 – 17:00 for a total of 6 hours



Cycle Limits (cycle specified by carrier)

Cycle 1:

- No driving after 70 hours on-duty in any 7 consecutive days
- At least 36 consecutive hours off-duty (to reset cycle)

Day Off:

- No driving after 14 consecutive days (regardless of the number of on-duty hours) without taking at least 24 consecutive hours off-duty

In addition, one of the criteria for the daily log exemption is that the driver must return to the home terminal to start a minimum of 8 consecutive hours of off-duty time. Because the driver failed to take 8 consecutive hours of off-duty after returning to the home terminal at 24:00 on February 23, 2007:

- The driver is no longer eligible for the daily log exemption so must fill out a daily log for February 3, 2007.
- The driver must record all driving hours for February 3, 2007 regardless of whether the driver qualifies for the 160-kilometre exemption or not. The daily log must account for the entire day.
- The driver must record in the Remarks section of the daily log the number of off-duty and on-duty hours for each day in the previous 14 days.



Module Self-Check Questions

If you can answer the following questions, you are ready to move to the next module. If you can't answer the questions, please review the module again before continuing.

- 1) Identify the criteria that a driver must meet in order to qualify for the daily log exemption.

- 2) Identify the minimum information that a motor carrier must record in a Record of Duty Status.

- 3) Describe how a motor carrier can simplify the record of duty status for delivery and school bus drivers.

- 4) Identify the documentation that a driver who is exempt from keeping a daily log needs to possess.



- 5) Describe what a driver needs to do when a motor carrier changes the driver's home terminal.

- 6) Describe what a driver needs to do when the driver exceeds the 160-kilometre radius.

Answers to Module Self-Check Questions

- 1) Identify the criteria that a driver must meet in order to qualify for the daily log exemption.
 - Driver operates a commercial vehicle within a radius of 160 kilometres of the home terminal
 - Driver returns to the home terminal each day to start a minimum of 8 consecutive hours of off-duty time
 - Driver works for a motor carrier that maintains a record of duty status
 - Driver is not driving under a permit issued under these Regulations
- 2) Identify the minimum information that a motor carrier must record in a Record of Duty Status.
 - Driver's name
 - Date
 - Driver's duty status
 - Elected cycle
 - Hour at which each duty status begins and ends
 - Total number of hours spent in each duty status for each day
- 3) Describe how a motor carrier can simplify the record of duty status for delivery and school bus drivers.
 - Motor carrier can combine the periods of driving time on a record of duty status
 - Motor carrier can combine the periods of on-duty time (other than driving) on a record of duty status

- 4) Identify the documentation that a driver who is exempt from keeping a daily log needs to possess.
 - Any supporting documents or relevant records that the driver receives during the current trip. Examples include receipts for meals, fuel, or repairs; bills of lading; tickets and inspections.
 - The driver must be able to explain to the inspector why the driver qualifies for the daily log exemption
- 5) Describe what a driver needs to do when a motor carrier changes the driver's home terminal.
 - On the day that the trip from the old location to the new location occurs, the driver must record the change in the daily log because the driver has not returned to the normal home terminal.
- 6) Describe what a driver needs to do when the driver exceeds the 160-kilometre radius.
 - Fill out a daily log for the day the driver does not qualify for the exemption
 - Record all driving hours in a day regardless of whether the driver qualified for the exemption or not
 - Record, in the Remarks section of the daily log, the number of off-duty and on-duty hours for each day in the previous 14 days