



Alberta Reference Guide for Hours of Service Training Development

Introduction



© Microsoft®.



© Microsoft®.

The Federal *Commercial Vehicle Drivers Hours of Service Regulations* came into effect on January 1, 2007. To make it an easier transition for the commercial truck and bus industry, Alberta Transportation has developed resource material to assist in the development of training materials.

What will I learn in this Reference Guide?

- Application of the *Federal Commercial Vehicle Drivers Hours of Service Regulation* (SOR/2005-313)
- Driver fatigue causes and solutions
- Driving and off-duty limits for drivers
- Proper logbook keeping and logbook requirements
- Application of exemptions and permits
- Internal and external enforcement of the regulations

NOTICE TO READERS

Every effort has been made to ensure that the information in this document is accurate at the time of preparation. However, this document is intended to serve only as a guide and cannot replace first-hand information such as specific legislation. In certain critical circumstances, this guide provides direction on the assumption that the legislation will be amended in the near future.

The material in the document is not intended to constitute a training "course" in the federal Hours of Service regulatory requirements. However, it may be used to help develop material that could then be used for training purposes.

Corrections, comments and suggestions can be submitted to Alberta Transportation at any time by using the Feedback Form contained in the Appendix to this module.

The electronic version of this document will be updated periodically for your convenience and use. The latest version of each module may be viewed on the internet at:<http://www.transportation.alberta.ca>

The reader is invited to reproduce all or part of this document; however, at no time should the information contained here be altered in any way nor used in a manner that would change the intended meaning of the material or its accuracy.

Table of Contents

Introduction

Module 1: Overview

Module 2: Application

Module 3: Responsibilities

Module 4: Driver Activities

Module 5: Daily Limits

Module 6: Work Shift Limits

Module 7: Deferral of Off-Duty Time

Module 8: Splitting of Daily Off-Duty Time / Sleeper Berths

Module 9: Cycles

Module 10: Special Permit – Oil Well Service Vehicle Permits

Module 11: Special Permit – Commercial Vehicles Other than Oil Well Service Vehicles

Module 12: Special Permit – Research / Pilot Project

Module 13: Permit Process

Module 14: Exemptions

Module 15: Ferries

Module 16: North of 60

Module 17: Daily Logs

Module 18: Radius Exemption – 160 Kilometres

Module 19: Electronic Recording Devices

Module 20: Out-of-Service Declarations

Module 21: Inspections and Authority

Module 22: Detecting Falsified Logs

Module 23: Enforcement Action

Module 24: Daily Log Audits

Purpose of this Reference Guide

Public and commercial vehicles of all descriptions share Alberta highways. Motorists have become increasingly concerned about safety due to larger numbers of vehicles using the highways. This increase, especially of heavier commercial vehicles, contributes significantly to the risk of collisions due to fatigued drivers, and to the severity of possible injuries that may result.

Alberta Transportation is responsible for Alberta's highways and is committed to providing a safe, efficient, quality network of highways. In support of this commitment, the Vehicle Safety and Carrier Services Branch of Alberta Transportation has prepared this reference guide to assist commercial truck and bus carriers and drivers to operate safely, and to be in compliance with the new federal Hours of Service legislation that governs commercial drivers.

The main purpose of this reference guide is to assist carriers and drivers with understanding the Federal *Commercial Vehicle Drivers Hours of Service Regulation* (SOR/2005-313) and the associated Application Guide (a document that explains many of the sections in the regulations). This reference guide covers the regulatory requirements and includes significant information from the Application Guide. This reference guide was designed in modules to allow the reader to select only those subjects that apply to their particular type of operation. In addition, there are PowerPoint presentations for each module, which summarize the main information modules and may be used by a trainer or instructor.

Hopefully, the increased understanding of these regulations and compliance with legislation will result in fewer collisions thus saving lives, reducing the severity of injuries and the associated costs to society.

This guide is not meant to be a substitute for the federal legislation. A copy of the federal regulation is included in the Appendix to this module.

Intended Users

This reference guide is intended to assist:

- New carriers and owner/operators in the commercial highway transportation industry including, but not limited to:
 - those with trucks and cargo vans registered for more than 4,500 kilograms (10,000 pounds) who have traveled or will travel outside Alberta (this includes farmers);
 - those operating vehicles supplying passenger transportation services (buses and passenger vans) with a manufactured seating capacity of 11 or more persons, including the driver
- Existing carriers and owners/operators who are unclear or who need more information about their responsibilities under the federal hours of service legislation
- Individual commercial drivers who want to increase their understanding of their responsibilities and thus reduce their risk of having a fatigue-related collision
- Safety Officers responsible for ensuring the safety of commercial drivers authorized to operate regulated commercial vehicles registered to their company
- Administrative staff responsible for ensuring that regulated administrative procedures are identified and used
- Carrier management seeking to better understand their personal and corporate legislative requirements
- Shippers, receivers and others who want to better understand their own responsibilities under this federal hours of service legislation, and the responsibilities of the commercial carriers and drivers that they work with
- Law enforcement agencies

Sources of “Help” for Carriers

Occasionally, a commercial truck or bus carrier may require assistance with establishing or modifying their safety and/or maintenance programs to ensure compliance with the hours of service regulations or with the National Safety Code (NSC). Several potential sources of this information that the carrier could consult include:

Alberta Motor Transport Association (AMTA)

- Options:
- Provide consultant contact information
 - Offer various courses in transport safety

Calgary: Phone #: (800) 267-1003 or (403) 243-4161
Fax #: (403) 243-4610
3660 Blackfoot Trail SE
Calgary, AB T2G 4E6

Edmonton: Phone #: (780) 448-7456
Fax #: (780) 448-0744
17010 – 103 Ave., Suite 245
Edmonton, AB T5S 1K7

Web site: www.amta.ca

Legislation Sources

Queen's Printer Bookstore (Alberta)
(780) 427-4952 (Edmonton)
(403) 297-6251 (Calgary)
To call toll-free within Alberta first dial 310-0000.
Website: www.qp.gov.ab.ca/index.cfm

Canadian Publishing Centre (Federal)
(800) 635-7943 (Hull)
(ask for a publication agent near you)

Transportation Consultants

The names of possible transportation consultants who may be able to assist in developing and implementing hours of service training and / or monitoring programs are available to the public.

Please contact Alberta Transportation, Carrier Services Section, at (403) 755-6111. To call toll-free within Alberta first dial 310-0000.

Red Deer College

Transportation Safety Director Program

Red Deer College offers a course that provides the basics of safety and health for the transportation industry. This program focuses on the information and skills you need to become a designated health and safety transportation representative – the Safety Director. This course can be looked at as the starting point in a Safety Director's training. Experience in the transportation field and further specific training will help in your chosen career path.

Further information on this program can be obtained from:

Continuing Education, Red Deer College
Box 5005
Red Deer, AB T4N 5H5

Phone: (403) 342-3517 or (888) 886-2787
Fax: (403) 342-3287
Web site: <http://www.rdc.ab.ca/continuingeducation>

Lethbridge Community College

Commercial Vehicle Enforcement Program

Lethbridge Community College offers a program designed in partnership with Alberta Transportation, that provides training in transportation legislation to new Transport Officers and other interested parties. With the implementation of the Traffic Safety Act and associated regulations, this multi-course program will provide commercial carriers the opportunity to access education on current transportation legislation such as Hours of Service, Weights and Dimensions, Licensing and Transport Law. An educated industry is a safer industry. Drivers, safety supervisors, and other members of the transportation industry are invited to enroll in individual courses or the entire program. The result will be fewer tickets, a more desirable carrier profile, a reduction in collisions and safer highways for all users.

For more information regarding this program please contact:

Commercial Vehicle Enforcement Program
Lethbridge Community College
Martin Thomsen, Program Leader
3000 College Drive South
Lethbridge, AB T1K 1L6

Phone: (403) 317-3568
Fax: (403) 317-3521
Web site: <http://www.lethbridgecollege.ab.ca/>

Appendix

- Regulation**

The Federal Commercial Vehicle Drivers Hours of Service Regulation (SOR/2005-313) is available on the internet at:

<http://www.tc.gc.ca/acts-regulations/GENERAL/M/mvta/regulations/mvta001/mvta1-2007.html>

To assist the reader, a full copy of this legislation is provided.

- Feedback Form**

Commercial Vehicle Drivers Hours of Service Regulations

(SOR/2005-313)

- INTERPRETATION
 - APPLICATION
 - DIRECTORS
 - RESPONSIBILITIES OF MOTOR CARRIERS, SHIPPERS, CONSIGNEES AND DRIVERS
 - TRAVELLING AS A PASSENGER - OFF-DUTY TIME
 - SCHEDULING - DRIVING SOUTH OF LATITUDE 60°N
 - SCHEDULING - DRIVING NORTH OF LATITUDE 60°N
 - PERMITS
 - EMERGENCIES AND ADVERSE DRIVING CONDITIONS
 - DAILY LOGS
 - OUT-OF-SERVICE DECLARATIONS
 - INSPECTIONS
 - REPEAL
 - COMING INTO FORCE
 - SCHEDULE 1 - SLEEPER BERTHS
 - SCHEDULE 2 - DUTY STATUS
 - SCHEDULE 3 - RECEIPT
 - Established by
-

COMMERCIAL VEHICLE DRIVERS HOURS OF SERVICE REGULATIONS

INTERPRETATION

1. The following definitions apply in these Regulations.

"adverse driving conditions" means snow, sleet, fog or other adverse weather or road conditions that were not known to a driver or a motor carrier dispatching a driver immediately before the driver began driving or could not reasonably have been known to them.

"co-driver" means a person who is present in a commercial vehicle because of having been, or being about to be, its driver.

"commercial vehicle" means a vehicle that

- (a) is operated by a motor carrier and propelled otherwise than by muscular power; and
- (b) is a truck, tractor, trailer or any combination of them that has a gross vehicle weight in excess of 4 500 kg or a bus that is designed and constructed to have a designated seating capacity of more than 10 persons, including the driver.

"cycle" means

- (a) cycle 1, under which on-duty time is accumulated over a period of 7 days; and
- (b) cycle 2, under which on-duty time is accumulated over a period of 14 days.

"daily log" means a record in the form set out in Schedule 2 containing the information required by section 82.

"day" in respect of a driver, means a 24-hour period that begins at the hour designated by the motor carrier for the duration of the driver's cycle.

"director" means a federal director or a provincial director.

"driver"

- (a) means a person who operates a commercial vehicle;
- (b) means, in respect of a motor carrier, a person employed or otherwise engaged by the motor carrier to operate a commercial vehicle, including a self-employed driver; and
- (c) for the purposes of section 98, includes a co-driver.

"duty status" means any of the following periods:

- (a) off-duty time, other than time spent in a sleeper berth;
- (b) off-duty time spent in a sleeper berth;
- (c) driving time; or
- (d) on-duty time, other than driving time.

"electronic recording device" means an electric, electronic or telematic device that is installed in a commercial vehicle and is capable of accurately recording, in accordance with section 83, each period of duty status, in whole or in part.

"emergency vehicle" means a fire-fighting vehicle, ambulance, police vehicle or other vehicle that is used for emergency purposes.

"federal director" means an official of the Road Safety and Motor Vehicle Regulation Directorate of the federal Department of Transport.

"home terminal" means the place of business of a motor carrier at which a driver ordinarily reports for work and, for the purposes of sections 80 to 82 and Schedule 2, includes a temporary work site designated by the motor carrier.

"inspector" means

- (a) a person designated under subsection 3(2); or
- (b) a peace officer within the meaning of section 2 of the *Criminal Code*.

"motor carrier" means a person who is engaged in the operation of an extra-provincial bus undertaking or an extra-provincial truck undertaking.

"off-duty time" means any period other than on-duty time.

"oil well service vehicle" means a commercial vehicle that is

- (a) specially constructed, altered or equipped to accommodate a specific service requirement associated with the oil or natural gas industry; and
- (b) used exclusively in the oil or natural gas industry for transporting equipment or materials to and from oil or natural gas facilities or for servicing and repairing oil or natural gas facilities.

"on-duty time" means the period that begins when a driver begins work or is required by the motor carrier to be available to work, except where the driver is waiting to be assigned to work, and ends when the driver stops work or is relieved of responsibility by the motor carrier, and includes driving time and time spent by the driver

- (a) inspecting, servicing, repairing, conditioning or starting a commercial vehicle;
- (b) travelling in a commercial vehicle as a co-driver, when the time is not spent in the sleeper berth;
- (c) participating in the loading or unloading of a commercial vehicle;
- (d) inspecting or checking the load of a commercial vehicle;
- (e) waiting for a commercial vehicle to be serviced, loaded, unloaded or dispatched;
- (f) waiting for a commercial vehicle or its load to be inspected;
- (g) waiting at an en-route point because of an accident or other unplanned occurrence or situation;
- (h) resting in or occupying a commercial vehicle for any other purpose, except
 - (i) time counted as off-duty time in accordance with section 10,
 - (ii) time spent in a sleeper berth,
 - (iii) time spent in a stationary commercial vehicle to satisfy the requirements of sections 13 and 14, and
 - (iv) time spent in a stationary commercial vehicle that is in addition to the off-duty requirements of section 14; and
- (i) performing any work for any motor carrier.

"out-of-service declaration" means a declaration issued by a director or inspector under section 91.

"principal place of business" means the place or places designated by the motor carrier where daily logs, supporting documents and other relevant records required by these Regulations are kept.

"sleeper berth" means an area of a commercial vehicle that meets the requirements of Schedule 1.

"supporting document" means a document or information recorded or stored by any means required by a director or inspector to assess compliance with these Regulations.

APPLICATION

2. (1) These Regulations apply to all commercial vehicles other than the following:

- (a) a two or three-axle commercial vehicle being used for
 - (i) transporting the primary products of a farm, forest, sea or lake, if the driver or the motor carrier is the producer of the products, or
 - (ii) a return trip after transporting the primary products of a farm, forest, sea or lake, if the vehicle is empty or is transporting products used in the principal operation of a farm, forest, sea or lake;
- (b) an emergency vehicle;
- (c) a vehicle engaged in providing relief in the case of a public welfare emergency, as that expression is defined in section 5 of the *Emergencies Act*;
- (d) a bus that is part of the public transit service that is provided in a municipality, in contiguous municipalities or within 25 km of the boundary of the municipality or contiguous municipalities in which the public transit service is provided; and
- (e) a commercial vehicle when driven for personal use, if
 - (i) the vehicle has been unloaded,
 - (ii) any trailers have been unhitched,
 - (iii) the distance travelled does not exceed 75 km in a day,
 - (iv) the driver has recorded in the logbook the odometer reading at the beginning and end of the personal use, and
 - (v) the driver is not the subject of an out-of-service declaration under section 91.

(2) In this section, the expression "commercial vehicle when driven for personal use" excludes use, by the driver, of the vehicle in the course of business as a motor carrier.

DIRECTORS

3. (1) The minister responsible for highway safety in a province may designate a person to exercise in the province the duties and functions of a director for the purposes of these Regulations.

(2) A director may designate inspectors for the purposes of these Regulations.

RESPONSIBILITIES OF MOTOR CARRIERS, SHIPPERS, CONSIGNEES AND DRIVERS

4. No motor carrier, shipper, consignee or other person shall request, require or allow a driver to drive and no driver shall drive if

- (a) the driver's faculties are impaired to the point where it is unsafe for the driver to drive;
- (b) driving would jeopardize or be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier;
- (c) the driver is the subject of an out-of-service declaration; or
- (d) the driver, in doing so, would not be in compliance with these Regulations.

[5 to 9 reserved]

TRAVELLING AS A PASSENGER - OFF-DUTY TIME

10. If a driver who has, at the request of the motor carrier by whom the driver is employed or otherwise engaged, spent time travelling as a passenger in a commercial vehicle to the destination at which the driver will begin driving takes 8 consecutive hours of off-duty time before beginning to drive, the time spent as a passenger shall be counted as off-duty time.

SCHEDULING - DRIVING SOUTH OF LATITUDE 60°N

Application

11. Sections 12 to 29 apply in respect of driving south of latitude 60°N.

Daily Driving and On-duty Time

12. (1) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 13 hours of driving time in a day.

(2) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 14 hours of on-duty time in a day.

Mandatory Off-duty Time

13. (1) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 13 hours of driving time unless the driver takes at least 8 consecutive hours of off-duty time before driving again.

(2) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 14 hours of on-duty time unless the driver takes at least 8 consecutive hours of off-duty time before driving again.

(3) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after 16 hours of time have elapsed between the conclusion of the most recent period of 8 or more consecutive hours of off-duty time and the beginning of the next period of 8 or more consecutive hours of off-duty time.

Daily Off-duty Time

14. (1) A motor carrier shall ensure that a driver takes and the driver shall take at least 10 hours of off-duty time in a day.

(2) Off-duty time other than the mandatory 8 consecutive hours may be distributed throughout the day in blocks of no less than 30 minutes each.

(3) The total amount of off-duty time taken by a driver in a day shall include at least 2 hours of off-duty time that does not form part of a period of 8 consecutive hours of off-duty time required by section 13.

[15 reserved]

Deferral of Daily Off-duty Time

16. Despite sections 12 and 14, a driver who is not splitting off-duty time in accordance with section 18 or 19 may defer a maximum of 2 hours of the daily off-duty time to the following day if

- (a) the off-duty time deferred is not part of the mandatory 8 consecutive hours of off-duty time;
- (b) the total off-duty time taken in the 2 days is at least 20 hours;
- (c) the off-duty time deferred is added to the 8 consecutive hours of off-duty time taken in the second day;
- (d) the total driving time in the 2 days does not exceed 26 hours; and
- (e) there is a declaration in the "Remarks" section of the daily log that states that the driver is deferring off-duty time under this section and that clearly indicates whether the driver is driving under day one or day two of that time.

Ferries

17. Despite sections 13 and 14, a driver travelling by a ferry crossing that takes more than 5 hours is not required to take the mandatory 8 consecutive hours of off-duty time if

- (a) the time spent resting in a sleeper berth while waiting at the terminal to board the ferry, in rest accommodations on the ferry and at a rest stop that is no more than 25 km from the point of disembarkation from the ferry combine to total a minimum of 8 hours;
- (b) the hours are recorded in the daily log as off-duty time spent in a sleeper berth;
- (c) the driver retains, as a supporting document, the receipt for the crossing and rest accommodation fees; and
- (d) the supporting document coincides with the daily log entries.

Splitting of Daily Off-duty Time - Single Driver

18. (1) A driver who is driving a commercial vehicle fitted with a sleeper berth may meet the mandatory off-duty time and daily off-duty time requirements of sections 13 and 14 by accumulating off-duty time in no more than 2 periods if

- (a) neither period of off-duty time is shorter than 2 hours;
- (b) the total of the 2 periods of off-duty time is at least 10 hours;
- (c) the off-duty time is spent resting in the sleeper berth;
- (d) the total of the driving time in the periods immediately before and after each of the periods of off-duty time does not exceed 13 hours;
- (e) the elapsed time in the periods immediately before and after each of the periods of off-duty time does not include any driving time after the 16th hour after the driver comes on-duty;
- (f) none of the daily off-duty time is deferred to the next day; and
- (g) the total of the on-duty time in the periods immediately before and after each of the periods of off-duty time referred to in paragraph (b) does not include any driving time after the 14th hour.

(2) The 16th hour is calculated by

- (a) excluding any period spent in the sleeper berth that is 2 hours or more in duration and that, when added to a subsequent period in the sleeper berth, totals at least 10 hours; and
- (b) including
 - (i) all on-duty time,
 - (ii) all off-duty time not spent in the sleeper berth,
 - (iii) all periods of less than 2 hours spent in the sleeper berth, and
 - (iv) any other period spent in the sleeper berth that does not qualify as counting towards meeting the requirements of this section.

(3) No motor carrier shall request, require or allow a driver to begin to drive again and no driver shall begin to drive again in accordance with the requirements of sections 13 and 14 without first taking at least 8 consecutive hours of off-duty time.

Splitting of Daily Off-duty Time - Team of Drivers

19. (1) A team of drivers driving a commercial vehicle fitted with a sleeper berth may meet the mandatory off-duty time and daily off-duty time requirements of sections 13 and 14 by accumulating off-duty time in no more than 2 periods if

- (a) neither period of off-duty time is shorter than 4 hours;
- (b) the total of the 2 periods of off-duty time is at least 8 hours;
- (c) the off-duty time is spent resting in the sleeper berth;
- (d) the total of the driving time in the periods immediately before and after each of the periods of off-duty time does not exceed 13 hours;
- (e) the elapsed time in the periods immediately before and after each of the periods of off-duty time does not include any driving time after the 16th hour after the driver comes on duty;
- (f) none of the daily off-duty time is deferred to the next day; and
- (g) the total of the on-duty time in the periods immediately before and after each of the periods of off-duty time referred to in paragraph (b) does not include any driving time after the 14th hour.

(2) The 16th hour is calculated by

- (a) excluding any period spent in the sleeper berth that is 4 hours or more in duration and that, when added to a subsequent period in the sleeper berth, totals at least 8 hours; and
- (b) including
 - (i) all on-duty time,
 - (ii) all off-duty time not spent in the sleeper berth,
 - (iii) all periods of less than 4 hours spent in the sleeper berth, and
 - (iv) any other period spent in the sleeper berth that does not qualify as counting towards meeting the requirements of this section.

(3) No motor carrier shall request, require or allow a driver to begin to drive again and no driver shall begin to drive again in accordance with the requirements of sections 13 and 14 without first taking at least 8 consecutive hours of off-duty time.

[20 to 23 reserved]

Cycles

24. A motor carrier shall require that a driver follows and the driver shall follow either cycle 1 or cycle 2.

25. Subject to section 28, no motor carrier shall request, require or allow a driver to drive and no driver shall drive unless the driver has taken at least 24 consecutive hours of off-duty time in the preceding 14 days.

26. Subject to section 28, no motor carrier shall request, require or allow a driver who is following cycle 1 to drive and no driver who is following cycle 1 shall drive after the driver has accumulated 70 hours of on-duty time during any period of 7 days or, if the driver has reset the cycle in accordance with section 28, during the period of the cycle that was ended.

27. Subject to section 28, no motor carrier shall request, require or allow a driver who is following cycle 2 to drive and no driver who is following cycle 2 shall drive after the driver has accumulated

- (a) 120 hours of on-duty time during any period of 14 days or, if the driver has reset the cycle in accordance with section 28, during the period of the cycle that was ended; or
- (b) 70 hours of on-duty time without having taken at least 24 consecutive hours of off-duty time.

Cycle Reset - Off-duty Time

28. (1) A driver may end the current cycle and begin a new cycle if the driver first takes the following off-duty time:

- (a) for cycle 1, at least 36 consecutive hours; or
- (b) for cycle 2, at least 72 consecutive hours.

(2) After taking the off-duty time, the driver begins a new cycle, the accumulated hours are set back to zero and the driver's hours begin to accumulate again.

Cycle Switching - Off-duty Time

29. (1) No motor carrier shall request, require or allow a driver to switch and no driver shall switch from one cycle to the other without first taking the following off-duty time before beginning to drive again:

- (a) to switch from cycle 1 to cycle 2, at least 36 consecutive hours; or
- (b) to switch from cycle 2 to cycle 1, at least 72 consecutive hours.

(2) After taking the off-duty time, the driver begins the other cycle, the accumulated hours are set back to zero and the driver's hours begin to accumulate again.

[30 to 36 reserved]

SCHEDULING - DRIVING NORTH OF LATITUDE 60°N

Application

37. Sections 38 to 54 apply in respect of driving north of latitude 60°N.

Driving and On-duty Time

38. (1) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 15 hours of driving time.

(2) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated 18 hours of on-duty time.

Mandatory Off-duty Time

39. (1) No motor carrier shall request, require or allow a driver to drive and no driver shall drive after the driver has accumulated more than 15 hours of driving time or 18 hours of on-duty time unless they take at least 8 consecutive hours of off-duty time before driving again.

(2) No motor carrier shall request, require or allow a driver to drive and no driver shall drive if more than 20 hours of time has elapsed between the conclusion of the most recent period of 8 or more consecutive hours of off-duty time and the beginning of the next period of 8 or more consecutive hours of off-duty time.

Daily Off-duty Time

40. A motor carrier shall ensure that a driver takes and the driver shall take at least 8 hours of off-duty time.

Splitting of Daily Off-duty Time - Single Driver

41. (1) A driver who is driving a commercial vehicle fitted with a sleeper berth may meet the mandatory off-duty time and daily off-duty time requirements of sections 39 and 40 by accumulating off-duty time in no more than 2 periods if

- (a) neither period of off-duty time is shorter than 2 hours;
- (b) the total of the 2 periods of off-duty time is at least 8 hours;
- (c) the off-duty time is spent resting in the sleeper berth;
- (d) the total of the driving time in the periods immediately before and after each of the periods of off-duty time does not exceed 15 hours;
- (e) the on-duty time in the periods immediately before and after each of the periods of off-duty time does not include any driving time after the 18th hour after the driver comes on duty, calculated in accordance with subsection (2); and
- (f) none of the daily off-duty time is deferred to the next day.

(2) The 18th hour is calculated by

- (a) excluding any period spent in the sleeper berth that is 2 hours or more in duration and that, when added to a subsequent period in the sleeper berth, totals at least 8 hours; and
- (b) including
 - (i) all on-duty time,
 - (ii) all off-duty time not spent in the sleeper berth,
 - (iii) all periods of less than 2 hours spent in the sleeper berth, and

(iv) any other period spent in the sleeper berth that does not qualify as counting towards meeting the requirements of this section.

(3) No motor carrier shall request, require or allow the driver to begin to drive again in accordance with the requirements of sections 39 and 40 and no driver shall begin to drive again without first taking at least 8 consecutive hours of off-duty time.

Splitting of Daily Off-duty Time - Team of Drivers

42. (1) A team of drivers driving a commercial vehicle fitted with a sleeper berth may meet the mandatory off-duty time and daily off-duty time requirements of sections 39 and 40 by accumulating off-duty time in no more than 2 periods if

- (a) neither period of off-duty time is shorter than 4 hours;
- (b) the total of the 2 periods of off-duty time is at least 8 hours;
- (c) the off-duty time is spent resting in the sleeper berth;
- (d) the total of the driving time in the periods immediately before and after each of the periods of off-duty time does not exceed 15 hours;
- (e) the on-duty time in the periods immediately before and after each of the periods of off-duty time does not include any driving time after the 18th hour after the driver comes on duty, calculated in accordance with subsection (2); and
- (f) none of the off-duty time is deferred to the next day.

(2) The 18th hour is calculated by

- (a) excluding any period spent in the sleeper berth that is 4 hours or more in duration and that, when added to a subsequent period in the sleeper berth, totals at least 8 hours; and
- (b) including
 - (i) all on-duty time,
 - (ii) all off-duty time not spent in the sleeper berth,
 - (iii) all periods of less than 4 hours spent in the sleeper berth, and
 - (iv) any other period spent in the sleeper berth that does not qualify as counting towards meeting the requirements of this section.

(3) No motor carrier shall request, require or allow the driver to begin to drive again in accordance with the requirements of sections 39 and 40 and no driver shall begin to drive again without first taking at least 8 consecutive hours of off-duty time.

[43 to 48 reserved]

Cycles

49. A motor carrier shall require that a driver follows and the driver shall follow either cycle 1 or cycle 2.

50. Subject to section 53, no motor carrier shall request, require or allow a driver to drive and no driver shall drive unless the driver has taken at least 24 consecutive hours of off-duty time in the preceding 14 days.

51. Subject to section 53, no motor carrier shall request, require or allow a driver who is following cycle 1 to drive and no driver who is following cycle 1 shall drive after the driver has accumulated 80 hours of on-duty time during any period of 7 days.

52. Subject to section 53, no motor carrier shall request, require or allow a driver who is following cycle 2 to drive and no driver who is following cycle 2 shall drive after the driver has accumulated

- (a) 120 hours of on-duty time in any period of 14 days; or
- (b) 80 hours of on-duty time, without having taken at least 24 consecutive hours of off-duty time.

Cycle Reset - Off-duty Time

53. (1) A driver may end the current cycle and begin a new cycle if they first take the following off-duty time:

- (a) for cycle 1, at least 36 consecutive hours; or
- (b) for cycle 2, at least 72 consecutive hours.

(2) After taking the off-duty time, the driver begins a new cycle, the accumulated hours are set back to zero and the driver's hours begin to accumulate again.

Cycle Switching - Off-duty Time

54. (1) No motor carrier shall request, require or allow a driver to switch and no driver shall switch from one cycle to the other without first taking the following off-duty time before beginning to drive again:

- (a) to switch from cycle 1 to cycle 2, at least 36 consecutive hours; or
- (b) to switch from cycle 2 to cycle 1, at least 72 consecutive hours.

(2) After taking the off-duty time, the driver begins the other cycle, the accumulated hours are set back to zero and the driver's hours begin to accumulate again.

[55 to 60 reserved]

PERMITS

Special Permits

61. (1) A federal director may issue a special permit to a motor carrier for the purpose of a research or pilot project if the safety and health of the public, the driver or the employees of the motor carrier are not or are unlikely to be jeopardized.

(2) Sections 12 to 54 and 76 to 99 do not apply in respect of special permits, but sections 64 to 68 apply with such modifications as the circumstances require.

(3) The applicant shall provide to the federal director a detailed work plan that includes at least the following information:

- (a) the nature of the proposed research or pilot project;
- (b) the objectives of the proposed research or pilot project;
- (c) the competence of the applicant to participate in the proposed research or pilot project;
- (d) the criteria and method for measuring results;
- (e) the safety implications and the approach to addressing any possible risks identified;
- (f) the duration of the proposed research or pilot project; and
- (g) the manner of and timing for reporting results.

Permits for Commercial Vehicles Other than Oil Well Service Vehicles

62. (1) A provincial director may issue a permit to a motor carrier in respect of a commercial vehicle other than an oil well service vehicle if

- (a) the safety and health of the public, the driver or the employees of the motor carrier are not or are unlikely to be jeopardized; and
 - (b) a reduction of off-duty time or an increase in driving time is required
 - (i) to allow a driver following a regular itinerary to reach their home terminal or destination,
 - (ii) to allow the delivery of perishable goods, or - (iii) to accommodate a significant temporary increase in the transportation of passengers or goods by the motor carrier.

(2) The only deviations from the requirements of these Regulations that may be authorised in the permit are

- (a) a reduction of the 2 hours of daily off-duty time required by subsection 14(3) if the commercial vehicle is operated south of latitude 60°N; and
- (b) an increase in driving time and on-duty time of up to a total of 2 hours.

Oil Well Service Vehicle Permits

63. (1) A provincial director may issue a permit to a motor carrier in respect of an oil well service vehicle if
- (a) the driver has successfully completed training directly related to safety requirements associated with operating within the field services sector of the oil or natural gas industry; and
 - (b) the safety and health of the public, the driver or the employees of the motor carrier are not or are unlikely to be jeopardized.
- (2) Sections 24 to 29 and 49 to 54 do not apply in respect of an oil well service vehicle permit, but instead the permit shall require that the driver take
- (a) at least 3 periods of off-duty time, each at least 24 hours long, in any period of 24 days, the periods being taken consecutively or separated by on-duty time; and
 - (b) at least 72 consecutive hours of off-duty time after ending driving under the provisions of the permit and beginning driving under those sections.
- (3) When the driver begins to drive again under sections 24 to 29 or 49 to 54, they begin to accumulate hours in the cycle.
- (4) Waiting time and standby time at an oil or natural gas well site or ancillary facility shall not be included as on-duty time if
- (a) the driver performs no work during the time;
 - (b) the time is fully and accurately recorded in the daily log as off-duty time and denoted as waiting or standby time in the "Remarks" section; and
 - (c) the time is not included in the mandatory minimum of 8 consecutive hours of off-duty time.
- (5) None of the daily off-duty time shall be deferred to the next day.

Applications for Permits

64. (1) A motor carrier may apply to a director for a permit by providing the following information and documents:
- (a) the name of the motor carrier;
 - (b) the names of the drivers who will operate a commercial vehicle under the permit;
 - (c) the driver licence numbers of the drivers and the provinces of issuance;
 - (d) a list of the commercial vehicles operated by the motor carrier;

- (e) a list of all accidents involving the motor carrier or any driver of the motor carrier that occurred during the 6 months before the date of the application if they are required by the laws of the province, state or country in which the accident occurred to be reported to the police;
- (f) the requested duration of the permit;
- (g) in the case of an extra-provincial truck undertaking, a detailed description of the load and the provinces in respect of which the permit is to apply;
- (h) in the case of an extra-provincial bus undertaking, a detailed description of the routes in respect of which the permit is to apply;
- (i) the requested schedule;
- (j) the reasons for the application, with supporting evidence;
- (k) a copy of every permit issued to the motor carrier under these Regulations in the previous 5 years;
- (l) a signed declaration that discloses any other application for a permit under these Regulations made by the motor carrier to any director within the 6 months before the date of the application; and
- (m) any other information required by the director to evaluate whether the granting of a permit would or would be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier.

(2) If requested by the director to do so, the motor carrier shall make available to the director the daily logs, supporting documents or records of on-duty times, for the 6 months before the date of the application, of every driver who will operate a commercial vehicle of the motor carrier under the permit.

Approval of Other Directors

65. (1) Before issuing a permit, a director shall obtain the written approval of the provincial directors of the provinces in which the commercial vehicle will be driven under the permit.

(2) A provincial director from whom approval is sought shall

- (a) respond to the request for approval within 30 days after receiving it; and
- (b) give their approval if they have no reason to believe that the safety or health of the public, the driver or the employees of the motor carrier would be or would be likely to be jeopardized by the granting of the permit.

Issuance of Permits

66. A director who issues a permit shall specify in the permit

- (a) the reasons for issuing it;
- (b) its duration, which shall not exceed one year; and

(c) any terms or conditions required for the protection of the safety or health of the public, the driver or the employees of the motor carrier.

Obligations of Permit Holders

67. (1) A motor carrier to whom a permit is issued shall

- (a) require that a copy of the permit is placed in each commercial vehicle in respect of which it applies;
- (b) provide the director with a list of the commercial vehicles in respect of which the permit applies and keep the director informed of any changes so that the director may accurately and quickly identify the vehicles;
- (c) make available for inspection by the director, immediately on request, the daily log and the supporting documents of the drivers of the commercial vehicles in respect of which the permit applies; and
- (d) notify the director without delay of any accident involving any of the commercial vehicles to which the permit applies if it is required by the laws of the province, state or country in which the accident occurred to be reported to the police.

(2) Every driver who is driving under a permit shall drive and the motor carrier shall ensure that they drive in accordance with the terms and conditions of the permit.

Amendment, Cancellation and Suspension of Permits

68. (1) A director who issues a permit may amend, cancel or suspend it, and a director who approves a permit issued by another director may withdraw the approval, on written notification to the motor carrier, if

- (a) the motor carrier or the driver contravenes these Regulations or any condition of the permit; or
 - (b) the director determines that the safety and health of the public, the driver or the employees of the motor carrier are or are likely to be jeopardized.
- (2) The director shall choose among amendment, cancellation and suspension of the permit

- (a) if the director is a provincial director, in accordance with the laws of the province; and
- (b) if the director is the federal director, in accordance with the laws of the province in which the vehicle is base-plated.

(3) When a director withdraws approval for a permit issued by another director, the director who issued the permit shall amend it to remove the authority for a commercial vehicle to be operated under the permit in the province in respect of which approval is withdrawn.

[69 to 75 reserved]

EMERGENCIES AND ADVERSE DRIVING CONDITIONS

76. (1) The requirements of these Regulations in respect of driving time, on-duty time and off-duty time do not apply to a driver who, in an emergency, requires more driving time to reach a destination that provides safety for the occupants of the commercial vehicle and for other users of the road or the security of the commercial vehicle and its load.

(2) A driver who encounters adverse driving conditions while operating the vehicle during a trip south of latitude 60°N may extend the permitted 13 hours of driving time specified in sections 12 and 13 and reduce the 2 hours of daily off-duty time required by subsection 14(3) by the amount of time needed to complete the trip if

- (a) the driving, on-duty and elapsed time in the elected cycle is not extended more than 2 hours;
- (b) the driver still takes the required 8 consecutive hours of off-duty time; and
- (c) the trip could have been completed under normal driving conditions without the reduction.

(3) A driver who encounters adverse driving conditions while operating the vehicle during a trip north of latitude 60°N may extend the permitted 15 hours of driving time specified in section 38 by the amount of time needed to complete the trip if

- (a) the extension of the driving time is no more than 2 hours;
- (b) the driver still takes the required 8 consecutive hours of off-duty time; and
- (c) the trip could have been completed under normal driving conditions without the extension.

(4) A driver who extends their driving, on-duty or elapsed time because of an emergency or adverse driving conditions shall record the reason for doing so in the "Remarks" section of the daily log.

[77 to 79 reserved]

DAILY LOGS

Interpretation

80. A requirement that a driver record time in a daily log is a requirement to record the time using the local time at the driver's home terminal.

Requirement to Fill Out a Daily Log

81. (1) A motor carrier shall require every driver to fill out and every driver shall fill out a daily log each day that accounts for all of the driver's on-duty time and off-duty time for that day.

(2) This section does not apply if

- (a) the driver operates or is instructed by the motor carrier to operate a commercial vehicle within a radius of 160 km of the home terminal;

- (b) the driver returns to the home terminal each day to begin a minimum of 8 consecutive hours of off-duty time;
- (c) the motor carrier maintains accurate and legible records showing, for each day, the driver's duty status and elected cycle, the hour at which each duty status begins and ends and the total number of hours spent in each status and keeps those records for a minimum period of 6 months after the day on which they were recorded; and
- (d) the driver is not driving under a permit issued under these Regulations.

Content of Daily Logs

82. (1) At the beginning of each day, a motor carrier shall require that a driver enters legibly and the driver shall enter legibly the following information in the daily log:

- (a) the date, the start time if different than midnight, the name of the driver and, if the driver is a member of a team of drivers, the names of the co-drivers;
- (b) in the case of a driver who is not driving under the provisions of an oil well service permit, the cycle that the driver is following;
- (c) the commercial vehicle licence plates or unit numbers;
- (d) the odometer reading of each of the commercial vehicles operated by the driver;
- (e) the names and the addresses of the home terminal and the principal place of business of every motor carrier by whom the driver was employed or otherwise engaged during that day;
- (f) in the "Remarks" section of the daily log, if the motor carrier or driver was not required to keep a daily log immediately before the beginning of the day, the number of hours of off-duty time and on-duty time that were accumulated by the driver each day during the 14 days immediately before the beginning of the day; and
- (g) if applicable, a declaration in the "Remarks" section of the daily log that states that the driver is deferring off-duty time under section 16 and that clearly indicates whether the driver is driving under day one or day two of that time.

(2) The motor carrier shall require that the driver records and the driver shall record in the daily log the hours in each duty status during the day covered by the daily log, in accordance with Schedule 2, and the location of the driver each time their duty status changes, as that information becomes known.

(3) At the end of each day, the motor carrier shall require that the driver records and the driver shall record the total hours for each duty status and the total distance driven by the driver that day, excluding the distance driven in respect of the driver's personal use of the vehicle, as well as the odometer reading at the end of the day and sign the daily log attesting to the accuracy of the information recorded in it.

Use of Electronic Recording Devices

83. A driver may use an electronic recording device for recording their duty status if

- (a) the information contained in the electronic recording device is the same as the information that would have been provided if it had been submitted as a daily log in paper format;

- (b) when requested to do so by a director or an inspector, the driver can immediately provide the information for the previous 14 days by producing it on a digital display screen of the electronic recording device or in handwritten form or on a print-out or any other intelligible output, or any combination of these;
- (c) the device is capable of displaying
 - (i) the driving time and other on-duty time for each day on which the device is used,
 - (ii) the total on-duty time remaining and the total on-duty time accumulated in the cycle being followed by the driver, and
 - (iii) the sequential changes in duty status and the time at which each change occurred for each day on which the device is used;
- (d) the driver is capable, if so requested by an inspector, of preparing a handwritten daily log from the information stored in the device for each day on which the device is used;
- (e) the device automatically records when it is disconnected and reconnected and keeps a record of the time and date of these occurrences;
- (f) the device records the time spent in each duty status of the driver;
- (g) any hard copy of the daily log that is generated from the information that is stored in the device is signed on each page by the driver attesting to its accuracy; and
- (h) the motor carrier provides blank daily log forms in the commercial vehicle for the driver's use.

Possession of Daily Logs and Supporting Documents by Drivers

84. No driver who is required to fill out a daily log shall drive and no motor carrier shall request, require or allow the driver to drive unless the driver has in their possession

- (a) a copy of the daily logs for the preceding 14 days and, in the case of a driver driving under an oil well service permit, for each of the required 3 periods of 24 consecutive hours of off-duty time in any period of 24 days;
- (b) the daily log for the current day, completed up to the time at which the last change in the driver's duty status occurred; and
- (c) any supporting documents or other relevant records that the driver received in the course of the current trip.

Distribution and Keeping of Daily Logs

85. (1) A driver shall, within 20 days after completing a daily log, forward the original daily log and supporting documents to the home terminal and the motor carrier shall ensure that the driver does so.

(2) A driver who is employed or otherwise engaged by more than one motor carrier in any day shall forward, within 20 days after completing a daily log, and the motor carriers shall ensure that the driver forwards

(a) the original of the daily log to the home terminal of the first motor carrier for which the driver worked and a copy of it to the home terminal of each other carrier for which the driver worked; and

(b) the original supporting documents to the home terminal of the applicable motor carrier.

(3) The motor carrier shall

(a) deposit the daily logs and supporting documents at its principal place of business within 30 days after receiving them; and

(b) keep the daily logs and supporting documents in chronological order for each driver for a period of at least 6 months.

Tampering

86. (1) No motor carrier shall request, require or allow a driver to keep and no driver shall keep more than one daily log in respect of any day.

(2) No motor carrier shall request, require or allow any person to enter and no person shall enter inaccurate information in a daily log, whether it is handwritten or produced using an electronic recording device, or falsify, mutilate or deface a daily log or supporting documents.

Monitoring by Motor Carriers

87. (1) A motor carrier shall monitor the compliance of each driver with these Regulations.

(2) A motor carrier that determines that there has been non-compliance with these Regulations shall take immediate remedial action and record the dates on which the non-compliance occurred, the date of issuance of a notice of non-compliance and the action taken.

[**88 to 90 reserved**]

OUT-OF-SERVICE DECLARATIONS

91. (1) A director or an inspector may issue an out-of-service declaration in respect of a driver if

(a) the driver contravenes paragraph 4(a) or (b);

(b) the driver fails to comply with any of the driving time or off-duty time requirements of sections 12 to 29, sections 38 to 54 or a permit;

(c) the driver is unable or refuses to produce their daily log book in accordance with section 98;

(d) there is evidence that shows that the driver has completed more than one daily log, has entered inaccurate information in the daily log or has falsified information in the daily log; or

(e) the driver has mutilated or defaced a daily log or a supporting document in such a way that the director or inspector cannot determine whether the driver has complied with the driving time and off-duty time requirements of sections 12 to 29, sections 38 to 54 or a permit.

(2) The director or inspector shall notify the driver and the motor carrier in writing of the reason that the driver has been made the subject of an out-of-service declaration and the period during which it applies.

(3) An out-of-service declaration applies

(a) for 10 consecutive hours, if the driver contravenes paragraph 4(a) or (b);

(b) for 10 consecutive hours, if the driver contravenes section 12 or 38;

(c) for the number of hours needed to correct the failure, if the driver fails to comply with the off-duty time requirements of any of sections 12 to 29 or 38 to 54; and

(d) for 72 consecutive hours, if the driver contravenes section 86 or 98.

(4) The out-of-service declaration in respect of a driver who contravenes section 86 or 98 continues to apply beyond the 72 hours until the driver rectifies the daily log, if applicable, and provides it to the director or inspector so that the director or inspector is able to determine whether the driver has complied with these Regulations.

[92 to 95 reserved]

INSPECTIONS

Proof of Authority

96. An inspector shall, at all times during the exercise of their functions, produce on request proof of their designation and title.

Authority to Enter Premises for an Inspection

97. (1) An inspector may, during business hours, enter a motor carrier's home terminal or principal place of business, other than living quarters, for the purpose of inspecting the daily logs, supporting documents and other relevant records.

(2) An inspector may at any time stop and enter a commercial vehicle, except for its sleeper berth, for the purpose of inspecting the daily logs and supporting documents

(3) An inspector may, at any time, stop a commercial vehicle and enter its sleeper berth for the purpose of verifying that the sleeper berth meets the requirements of Schedule 1.

(4) No person shall obstruct or hinder, or knowingly make any false or misleading statements either orally or in writing to, a director or an inspector engaged in carrying out their duties and functions under these Regulations.

Production of Daily Logs and Supporting Documents

98. (1) At the request of an inspector, a driver shall immediately produce for inspection daily logs, supporting documents and other relevant records for the current trip and the preceding 14 days as well as any permit the driver may be driving under.

(2) If an electronic recording device is installed in the commercial vehicle, the driver shall retrieve the information stored by the device for each day that it was used.

(3) The driver shall, at the request of an inspector, immediately give the inspector a copy of the daily logs, supporting documents and other relevant records for the preceding 14 days, or the originals if it is not possible in the circumstances to make copies, as well as any permit the driver may be driving under.

(4) The inspector shall provide a receipt in the form set out in Schedule 3 for the copy of the daily logs, supporting documents and other relevant records.

99. (1) A motor carrier shall, during business hours, at the request of an inspector, immediately make available for inspection at a place specified by the inspector daily logs, supporting documents and other relevant records as well as any permit a driver may be driving under or have been driving under during the period for which the inspector makes the request for the documents.

(2) The inspector shall

(a) immediately return the permit if it is still a current permit and provide a receipt in the form set out in Schedule 3 for any expired permit as well as for the daily logs, supporting documents and other relevant records; and

(b) return the expired permits, daily logs, supporting documents and other relevant records within 14 days after receiving them.

REPEAL

100. The Commercial Vehicle Drivers Hours of Service Regulations, 1994 are repealed.

COMING INTO FORCE

101. These regulations come into force on January 1, 2007.

SCHEDULE 1
(Section 1 and subsection 97(3))

SLEEPER BERTHS

1. An area of a commercial vehicle is a sleeper berth if

- (a) it is designed to be used as sleeping accommodation;
- (b) it is located in the cab of the commercial vehicle or immediately adjacent to the cab and is securely fixed to it;
- (c) it is not located in or on a semi-trailer or a full trailer;
- (d) if it is located in the cargo space, it is securely compartmentalized from the remainder of the cargo space;
- (e) in the case of a bus,
 - (i) it is located in the passenger compartment,
 - (ii) it is at least 1.9 m in length, 60 cm in width and 60 cm in height,
 - (iii) it is separated from the passenger area by a solid physical barrier that is equipped with a door that can be locked,
 - (iv) it provides privacy for the occupant, and
 - (v) it is equipped with a means to significantly limit the amount of light entering the area;
- (f) in the case of a commercial vehicle other than a bus, it is rectangular in shape with at least the following dimensions:
 - (i) 1.9 m in length, measured on the centre line of the longitudinal axis,
 - (ii) 60 cm in width, measured on the centre line of the transverse axis, and
 - (iii) 60 cm in height, measured from the sleeping mattress to the highest point of the area;
- (g) it is constructed so that there are no impediments to ready entrance to or exit from the area;
- (h) there is a direct and readily accessible means of passing from it into the driver's seat or compartment;
- (i) it is protected against leaks and overheating from the vehicle's exhaust system;
- (j) it is equipped to provide adequate heating, cooling and ventilation;
- (k) it is reasonably sealed against dust and rain;

- (l) it is equipped with a mattress that is at least 10 cm thick and adequate sheets and blankets so that the occupant can get restful sleep; and
- (m) it is equipped with a means of preventing ejection of the occupant during deceleration of the commercial vehicle, the means being designed, installed and maintained to withstand a total force of 2 700 kg applied toward the front of the vehicle and parallel to the longitudinal axis of the vehicle.

SCHEDULE 2
(Section 1 and subsection 82(2))

DUTY STATUS

NAME Cycle 1 (7 days) <input type="checkbox"/>	DATE Cycle 2 (14 days) <input type="checkbox"/>																										
(Hours at which day begins - Use local time at home terminal)																											
<table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <tr> <td style="padding: 2px;">0</td> <td style="padding: 2px;">1</td> <td style="padding: 2px;">2</td> <td style="padding: 2px;">3</td> <td style="padding: 2px;">4</td> <td style="padding: 2px;">5</td> <td style="padding: 2px;">6</td> <td style="padding: 2px;">7</td> <td style="padding: 2px;">8</td> <td style="padding: 2px;">9</td> <td style="padding: 2px;">10</td> <td style="padding: 2px;">11</td> <td style="padding: 2px;">12</td> <td style="padding: 2px;">13</td> <td style="padding: 2px;">14</td> <td style="padding: 2px;">15</td> <td style="padding: 2px;">16</td> <td style="padding: 2px;">17</td> <td style="padding: 2px;">18</td> <td style="padding: 2px;">19</td> <td style="padding: 2px;">20</td> <td style="padding: 2px;">21</td> <td style="padding: 2px;">22</td> <td style="padding: 2px;">23</td> <td style="padding: 2px;">24</td> <td style="padding: 2px;">Total Hours</td> </tr> </table>		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours		
Off-duty time other than in sleeper berth																											
Off-duty time in sleeper berth																											
Driving time																											
On-duty time other than driving time																											
<table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <tr> <td style="padding: 2px;">0</td> <td style="padding: 2px;">1</td> <td style="padding: 2px;">2</td> <td style="padding: 2px;">3</td> <td style="padding: 2px;">4</td> <td style="padding: 2px;">5</td> <td style="padding: 2px;">6</td> <td style="padding: 2px;">7</td> <td style="padding: 2px;">8</td> <td style="padding: 2px;">9</td> <td style="padding: 2px;">10</td> <td style="padding: 2px;">11</td> <td style="padding: 2px;">12</td> <td style="padding: 2px;">13</td> <td style="padding: 2px;">14</td> <td style="padding: 2px;">15</td> <td style="padding: 2px;">16</td> <td style="padding: 2px;">17</td> <td style="padding: 2px;">18</td> <td style="padding: 2px;">19</td> <td style="padding: 2px;">20</td> <td style="padding: 2px;">21</td> <td style="padding: 2px;">22</td> <td style="padding: 2px;">23</td> <td style="padding: 2px;">24</td> </tr> </table>		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24			
REMARKS _____																											
TOTAL DISTANCE DRIVEN _____																											
SIGNATURE _____																											

INSTRUCTIONS

Fill out the grid as follows:

- (a) for each duty status,
 - (i) mark the beginning time and the end time, and
 - (ii) draw a continuous line between the time markers;
- (b) record the name of the municipality or give the location on a highway or in a legal sub-division and the name of the province or state where a change in duty status occurs;
- (c) if the driver is engaged in making deliveries in a municipality that result in a number of periods of driving time being interrupted by a number of short periods of other on-duty time, the periods of driving time may be combined and the periods of other on-duty time may be combined; and
- (d) enter on the right of the grid the total number of hours of each period of duty status, which total must equal 24 hours.

SCHEDULE 3
(Subsection 98(4) and paragraph 99(2)(a))

RECEIPT

It is hereby acknowledged that, pursuant to subsection 98(4) or paragraph 99(2)(a) of the Commercial Vehicle Drivers Hours of Service Regulations, the following daily logs, supporting documents and other records were provided by

(Name of person)

at _____
(Number, street, municipality, location, province of motor carrier)

on _____
(Day, month, year)

namely : _____
(Description of daily logs, supporting documents
and records received)

Dated at: _____
(Municipality, location)
on _____
(Day, month, year)

_____ Inspector's signature

Established by

SOR/2005-313 October 25, 2005 pursuant to section 16.1 of the *Motor Vehicle Transport Act*, comes into force January 1, 2007.

The *Commercial Vehicle Drivers Hours of Service Regulations, 1994* are repealed.

Feedback Form

Alberta Transportation would like your feedback on the document "Alberta Reference Guide for Hours of Service Training Development". All responses are kept confidential and will be grouped with other responses to provide an overall evaluation of the document. Please send the completed form to:

Director, Carrier Services Section
#401, 4920 – 51 Street
Red Deer, AB T4N 6K8
Phone: (403) 340-5021 (toll free in Alberta by first dialing 310-0000)
Fax: (403) 340-4811

Date survey completed: _____

1. How did you get a copy of the document *Commercial Vehicle Safety Compliance in Alberta*?

- | | |
|---|--|
| <input type="checkbox"/> Department information (email, mail, etc.) | <input type="checkbox"/> Industry Association – Specify: _____ |
| <input type="checkbox"/> Another carrier | <input type="checkbox"/> Consultant |
| <input type="checkbox"/> Web site – Specify site: _____ | <input type="checkbox"/> Other – Specify: _____ |

2. The following questions will help us determine the usefulness of the content available in the document. Please choose one answer for each part.

	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	No Opinion
a. The information was easy to find.	<input type="checkbox"/>				
b. The information was easy to read and understand.	<input type="checkbox"/>				
c. The information was useful.	<input type="checkbox"/>				
d. I will be able to apply this information to my company.	<input type="checkbox"/>				
e. There was enough information provided.	<input type="checkbox"/>				
f. What information, if any, would you like to see added to the document?	_____				

- g. What information, if any, should be deleted from the document?

- h. What information was most useful to you?

- i. Did you use the information in the document? Yes No – Why not?

- j. Did you use the sample forms provided in the document? Yes No – Why not?

- k. Did this document assist you in improving your compliance with the Hours of Service Regulations? Yes No – Why not?

- l. Would you recommend this document to others? Yes No – Why not?

3. The following questions help us understand how the needs and views of users are different. This will help improve our information products. All answers will be kept confidential.

- a. Which type of transportation industry sector(s) are you employed in? (select all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Oilfield Service | <input type="checkbox"/> Passengers |
| <input type="checkbox"/> General Freight (less than truck load) | <input type="checkbox"/> Log Hauling (excluding lumber) |
| <input type="checkbox"/> Truck Load (van or flat deck trailers) | <input type="checkbox"/> Building or Modular Home |
| <input type="checkbox"/> Heavy Equipment (incl. construction) | <input type="checkbox"/> Livestock |
| <input type="checkbox"/> Dangerous Goods – bulk | <input type="checkbox"/> Other Commercial Farm Products |
| <input type="checkbox"/> Dangerous Goods – non-bulk | <input type="checkbox"/> Gravel/Rock/Dirt/Aggregates |
| <input type="checkbox"/> Bulk – Liquids (non-dangerous goods) | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Bulk – Dry (non-dangerous goods) | _____ |

b. Approximately how many NSC power units are registered to your company?

- | | |
|----------------------------------|--------------------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 20 – 49 |
| <input type="checkbox"/> 2 – 4 | <input type="checkbox"/> 50 – 99 |
| <input type="checkbox"/> 5 – 9 | <input type="checkbox"/> 100 – 199 |
| <input type="checkbox"/> 10 – 19 | <input type="checkbox"/> 200 or more |

c. What is your current occupation or position? (select all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Carrier Owner | <input type="checkbox"/> Owner/Operator (no other drivers except owner) |
| <input type="checkbox"/> Safety Supervisor | <input type="checkbox"/> Government employee |
| <input type="checkbox"/> Driver | <input type="checkbox"/> Safety Consultant |
| <input type="checkbox"/> Other transportation worker (specify): | <input type="checkbox"/> Other (please specify): |

d. If you would like a response to your comments, please provide the following information:

Name: _____

Mailing Address: _____

E-mail: _____

Phone #: _____

4. Other Comments: _____

Thank you for taking the time to provide us with your feedback. Alberta Transportation values everyone's opinion.



Module 1

Overview



© Microsoft®.



© Microsoft®.

Things to think about ...

What if there were no rules limiting how many hours a driver could drive a commercial vehicle?

What would happen to the commercial vehicle driver?

What affect would it have on highway safety?

Although most people don't like rules, there are reasons for rules. Hours of service rules take into account current sleep and fatigue research along with input from the trucking and bus industry. The rules help to ensure driver and highway safety.

What will I learn in this module?

- History and reasons for Hours of Service legislation
- How the human body clock affects fatigue
- How to identify driver fatigue
- How to avoid sleep debt

Why do we need Hours of Service legislation?

Hours of Service regulations are the rules that truck and bus drivers follow when driving a commercial vehicle in Canada. These rules include maximum allowable driving times and minimum required off-duty times. Hours of Service rules have not changed very much since before the Second World War. Unfortunately, Hours of Service rules were not based on sleep and fatigue research.

From 1989 - 1996, Transport Canada and the US Department of Transportation conducted a \$6 million study on driver fatigue and alertness. The study found that some drivers were driving long hours, day after day, resulting in serious levels of fatigue caused by "sleep debt". This fatigue resulted in numerous commercial vehicle collisions.

The research found that the only way to combat fatigue is to obtain adequate sleep. However, commercial vehicle drivers can't obtain adequate sleep if they don't have the opportunity to sleep. Therefore, in order to reduce the number of fatigue-related commercial vehicle collisions, the Hours of Service regulations needed to change to allow opportunities for additional sleep.

Changing the Hours of Service regulations is not a simple task. Representatives from the trucking and bus industries, sleep research experts, road safety advocates and regulators, public interest groups, law enforcement agencies, labour organizations, and the federal and provincial governments worked for the past 10 years to make changes to the regulations. They wanted the new regulations to help commercial vehicle drivers identify and combat fatigue.



© Microsoft®.

What is fatigue?

Fatigue is what happens when we work, exert ourselves or experience stress for long periods of time. We contribute to our fatigue simply by being awake. When we are fatigued, we become tired and drowsy.

When we are drowsy, there is an increased chance that our body will have a microsleep. A microsleep can last from a few seconds to several minutes and we may not even be aware that a microsleep has occurred. During a microsleep, we fail to respond to outside information. For example, during a microsleep, we would not see a red signal light or notice that the road has taken a curve.

The Canadian Safety Council states:

“Fatigue is a factor in about 15 percent of motor vehicle collisions, resulting in about 400 deaths and 2,100 serious injuries every year.”

“Someone who has not slept for 18 hours is as impaired as someone with a .05 blood alcohol level (for which, in most provinces, police can take away your driver’s license for 12 to 24 hours).”

(Source: www.safety-council.org/info/traffic/fatigue-06.html)

Drowsy drivers become dangerous drivers to themselves and other highway users. Fatigue creates a risk for anyone driving and is a major concern for the transportation industry.

How does the human body clock affect fatigue?

To understand fatigue, we need to understand circadian rhythms. These rhythms influence body processes so that they peak and have low points during every 24-hour period. Many body processes follow these rhythms but sleep and wakefulness are the most important.

The body's internal biological clock controls circadian rhythms. This clock, located in the brain, tells body processes when to have peaks and when to have low points. For example, from midnight to dawn, the clock tells the body to lower body temperature, slow the heart rate, and lower blood pressure.

Surprisingly, the body makes these changes whether we are asleep or awake!



Although circadian rhythms vary from person to person, cues such as daylight/darkness and work/rest schedules keep the clock "set". However, crossing time zones or changing day and night shifts forces the clock to adopt a different schedule.



© Microsoft®.

Despite what people think, the internal clock does not easily adapt to night shift work. Disrupting the clock can lead to a lack of sleep and increase in fatigue. Even though they are tired during the day, night shift workers usually have trouble sleeping because their body clock expects them to be awake during this time.

In addition, most shift workers experience a decrease in alertness from midnight to dawn. Research shows that during this low point in circadian rhythms, there is an increase in fatigue-related vehicle accidents. These accidents occur even though there are lower traffic volumes during this time.

What are the symptoms of fatigue?

In order to reduce the risk of fatigue, people need to know how to identify it. People display several symptoms when they are fatigued:

- *Decreased judgment.* People aren't as capable of doing their jobs.
- *Decreased decision-making ability.* People have trouble making decisions.
- *Diminished memory, reaction time and concentration.* People have shorter attention spans and are unable to react as quickly or accurately.
- *Worsened mood.* People get depressed and cranky.

How can we avoid sleep debt?

Research confirms that the only way to combat fatigue is to obtain adequate sleep. The required amount of sleep varies from person to person but, on average, people need between 6 - 8 hours of sleep per day. People who do not get sufficient daily sleep build a “sleep debt”.

This sleep debt continues to grow every day that we fail to get the daily sleep requirement. As sleep debt increases, we become less alert and more drowsy which affects our performance.

This sleep debt does not go away or suddenly decrease on its own. We must repay our sleep debt. We can repay this debt (i.e., “catch up” on sleep) in one of three ways:

- 1) Take 20 - 30 minute naps
- 2) Sleep for a longer period of time
- 3) Relax so that you have deeper sleep



© Microsoft®.

Effective January 1, 2007, the *Federal Commercial Vehicle Drivers Hours of Service Regulations* give commercial vehicle drivers the opportunity to combat fatigue with adequate amounts of sleep. Specifically, commercial vehicle drivers must:

- In a 24-hour period:
 - Not drive after accumulating 13 hours driving time
 - Not drive after accumulating 14 hours of on-duty time
 - Have a minimum of 10 hours off-duty time
- In a work shift:
 - Not drive after accumulating 13 hours driving time
 - Not drive after accumulating 14 hours of on-duty time
 - Not drive after 16 hours of elapsed time
- In a cycle:
 - Not exceed 70 hours on-duty time in 7 consecutive days, if following Cycle 1
 - Not exceed 120 hours on-duty time in 14 consecutive days (with at least 24 hours off-duty time after reaching 70 hours of on-duty time), if following Cycle 2
 - Have a minimum of 24 consecutive hours off-duty in the preceding 14 days, regardless of Cycle

Although these regulations cannot make commercial vehicle drivers sleep when they need it, these rules give drivers adequate opportunities to rest and are consistent with research on fatigue, the human body clock and sleep debt. If commercial vehicle drivers take the opportunity to sleep, it will reduce the number of fatigue-related commercial vehicle collisions and have a positive impact on highway safety.



© Microsoft®.

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) What is the purpose of the Hours of Service legislation?

- 2) What influence does our body clock have on fatigue?

- 3) How do we know if we are fatigued?

- 4) How many hours of sleep does the average person need?

- 5) How can a person repay “sleep debt”?

Answers to Module Self-Check Questions

- 1) What is the purpose of Hours of Service legislation?
 - Reduce fatigue-related commercial vehicle collisions by providing drivers with opportunity to obtain additional rest
 - Rules that commercial vehicle drivers follow in Canada (include maximum allowable driving times and minimum required off-duty times)
- 2) What influence does our body clock have on fatigue?
 - Body clock, located in the brain, tells body processes when to have peaks and low points (low points = increase in fatigue-related accidents)
 - Disrupting the clock can lead to a lack of sleep and increase in fatigue
- 3) How do we know if we are fatigued?
 - Tired and drowsy; microsleeps
 - Decreased judgment
 - Decreased decision-making ability
 - Diminished memory, reaction time and concentration
 - Worsened mood
- 4) How many hours of sleep does the average person need?
 - 6 - 8 hours of sleep per day
- 5) How can a person repay “sleep debt”?
 - Take 20-30 minute naps
 - Sleep for a longer period of time
 - Relax so that you have deeper sleep



Where can I learn more?

If you are interested in learning more about the topics discussed in this module, please refer to the following:

- Federal Commercial Vehicle Drivers Hours of Service Regulation and Regulatory Impact Analysis Statement
<http://canadagazette.gc.ca/partII/2005/20051116/html/sor313-e.html>
- Commercial Motor Vehicle Driver Fatigue and Alertness Study – Executive Summary, November 1996
<http://www.tc.gc.ca/tdc/summary/12800/execsummary.htm>



© Microsoft®.



Module 2

Application



© Microsoft®.



© Microsoft®.

Things to think about ...

There are two Hours of Service regulations:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations*
- Alberta Drivers' Hours of Service Regulations

What is the difference between these two regulations?

Do the Federal Regulations apply to all commercial vehicles?

What will I learn in this module?

- Definition of a motor carrier
- Commercial vehicles that apply the Federal Regulations
- Commercial vehicles that are excluded from the Federal Regulations

What is a motor carrier?

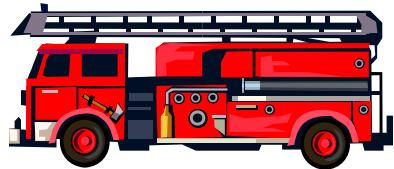
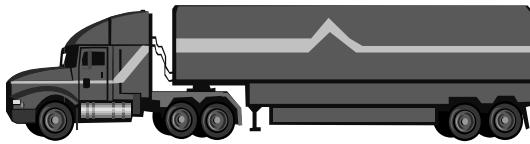


Legislative References:

- *Federal Motor Vehicle Transport Act (1987) Section 2(1) Definitions*

A “motor carrier” is a person who transports goods/passengers by truck or bus and operates the vehicle for commercial purposes. Motor carriers include transportation and bus companies as well as other groups such as farmers, small businesses and fire departments.

All motor carriers must declare whether they intend to operate within Alberta or outside Alberta. Motor carriers that operate outside of Alberta (i.e., extra-provincial undertaking) have "Federal" Operating Status. Motor carriers that operate solely in Alberta (i.e., intra-provincial undertaking) have "Provincial" Operating Status. This status appears on their Alberta Safety Fitness Certificate.



© Microsoft®.

Which commercial vehicles apply the Federal Regulations?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 1 Interpretation*

The Federal Regulations apply to any commercial vehicle that meets the following criteria:

- 1) Registered to a motor carrier with a Federal Operating Status (as indicated on the carrier's Alberta Safety Fitness Certificate)
- 2) A truck, tractor, trailer or any combination of these vehicles with a total registered gross vehicle weight greater than 4,500 kilograms

OR

A bus with a seating capacity of 11 persons or more, including the driver

If the commercial vehicle does not meet both of these criteria, the Federal Regulations do not apply.

If the carrier has a Provincial Operating Status, the Alberta Regulations will apply.

It is important to note that if a carrier has a Provincial Operating Status, but is transporting a load that originates or is destined for a point outside of Alberta, the carrier has the wrong Operating Status and the Federal Regulations will apply. This carrier needs to choose one of the following options:

- Transfer the load to another carrier who has the appropriate Federal authority
- Hold the load while the carrier applies to have its Operating Status changed. There is no point-to-point option that will allow a vehicle registered to a Provincial carrier to cross any Alberta border.

Which commercial vehicles do not apply the Federal Regulations?

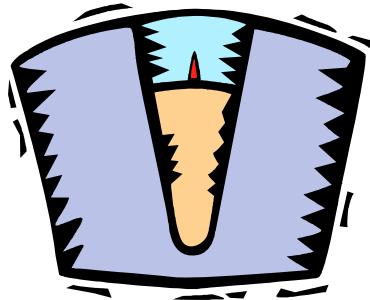


Legislative References:

- *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 2(1) Application*
- *Federal Emergencies Act (1985) Section 5*

The Federal *Commercial Vehicle Drivers Hours of Service Regulations* do not apply to the following vehicles:

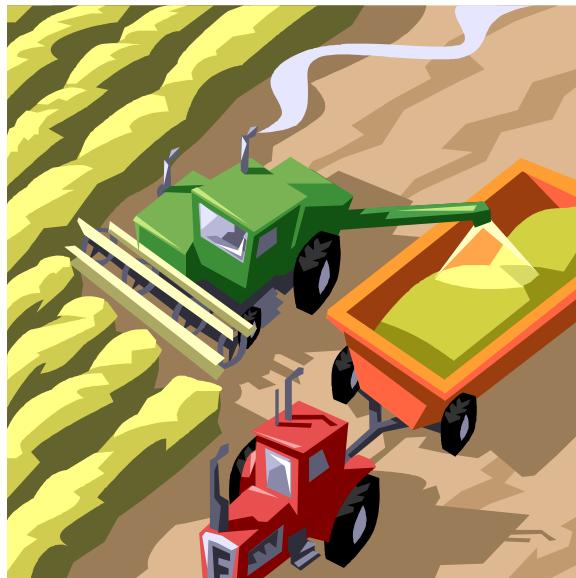
- 1) Commercial vehicle with a total registered gross vehicle weight of 4,500 kilograms or less



Total Registered Gross Vehicle Weight

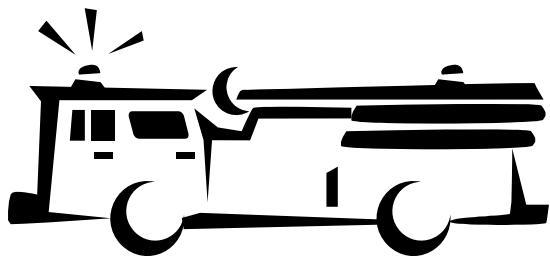
≤ 4,500 kilograms

- 2) Two or three-axle commercial vehicle transporting primary products of a farm, forest, sea, or lake and the driver (motor carrier) is the producer of the products. This exemption covers both the delivery and the return trip.



© Microsoft®.

- 3) "Emergency vehicles" which include a fire-fighting vehicle, ambulance, police vehicle, or other vehicle used for emergency purposes. An emergency is an unexpected series of events where there is an urgent need for immediate action, assistance or relief. Tow trucks are not an emergency vehicle.



© Microsoft®.

- 4) Commercial vehicle providing relief in a “public welfare emergency.” These emergencies include:

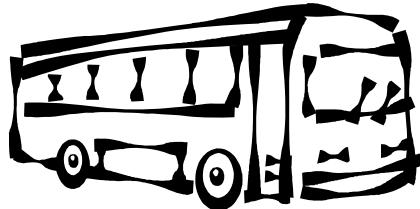
- fire, flood, drought, storm, earthquake, hurricane, tornado or other natural phenomenon
- disease in human beings, animals or plants
- accident or pollution

Drivers should document the circumstances and the reason for the emergency exemption as this information may be required during an audit or investigation.



© Microsoft®.

- 5) Bus that is part of a municipality’s public transit system and that travels within 25 kilometres of the boundary of the municipality.

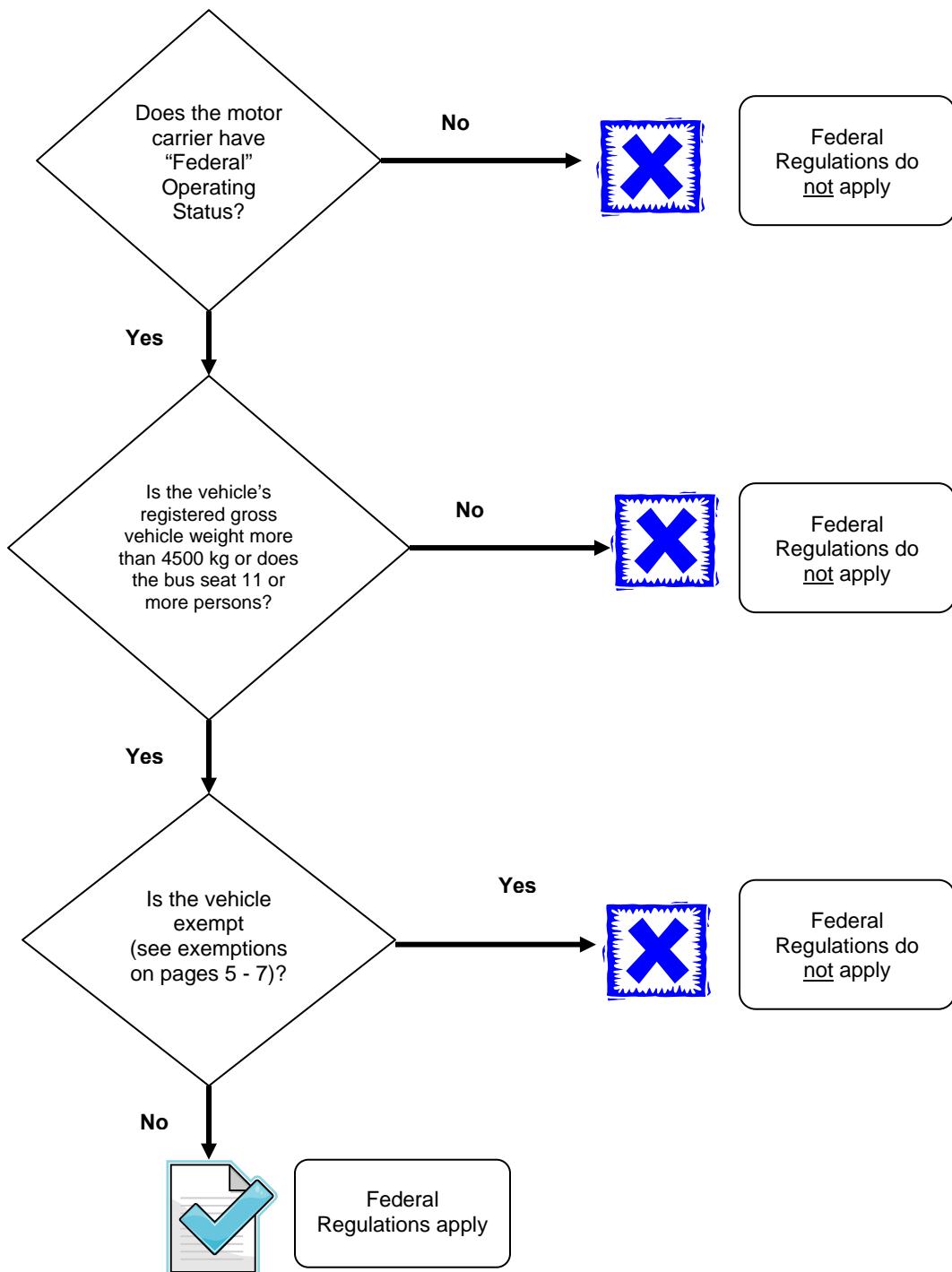


© Microsoft®.

- 6) Commercial vehicle driven for personal use. We will review this exemption in detail in Module 14.

With the exception of the commercial vehicles listed above, all other commercial vehicles that meet the criteria listed on page 4, must apply the Federal *Commercial Vehicle Drivers Hours of Service Regulations*.

Federal Commercial Vehicle Drivers Hours of Service Application Summary



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) The Federal Hours of Service Regulations apply to commercial vehicles with a registered gross vehicle weight over what number?
-

- 2) The Federal Hours of Service Regulations apply to buses with a seating capacity over what number?
-

- 3) An Alberta courier company hauls parcels from Calgary, Alberta to Spokane, Washington. The vehicle, registered for 14,000 kilograms, has "Federal" operating status. Which hours of service regulation would apply?
-

- 4) A commercial vehicle hauls groceries from Calgary, Alberta to High Level, Alberta and has "Provincial" operating status. Which hours of service regulation would apply?
-

- 5) A commercial vehicle hauls a load of electronics from Dallas, Texas to Grande Prairie, Alberta. The truck is registered in Alberta. The driver picked up the load in Calgary because the original driver got sick. Which hours of service regulation would apply?
-

- 6) Identify the 5 categories of commercial vehicles that are exempt from the *Federal Commercial Vehicle Drivers Hours of Service Regulations*.
-
-
-
-
-
-

Answers to Module Self-Check Questions

- 1) The Federal Hours of Service Regulations apply to commercial vehicles with a registered gross vehicle weight over what number?
 - Greater than 4,500 kilograms
- 2) The Federal Hours of Service Regulations apply to buses with a seating capacity over what number?
 - 11 persons or more, including the driver
- 3) An Alberta courier company hauls parcels from Calgary, Alberta to Spokane, Washington. The vehicle, registered for 14,000 kilograms, has “Federal” operating status. Which hours of service regulation would apply?
 - Federal
- 4) A commercial vehicle hauls groceries from Calgary, Alberta to High Level, Alberta and has “Provincial” operating status. Which hours of service regulation would apply?
 - Alberta
- 5) A commercial vehicle hauls a load of electronics from Dallas, Texas to Grande Prairie, Alberta. The truck is registered in Alberta. The driver picked up the load in Calgary because the original driver got sick. Which regulation would apply?
 - Federal
- 6) Identify the five categories of commercial vehicles that are exempt from the *Federal Commercial Vehicle Drivers Hours of Service Regulations*.
 - 2 or 3-axle vehicle transporting farm, forest, sea, or lake products
 - Emergency vehicles
 - Commercial vehicle providing relief in a “public welfare emergency”
 - Municipality’s public transit bus
 - Commercial vehicle driven for personal use



Module 3

Responsibilities



© Microsoft®.



© Microsoft®.

Things to think about ...

The purpose of the Federal *Commercial Vehicle Drivers Hours of Service Regulations* is to reduce fatigue-related commercial vehicle collisions by giving drivers the opportunity to obtain sufficient sleep, but whose responsibility is it to ensure that drivers are not fatigued?

Is it the motor carrier's, shipper's, consignee's, third party's or driver's responsibility?

The answer is "all of them" – safety is everyone's responsibility.

What will I learn in this module?

- Motor carrier responsibilities
- Shipper responsibilities
- Consignee responsibilities
- Third party responsibilities
- Driver responsibilities

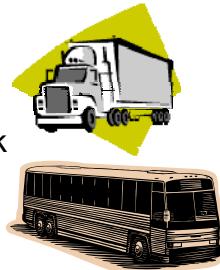
What are the motor carrier's responsibilities?



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 4 Responsibilities of Motor Carriers, Shippers, Consignees and Drivers*

A motor carrier is an individual or a company (and its management) involved with the transportation of goods/passengers by truck or bus. Although drivers usually work for motor carriers, self-employed drivers also transport goods or passengers. Regardless of the driver's employment situation, the motor carrier has a responsibility to ensure that the driver is following the *Federal Commercial Vehicle Drivers Hours of Service Regulations*.



© Microsoft®.

If a motor carrier notices that a driver's abilities are impaired (by alcohol, drugs, fatigue, health or unknown causes – the cause is unimportant) to the point where it is unsafe for the driver to drive, the motor carrier must refuse to let the driver drive. A motor carrier must not allow any driving that would risk the safety or health of the public, driver or employees of the motor carrier. This includes refusing to let a driver drive if the driver is subject to an out-of-service declaration. We will discuss out-of-service declarations in detail in Module 20.

Rather than promoting "just in time" driving at any cost, the motor carrier needs to encourage "due diligence."

The motor carrier must ask:

What would a reasonable person do in the same situation to avoid harm to other persons or their property?

If a reasonable person would not let the driver drive, the motor carrier must not request, require or allow the driver to drive.

What are the shipper's responsibilities?



Legislative References:

- Alberta Bill of Lading and Conditions of Carriage Regulation (A/R 313/2002) Section 1 Definitions
- Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 4 Responsibilities of Motor Carriers, Shippers, Consignees and Drivers

Shipping is the complete process of transporting goods from one location to another. A shipper (also referred to as a consignor) is the person/company who initiates and administers the transport of goods on a commercial vehicle. Because the shipper is usually the last person a driver interacts with before driving, the shipper has a responsibility to ensure that the driver is following the *Federal Commercial Vehicle Drivers Hours of Service Regulations*.



© Microsoft®.

If a shipper notices that a driver's abilities are impaired (by alcohol, drugs, fatigue, health or unknown causes – the cause is unimportant) to the point where it is unsafe for the driver to drive, the shipper must refuse to let the driver drive. A shipper must not allow any driving that would risk the safety or health of the public, driver or employees of the motor carrier. This includes refusing to let a driver drive if the driver is subject to an out-of-service declaration.

Rather than promoting "just in time" driving at any cost, the shipper needs to encourage "due diligence."

The shipper must ask:

What would a reasonable person do in the same situation to avoid harm to other persons or their property?

If a reasonable person would not let the driver drive, the shipper must not request, require or allow the driver to drive.

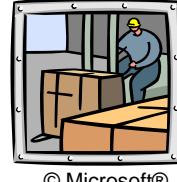
What are the consignee's responsibilities?



Legislative References:

- Alberta Bill of Lading and Conditions of Carriage Regulation (A/R 313/2002) Section 1 Definitions
- Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 4 Responsibilities of Motor Carriers, Shippers, Consignees and Drivers

A consignee is the person who receives the goods transported by the commercial vehicle. Because the consignee (receiver) interacts with a driver, the consignee has a responsibility to ensure that the driver is following the *Federal Commercial Vehicle Drivers Hours of Service Regulations*.



© Microsoft®.

If a consignee notices that a driver's abilities are impaired (by alcohol, drugs, fatigue, health or unknown causes – the cause is unimportant) to the point where it is unsafe for the driver to drive, the consignee must refuse to let the driver drive. A consignee must not allow any driving that would risk the safety or health of the public, driver or employees of the motor carrier. This includes refusing to let a driver drive if the driver is subject to an out-of-service declaration.

The consignee must not knowingly allow a motor carrier or driver to break the law. The consignee needs to encourage “due diligence.”

The consignee must ask:

What would a reasonable person do in the same situation to avoid harm to other persons or their property?

If a reasonable person would not let the driver drive, the consignee must not request, require or allow the driver to drive.

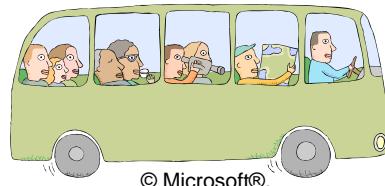
What are the third party's responsibilities?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 4 Responsibilities of Motor Carriers, Shippers, Consignees and Drivers*

A third party is anyone who is involved in the commercial transportation industry, directly or indirectly. All third parties have a responsibility to ensure that the driver is following the *Federal Commercial Vehicle Drivers Hours of Service Regulations*.



In the bus industry, third parties are often involved in the transportation of passengers. A third party includes a user of the service, tour director, group leader, etc. In the trucking industry, third parties include driver pool and vehicle leasing companies. Other examples of third parties include dispatchers and consultants who offer advice or training to motor carriers.

If a third party notices that a driver's abilities are impaired (by alcohol, drugs, fatigue, health or unknown causes – the cause is unimportant) to the point where it is unsafe for the driver to drive, the third party must refuse to let the driver drive. A third party must not allow any driving that would risk the safety or health of the public, driver or employees of the motor carrier. This includes refusing to let a driver drive if the driver is subject to an out-of-service declaration.

The third party must not knowingly allow a motor carrier or driver to break the law. The third party needs to encourage "due diligence."

The third party must ask:

What would a reasonable person do in the same situation to avoid harm to other persons or their property?

If a reasonable person would not let the driver drive, the third party must not request, require or allow the driver to drive.

What are the driver's responsibilities?



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 4 Responsibilities of Motor Carriers, Shippers, Consignees and Drivers*

A “driver” is the person who operates the commercial vehicle. Drivers may work for a trucking or bussing company or may be self-employed. All drivers are responsible for ensuring that they follow the Federal *Commercial Vehicle Drivers Hours of Service Regulations*.



If a driver is aware that his/her abilities are impaired (by alcohol, drugs, fatigue, health or unknown causes – the cause is unimportant) to the point where it is unsafe to drive, the driver must refuse to drive. A driver must not drive if it risks the safety or health of the public, driver or employees of the motor carrier. This includes refusing to drive if subject to an out-of-service declaration. A driver who decides not to drive, due to fatigue, is protected under the Federal Regulations.



© Microsoft®.

The driver needs to use “due diligence.”

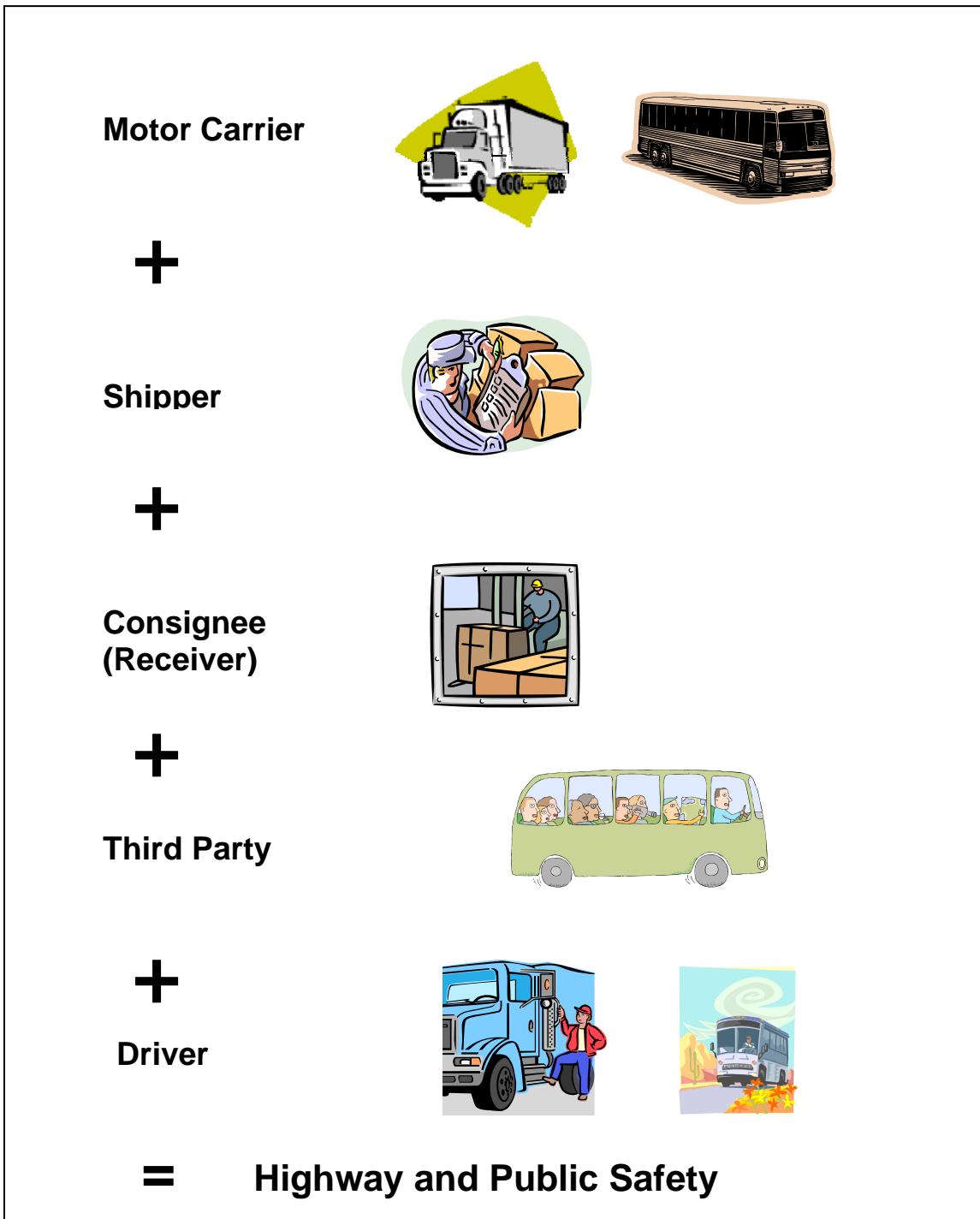
The driver must ask:

What would a reasonable person do in the same situation to avoid harm to other persons or their property?

If a reasonable person would not drive, the driver must not drive.

Summary

The Federal *Commercial Vehicle Drivers Hours of Service Regulations* will reduce fatigue-related commercial vehicle collisions if motor carriers, shippers, consignees, third parties and drivers work together to ensure that drivers do not drive when it is dangerous for them to do so. Everyone has a responsibility for and can contribute to highway and public safety.



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) List some of the people who are responsible for deciding whether it is safe for a driver to drive.

- 2) List the situations in which a driver can be refused the opportunity to drive.

- 3) Explain "due diligence."

- 4) Can a driver refuse to drive because he/she is fatigued?

Answers to Module Self-Check Questions

- 1) List some of the people who are responsible for deciding whether it is safe for a driver to drive.
 - Motor Carrier
 - Shipper
 - Consignee (Receiver)
 - Third party (user of the service, tour director, group leader, etc.)
 - Driver
- 2) List the situations in which a driver can be refused the opportunity to drive.
 - Driver's abilities are impaired (by alcohol, drugs, fatigue, health or unknown causes) and it is unsafe for the driver to drive
 - Driving would risk the safety or health of the public, driver or motor carrier employees
 - Driver is subject to an out-of-service declaration
 - Driver is not following (complying with) the Federal Regulations
- 3) Explain "due diligence."
 - What would a reasonable person do in the same situation to avoid harm to other persons or their property?
 - If a reasonable person would not let the driver drive, person must not request, require or allow the driver to drive
- 4) Can a driver refuse to drive because he/she is fatigued?
 - Yes, a driver can refuse to drive and is protected under the Federal Regulations



Module 4

Driver Activities



© Microsoft®.



© Microsoft®.

Things to think about ...

What activities do commercial vehicle drivers perform in the course of a day?

A typical day for a commercial vehicle driver involves picking up/dropping off a load, driving, maintaining the vehicle, completing paperwork, eating, sleeping and performing other work for the motor carrier.

Every driver activity can be classified into one of four categories. The Federal *Commercial Vehicle Drivers Hours of Service Regulations* set limits on each category so it is important that drivers keep an accurate record of how much time they spend performing each activity.

What will I learn in this module?

- Activities classified as driving time
- Activities classified as on-duty other than driving time
- Activities classified as off-duty time other than in a sleeper berth
- Activities classified as off-duty time spent in a sleeper berth
- How to use a logbook

What is duty status?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 1 Interpretation*

All driver activities can be classified into one of four categories of “duty status”:

- Off-duty time, other than time spent in a sleeper berth
- Off-duty time spent in a sleeper berth
- Driving time (on-duty time)
- On-duty time, other than driving time

“On-duty time” begins when a driver starts work or when the motor carrier requires the driver to be available for work. This does not include time when the driver is waiting at home or on-call for a work assignment. On-duty time ends when the driver stops work or is relieved of all responsibility by the motor carrier.

“Off-duty time” is any time other than on-duty time.

What activities are classified as “off-duty time, other than time spent in a sleeper berth”?

A driver is off-duty if the driver has the freedom to do whatever the driver wants to do. The driver must be completely relieved of all duty, responsibility and obligation for the care and custody of the vehicle, its accessories, and any passengers or cargo it may be carrying. In other words, the driver must have the freedom to leave the vehicle to do something else.

Typical off-duty activities include stopping for meal breaks, rest breaks and sleep. If a driver is waiting to be assigned work by a motor carrier (i.e., at home or some other location carrying a pager/beeper), it is considered off-duty time.

In addition, any work performed for an organization other than a motor carrier is off-duty time. Therefore, if a driver works for a “non-motor carrier”, the driver is off-duty for the entire time that he / she works for the “non-motor carrier”.



© Microsoft®.

What activities are classified as “off-duty time spent in a sleeper berth”?

Some commercial vehicles are equipped with a special area used for sleeping accommodation. These sleeper berths are usually located in the cab or passenger compartment of the commercial vehicle and must meet specific dimensions and environmental requirements. Please refer to Module 8 for sleeper berth criteria.

Any time that a driver spends reading, relaxing or sleeping in a sleeper berth is off-duty time spent in a sleeper berth.

What activities are classified as “driving time”?

Any time that a driver spends operating or controlling a commercial vehicle is driving time.

What activities are classified as “on-duty, other than driving time”?

Commercial vehicle drivers perform many activities in the course of a day. The following activities are on-duty, other than driving time:

- Inspecting, servicing or repairing the commercial vehicle
- Loading or unloading the commercial vehicle
- Waiting to be dispatched (at a motor carrier or shipper facility)
- Waiting for inspection at customs
- Traveling in a commercial vehicle as a co-driver
- Traveling as a passenger in a commercial vehicle to a point where the driver will begin driving
- Performing any other work for the motor carrier such as completing paperwork or working on a job site



© Microsoft®

Summary of Duty Status

Duty Status	Description	Examples
Off-duty time other than time spent in a sleeper berth	<ul style="list-style-type: none"> - Driver has the freedom to do whatever the driver wants to do - Driver is relieved of all duty, responsibility and obligation for the care and custody of the vehicle, its accessories, and any passengers or cargo it may be carrying - Driver has the freedom to leave the vehicle to do something else 	<ul style="list-style-type: none"> - Meal break - Rest break - Sleep - Waiting for work assignment - Work performed for an organization other than the motor carrier - Vacation time
Off-duty time spent in a sleeper berth	<ul style="list-style-type: none"> - Driver is in sleeper berth area 	<ul style="list-style-type: none"> - Reading, relaxing or sleeping in sleeper berth
Driving time	<ul style="list-style-type: none"> - Driver operates or controls a commercial vehicle 	<ul style="list-style-type: none"> - Driving a commercial vehicle
On-duty, other than driving time	<ul style="list-style-type: none"> - Driver performs other activities while on-duty - On-duty time begins when a driver starts work or is required by the motor carrier to be available for work - On-duty time ends when the driver stops work or is relieved of responsibility by the motor carrier 	<ul style="list-style-type: none"> - Inspecting, servicing or repairing commercial vehicle - Loading or unloading commercial vehicle - Waiting to be dispatched (at a motor carrier or shipper facility) - Waiting for inspection at customs - Traveling in a commercial vehicle as a co-driver - Traveling as a passenger in a commercial vehicle to a point where the driver will begin driving - Performing any other work for the motor carrier such as completing paperwork

What is a logbook and how does a driver use it?

In order to keep track of the time spent performing on-duty and off-duty activities, most drivers complete a daily log of their activities. Please refer to Module 17 for specific daily log criteria and Module 18 for the radius exemption (i.e., drivers who do not need to complete a daily log).

The easiest way to record driver activities is to use a logbook. Drivers use one page in a logbook to record one day's (24 hours) activities. Drivers can get logbooks from one of the following sources:

- motor carriers
- truck stops
- stationary stores
- commercial printing companies

Although the layout of logbooks can vary, the most common element is the daily grid:

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

The daily grid displays 24 hours broken into 15-minute segments. Drivers record activities by marking the start and end time for an activity and drawing a continuous line between the start and end time. Drivers usually draw a vertical line to connect the end time from one activity to the start time for the next activity, but it is not mandatory.

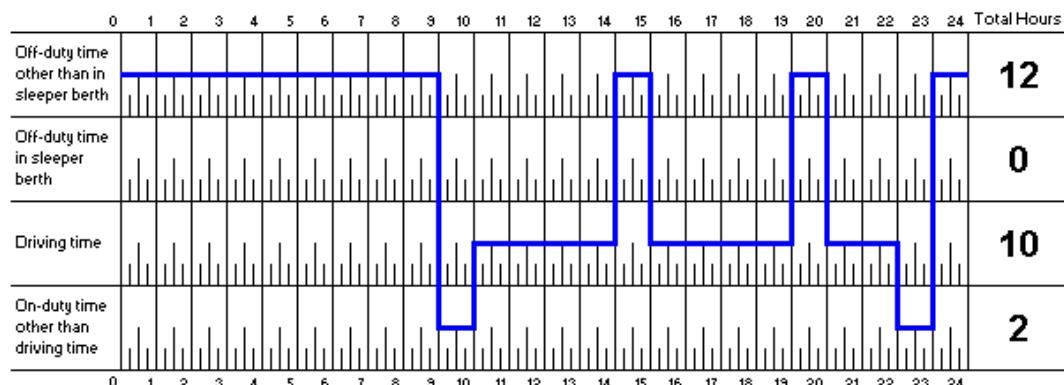
On the right-hand side of the grid, drivers calculate the total number of hours for each duty status. The grand total for each daily grid must equal 24 hours.

Example:

A driver performs the following activities in a day:

Time	Activity	Duty Status
8 hours	Sleep	Off-duty time other than time spent in a sleeper berth
1 hour	Eat breakfast and drive to motor carrier	Off-duty time other than time spent in a sleeper berth
1 hour	Pre-trip inspection and supervise loading of vehicle	On-duty, other than driving time
4 hours	Drive	Driving time
1 hour	Eat lunch	Off-duty time other than time spent in a sleeper berth
4 hours	Drive	Driving time
1 hour	Eat supper	Off-duty time other than time spent in a sleeper berth
2 hours	Drive	Driving time
1 hour	Supervise unloading of vehicle, conduct post-trip inspection and complete paperwork	On-duty, other than driving time
1 hour	Relax and sleep	Off-duty time other than time spent in a sleeper berth

The driver records the activities on the daily grid as follows:



The Federal *Commercial Vehicle Drivers Hours of Service Regulations* specify limits on each duty status so it is important that drivers keep an accurate record of how much time they spend performing each activity. In the remaining modules, we review a driver's duty status limits.

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) List the four categories of "duty status."

- 2) Explain the difference between "on-duty time" and "off-duty time."

- 3) Classify each of the following situations according to duty status:

Duty Status	Situation
	Vehicle is broken down on the side of the road and driver is waiting for help
	Supervising loading of trailer
	Sleeping in sleeper berth
	On vacation
	Sitting in passenger seat and reading road map to help co-driver
	Driving to work
	Stopped at weigh station for a vehicle inspection
	Time spent at the scene of an accident collecting necessary information
	Driving a tractor across town to pick up a trailer

- 4) Describe how a logbook is used.

Answers to Module Self-Check Questions

- 1) List the four categories of “duty status.”
 - Off-duty time, other than time spent in a sleeper berth
 - Off-duty time spent in a sleeper berth
 - Driving time (on-duty time)
 - On-duty time, other than driving time

- 2) Explain the difference between “on-duty time” and “off-duty time.”
 - On-duty time begins when a driver starts work or is required by a motor carrier to be available for work; ends when the driver stops work or is relieved of responsibility by motor carrier
 - Off-duty time is any time other than on-duty time

- 3) Classify each of the following situations according to duty status:

Duty Status	Situation
On-duty time, other than driving	Vehicle is broken down on the side of the road and driver is waiting for help
On-duty time, other than driving	Supervising loading of trailer
Off-duty time spent in a sleeper berth	Sleeping in sleeper berth
Off-duty time	On vacation
On-duty, other than driving time	Sitting in passenger seat and reading road map to help co-driver
Off-duty time	Driving to work
On-duty, other than driving	Stopped at weigh station for a vehicle inspection
On-duty, other than driving	Time spent at the scene of an accident collecting necessary information
Driving time	Driving a tractor across town to pick up a trailer

- 4) Describe how a logbook is used.
 - One page in a logbook used to record one day’s (24 hours) activities



Notes:



Module 5

Daily Limits



© Microsoft®.



© Microsoft®.

Things to think about ...

Based on the sleep and fatigue research discussed in Module 1, we know that in order to reduce fatigue-related commercial vehicle collisions, drivers need the opportunity to obtain additional rest. The Federal *Commercial Vehicle Drivers Hours of Service Regulations* set limits on the number of hours a driver can drive in a day and the number of hours a driver must be off-duty in a day.

What is a day?

How many hours can a driver drive in a day?

How many hours does a driver need to be off-duty in a day?

What will I learn in this module?

- Definition of a day
- Daily driving time limit
- Daily off-duty time requirement

What is a day?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 1 Interpretation*

A day is a 24-hour period that begins at the hour designated by the motor carrier. The hour at which the day begins remains constant unless the driver takes a cycle reset (discussed in detail in Module 9). The motor carrier can designate a different 24-hour period (“day”) for different drivers.

For example, one driver’s day might start at midnight while another driver’s day might start at 2:00 am. The driver needs to record the hour at which the day begins on the log page (i.e., midnight or 2:00 am). Regardless of the daily start time, a driver records each 24-hour period (day) on one page of a logbook.

One log page per 24-hour period (day)

		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											
Off-duty time in sleeper berth																											
Driving time																											
On-duty time other than driving time																											
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		



		HOUR AT WHICH DAY BEGINS (2:00 a.m.)																										
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	1	2	Total Hours	
Off-duty time other than in sleeper berth																												
Off-duty time in sleeper berth																												
Driving time																												
On-duty time other than driving time																												

The “day” remains fixed for the rest of the driver’s cycle however, the driver is free to change the start time for the work shift each day. We will discuss work shifts in detail in Module 6.



© Microsoft®.

How many hours can a driver drive in a day?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 12 Daily Driving and On-Duty Time*

Two daily limits determine when a driver must stop driving:

- 1) Daily Driving Time Limit
- 2) Daily On-Duty Time Limit

Daily Driving Time Limit

A driver cannot drive more than 13 hours in a day (designated 24-hour period). Driving periods may start and stop throughout the day however, the total driving time must be less than or equal to 13 hours (i.e., ≤ 13 hours). In other words, after 13 hours of driving in a day, the driver can perform any other duty status activity, but the driver cannot drive.



Commercial Vehicle Drivers Hours of Service

	HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										Maximum 13
On-duty time other than driving time																										
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Example:

Driving Time

8:00 – 11:00	3 hours
12:00 – 15:00	<u>3 hours</u>
Total	6 hours

✓ Total Driving Time ≤ 13 hours

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										14
Off-duty time in sleeper berth																										0
Driving time																										6
On-duty time other than driving time																										4
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	



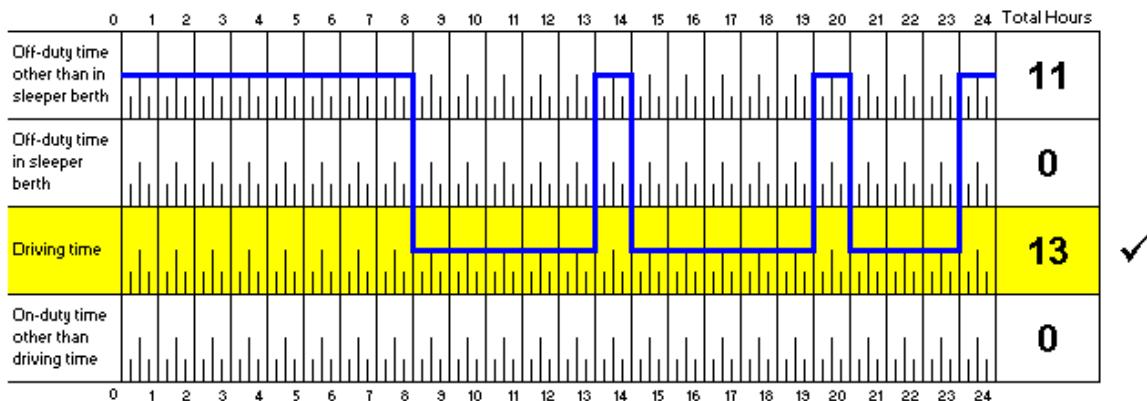
This driver has not exceeded this day's driving time limit.

Example:

Driving Time

8:00 – 13:00	5 hours
14:00 – 19:00	5 hours
20:00 – 23:00	3 hours
Total	13 hours

✓ Total Driving Time \leq 13 hours



This driver must stop driving at 23:00 because this day's driving time = 13 hours.

Daily On-Duty Time Limit

A driver also cannot drive after 14 hours of on-duty time in a day (designated 24-hour period). This means that as soon as the total of "driving time" plus "on-duty time other than driving" equals 14 hours, a driver must stop driving. Total on-duty time must be less than or equal to 14 hours (i.e., \leq 14 hours).



Commercial Vehicle Drivers Hours of Service

	HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

Example:

On-Duty Time

8:00 – 13:00 5 hours
 14:00 – 19:00 5 hours
 20:00 – 24:00 4 hours

Total 14 hours

✓ Total On-Duty Time ≤ 14 hours

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										1

This driver is in compliance with the 14 hour rule, as there is no driving after 14 hours on-duty time.

How many hours does a driver need to be off-duty in a day?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 14 Daily Off-Duty Time*

A driver must:

- Have at least 10 hours off-duty time in a day. This means that the total of “Off-Duty Time Other Than Time Spent in a Sleeper Berth” plus “Off-Duty Time in a Sleeper Berth” must be at least 10 hours. Total Off-Duty Time must be greater than or equal to 10 hours (i.e., ≥ 10 hours).
 - If the driver wants to stay eligible to drive, the driver must include at least 2 hours of Off-Duty Time that doesn’t form part of the 8 consecutive hours of core off-duty time although the 8 hours and 2 hours can be consecutive (core off-duty time will be discussed in detail in Module 6).

These 2 hours of Off-Duty Time must be in blocks greater than or equal to 30 minutes (i.e., ≥ 30 minutes) in order for it to count towards the required 10 hours off-duty time.

- If the driver does not want to stay eligible to drive, the driver can take all 10 hours off-duty time in blocks greater than or equal to 30 minutes (i.e., ≥ 30 minutes). In other words, a driver could take 20 blocks x 30 minutes/block = 10 hours off-duty time but the driver would not be eligible to drive.

		HOUR AT WHICH DAY BEGINS (Midnight)																									Total Hours	Minimum
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Off-duty time other than in sleeper berth	Off-duty time in sleeper berth																											
	Driving time																											
	On-duty time other than driving time																											

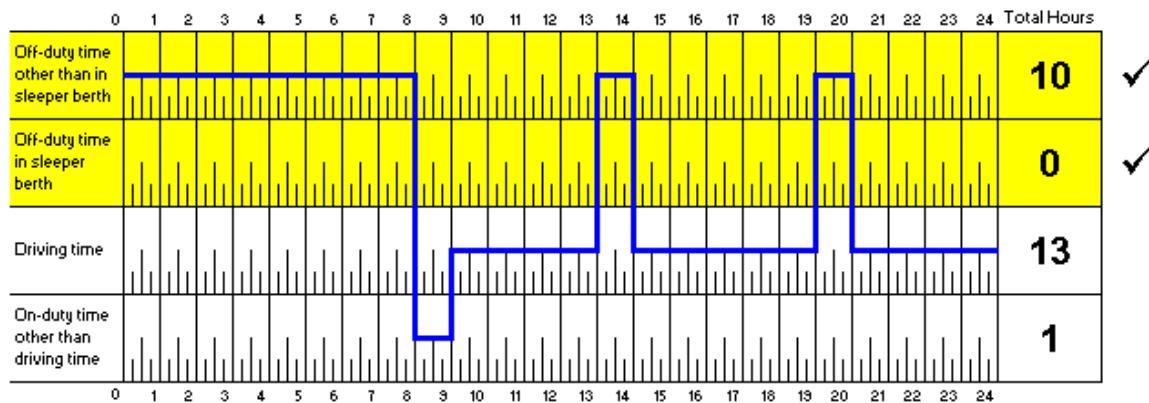


Example:

Off-Duty Time

0:00 – 8:00	8 hours
13:00 – 14:00	1 hour
19:00 – 20:00	1 hours
Total	10 hours

- ✓ Total Off-Duty Time \geq 10 hours
- ✓ Includes 2 hours that aren't part of 8 consecutive hours core off-duty time (each block \geq 30 minutes)



This driver has met the daily off-duty time requirement.



© Microsoft®.

Summary of Daily Driving Limits and Off-Duty Requirement

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

Daily Limits (start time of 24-hour period specified by carrier)
<input checked="" type="checkbox"/> No driving after 13 hours driving
<input checked="" type="checkbox"/> No driving after 14 hours on-duty
<input checked="" type="checkbox"/> 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

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) Explain the term "day."

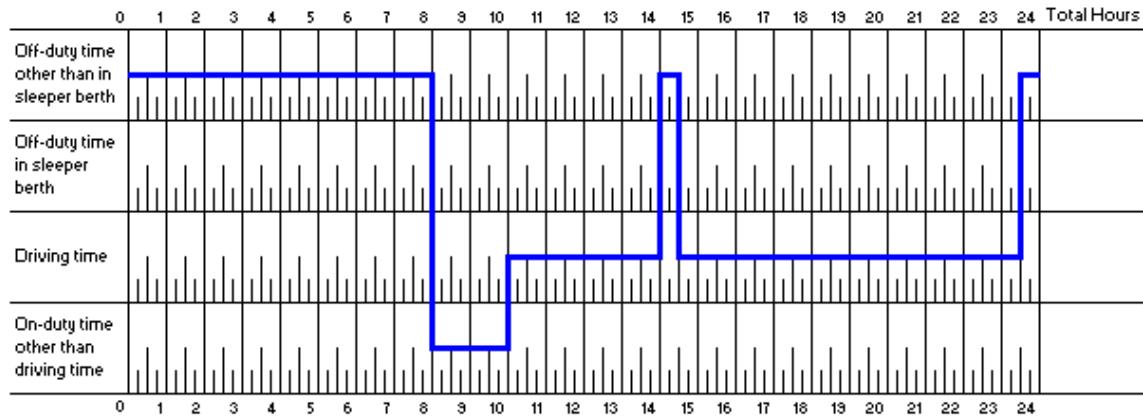
- 2) Explain the daily driving time limit.

- 3) Explain the daily on-duty time limit.

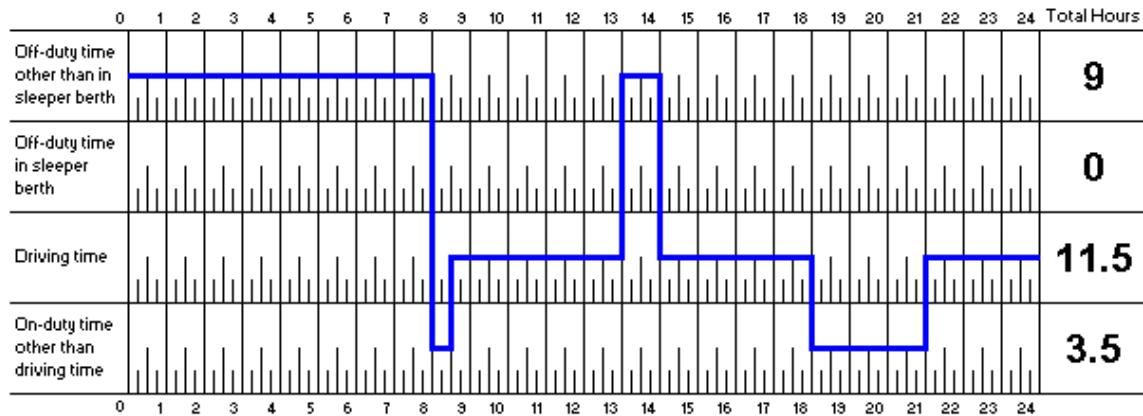
- 4) Explain the daily off-duty time requirement.

5) Review the following daily logs and identify any daily limit violations.

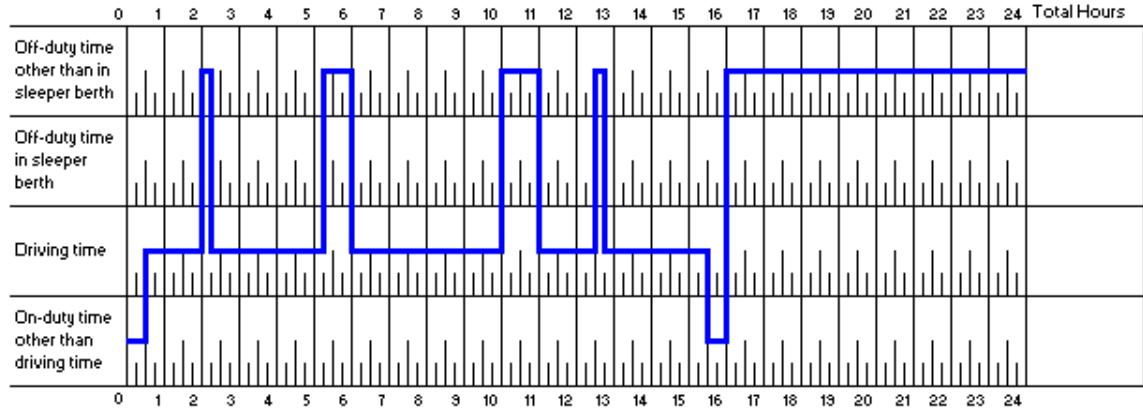
Driver #1



Driver #2



Driver #3



Answers to Module Self-Check Questions

1) Explain the term “day.”

- 24-hour period that begins at the hour designated by the motor carrier
- Hour at which day begins remains constant unless driver takes a cycle reset
- Motor carrier can designate different daily start times for different drivers

2) Explain the daily driving time limit.

- Driver cannot drive more than 13 hours in a day (designated 24-hour period)
- Driving periods may start and stop throughout the day however, total Driving Time must be less than or equal to 13 hours (≤ 13 hours)

3) Explain the daily on-duty time limit.

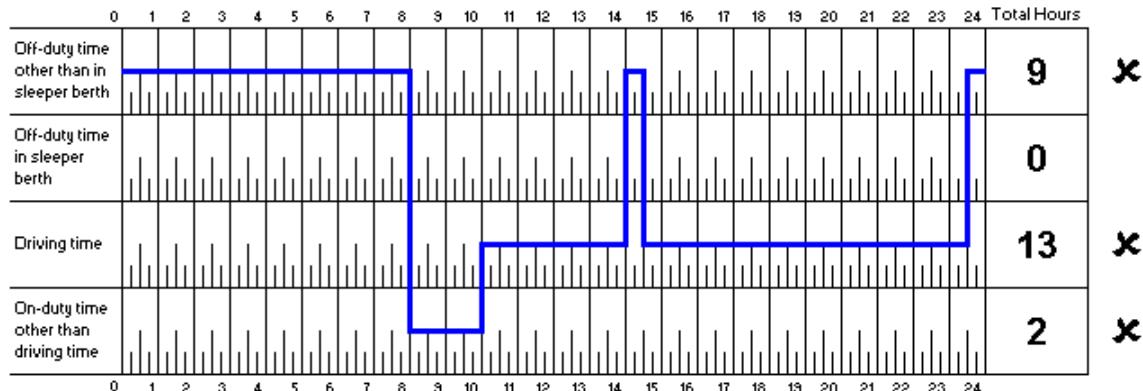
- Driver cannot drive after 14 hours of on-duty time in a day (designated 24-hour period)
- If total of “Driving Time” plus “On-Duty Time Other Than Driving” equals 14 hours, then the driver must stop driving

4) Explain the daily off-duty time requirement.

- Driver must be off-duty for at least 10 hours in a day
- Total of “Off-Duty Time Other Than in Sleeper Berth” plus “Off-Duty Time Spent in Sleeper Berth” must be greater than or equal to 10 hours (≥ 10 hours)
- Must include at least 2 hours of Off-Duty Time that doesn’t form part of the 8 consecutive hours of core off-duty time (each block must be equal to or greater than 30 minutes) (≥ 30 minutes)

5) Review the following daily logs and identify any daily limit violations.

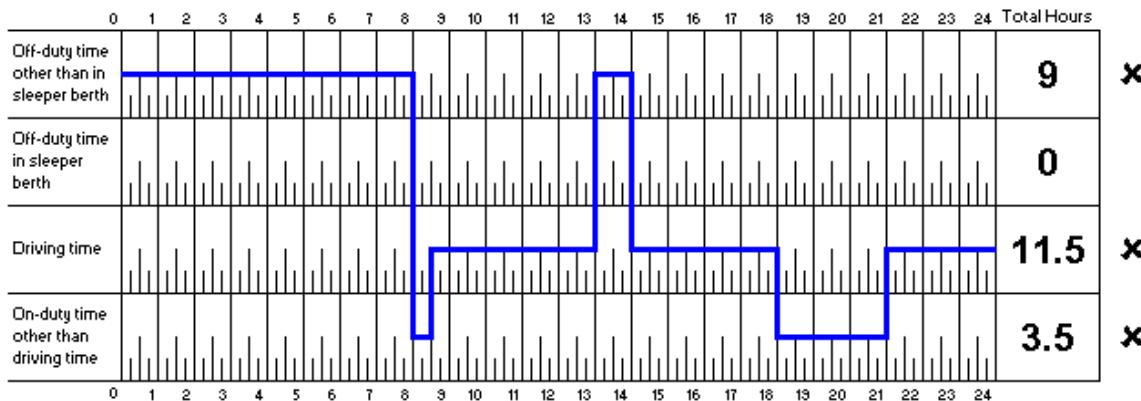
Driver #1



Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving (drove 13 hours)
- No driving after 14 hours on-duty
 - Drive after 14 hours on-duty
 - The 14th hour was reached at 22:30
 - Driver drove in violation from 22:30 – 23:30 for a total of 1 hour in violation
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours
 - 2 additional off-duty hours (blocks ≥ 30 minutes) that are not part of 8 consecutive hours
 - Driver in violation of off-duty requirement
 - Driver did not take 10 hours off-duty (off-duty for only 9 hours)
 - Driver did not take 2 hours that weren't part of the 8 hours of core off-duty time (only took 1 hour)

Driver #2

**Daily Limits** (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving (drove 11.5 hours)
- No driving after 14 hours on-duty
 - Drive after 14 hours on-duty
 - The 14th hour was reached at 23:00
 - Driver drove in violation from 23:00 – 24:00 for a total of 1 hour in violation on this day
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours
 - 2 additional off-duty hours (blocks ≥ 30 minutes) that are not part of the 8 consecutive hours
 - Driver in violation of off-duty requirement
 - Driver did not take 10 hours off-duty (off-duty for only 9 hours)
 - Driver did not take 2 hours that weren't part of the 8 hours of core off-duty time (only took 1 hour)

Driver #3

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10.25
Off-duty time in sleeper berth																										0
Driving time																										12.75
On-duty time other than driving time																										1

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving (drove 12.75 hours)
- No driving after 14 hours on-duty (had $12.75 + 1 = 13.75$ hours on-duty)
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours
 - 2 additional off-duty hours (blocks ≥ 30 minutes) that are not part of 8 consecutive hours
 - **Driver in violation of off-duty requirement even though the driver had a total of 10.25 hours off-duty**
 - **Driver did not only take 30-minute blocks (driver took two 15-minute blocks)**
 - **Driver did not take 2 hours that weren't part of 8 hours of core off-duty time (only took 1.75 eligible hours off-duty)**

2:00 – 2:15 **X (Not included in calculation)**

5:15 – 6:00 0.75 hour

10:00 – 11:00 1.00 hour

12:30 – 12:45 **X (Not included in calculation)**



Notes:



Module 6

Work Shift Limits



© Microsoft®.



© Microsoft®.

Things to think about ...

In addition to daily limits, the Federal *Commercial Vehicle Drivers Hours of Service Regulations* set work shift limits.

What is a work shift?

How many hours can a driver drive in a work shift?

Do daily limits have an effect on work shift limits?

What will I learn in this module?

- Definition of work shift
- Core off-duty time requirements
- Work shift limits



What is a work shift?

A work shift is the period of time that a driver is “on the job.” The work shift begins when a driver performs any activity for a motor carrier and ends when the driver stops for an extended period of rest referred to as a “core rest period” or “core off-duty time.”



© Microsoft®.

What is core off-duty time?

During core off-duty time (i.e., core rest period), drivers have the opportunity to obtain adequate sleep. As discussed in Module 1, most people need 6 - 8 hours of sleep per day. Core rest periods give drivers the opportunity to spend time away from the commercial vehicle. However, core rest periods can be taken in a stationary or moving commercial vehicle if the time is spent in a sleeper berth. We will discuss sleeper berths in detail in Module 8.

During a core rest period, a driver must have off-duty time that is greater than or equal to 8 consecutive hours (i.e., ≥ 8 consecutive hours). Once a driver has 8 or more consecutive hours of off-duty time, a new work shift begins.

**REST FOR 8
CONSECUTIVE
HOURS**

What is the work shift limit?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 13 Mandatory Off-Duty Time*

A driver cannot drive after 16 hours of elapsed time on a work shift. This means that as soon as the work shift equals 16 hours, a driver must stop driving. The work shift must be less than or equal to 16 hours (i.e., ≤ 16 hours).



In a work shift, the following rules apply:

- No driving after 13 hours driving in a work shift
- No driving after 14 hours on-duty in a work shift
- No driving after 16 hours of elapsed time in a work shift

After the work shift, the driver must start a core rest period (at least 8 consecutive hours of off-duty time) before the driver can drive again. Once the driver has taken the core rest period, the driver can start a new work shift.



In other words, every work shift is anchored on either end with a core rest period (i.e., one immediately before and one immediately after the work shift).



© Microsoft®.



© Microsoft®.

It is important to note that the work shift limits are not the same as the daily limits discussed in Module 5. A driver must comply with both the work shift limits and the daily limits.

The following examples show how both the work shift limit and daily limits affect driving time.

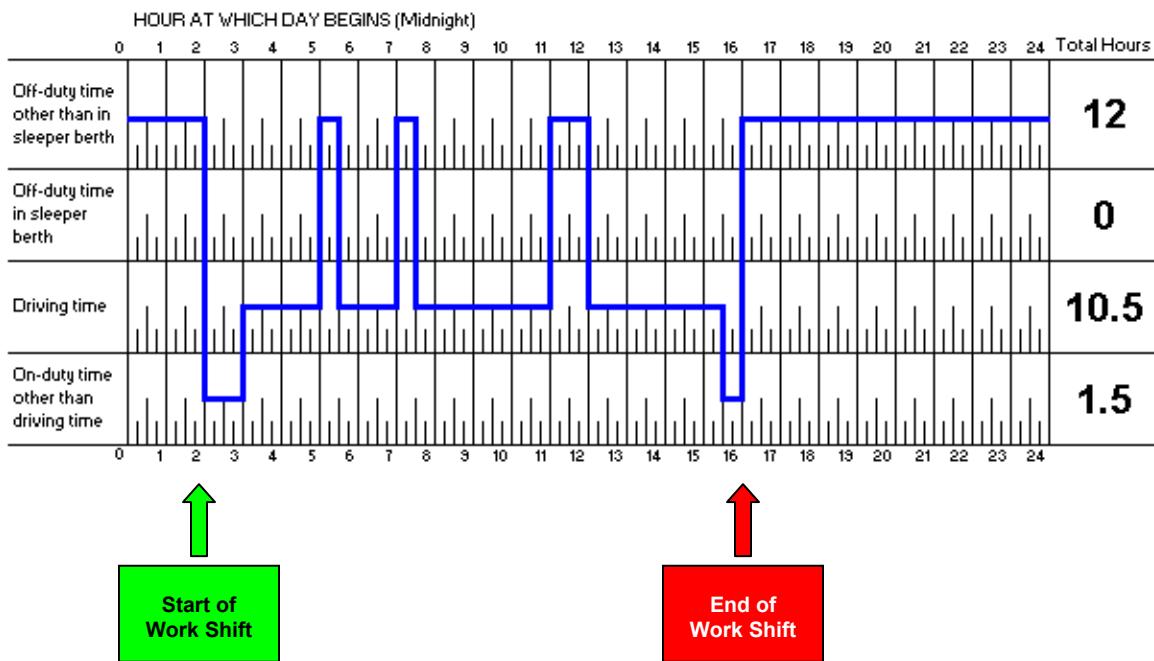
Example #1:

Time	Activity	Duty Status
Midnight – 2:00 am	Sleep (Last 2 hours core off-duty time that started on previous day)	Off-duty time other than time spent in a sleep berth
2:00 am – 3:00 am	Driver reports for work, supervises loading of vehicle, conducts pre-trip inspection	On-duty, other than driving time
3:00 am – 5:00 am	Drive	Driving time
5:00 am – 5:30 am	Rest break	Off-duty time other than time spent in a sleep berth
5:30 am – 7:00 am	Drive	Driving time
7:00 am – 7:30 am	Meal break	Off-duty time other than time spent in a sleep berth
7:30 am – 11:00 am	Drive	Driving time
11:00 am – Noon	Meal break	Off-duty time other than time spent in a sleep berth
Noon – 3:30 pm	Drive	Driving time
3:30 pm – 4:00 pm	Driver conducts post-trip inspection	On-duty, other than driving time
4:00 pm – Midnight	Relax and sleep	Off-duty time other than time spent in a sleep berth



© Microsoft®.

The driver records the activities on the daily grid as follows:



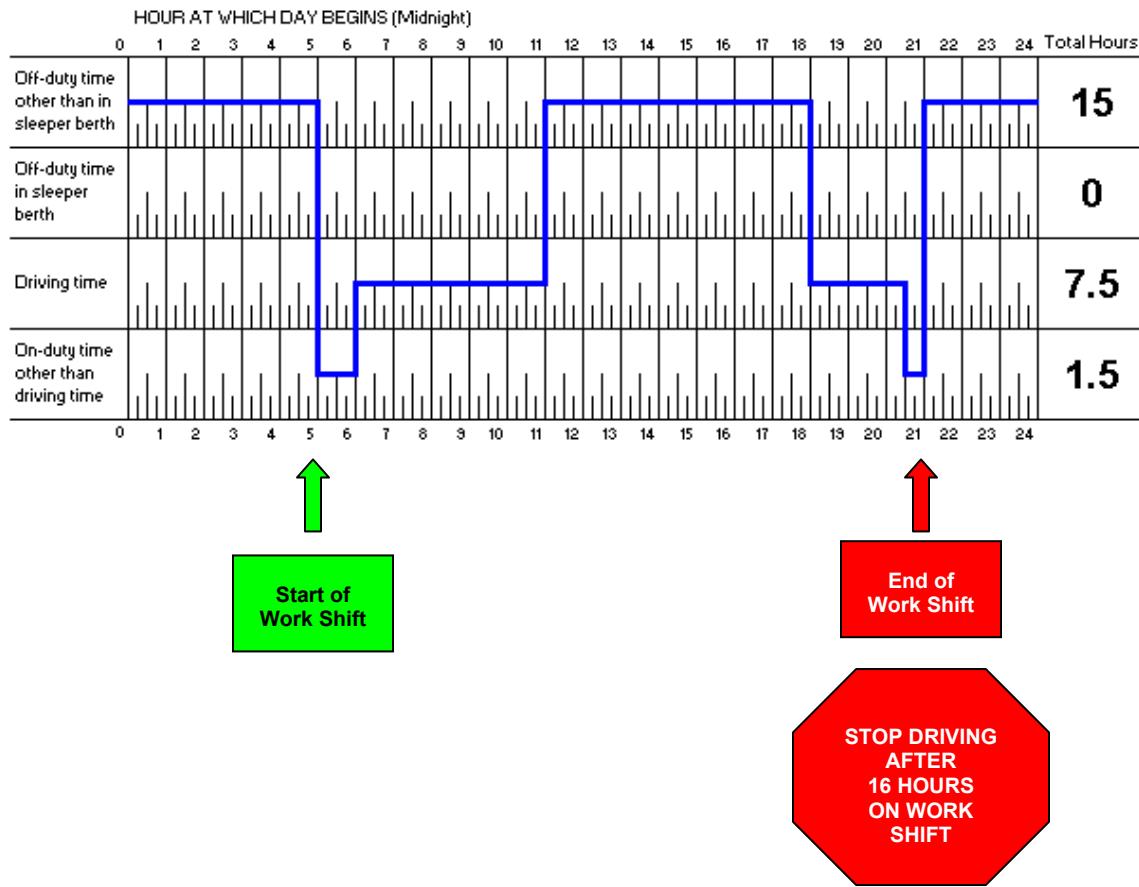
There are several key points to note in this example:

- The start of the day is not necessarily the same as the start of the work shift. The motor carrier sets the hour at which the day begins (i.e., midnight). The work shift starts when the driver performs any activity for the motor carrier (i.e., 2:00) after having 8 consecutive hours off-duty.
- The end of the day is not the same as the end of the work shift. The end of the day is 24 hours after the start of the day. A work shift ends when the driver begins to take at least 8 consecutive hours of off-duty time (i.e., 16:00).
- The work shift includes both on-duty and off-duty activities. During the work shift, the driver performs on-duty activities such as driving and loading the vehicle, as well as off-duty activities such as meal and rest breaks (i.e., 2:00 – 16:00 = 14 hours).
- Not all 8 consecutive hours of core off-duty time have to fall within one “day.” In the example, the grid shows the final 2 consecutive hours (i.e., 0:00 – 2:00) of the core rest period that started at 18:00 the previous “day.” The exception to this is when the driver is using the deferral option discussed in Module 7.

Example #2:

Time	Activity	Duty Status
Midnight – 5:00 am	Sleep (Last 5 hours of core off-duty time that started on previous day)	Off-duty time other than time spent in a sleep berth
5:00 am – 6:00 am	Bus driver reports for work, completes paperwork, and conducts pre-trip inspection	On-duty, other than driving time
6:00 am – 11:00 am	Drive	Driving time
11:00 am – 6:00 pm	Rest stop – waiting for group at attraction	Off-duty time other than time spent in a sleep berth
6:00 pm – 8:30 pm	Drive	Driving time
8:30 pm – 9:00 pm	Bus driver completes paperwork and conducts post-trip inspection	On-duty, other than driving time
9:00 pm – Midnight	Relax and sleep (Core rest period will finish on next day)	Off-duty time other than time spent in a sleep berth

The driver records the activities on the daily grid as follows:

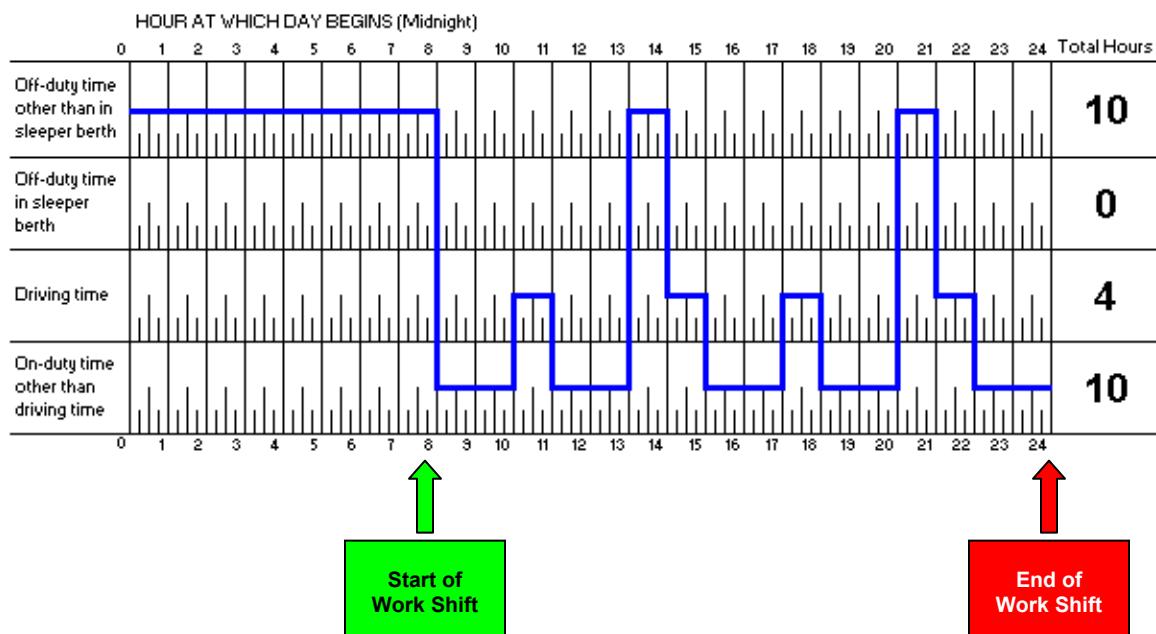


In this example, the driver must stop driving at 21:00 (i.e., 16th hour of work shift) even though the driver has not reached the daily driving or on-duty limits.

Example #3

Time	Activity	Duty Status
Midnight – 8:00 am	Sleep	Off-duty time other than time spent in a sleep berth
8:00 am – 10:00 am	Driver reports for work, supervises loading of vehicle and conducts pre-trip inspection	On-duty, other than driving time
10:00 am – 11:00 am	Drive (haul load of aggregate to site)	Driving time
11:00 am – 1:00 pm	Driver supervises unloading of vehicle	On-duty, other than driving time
1:00 pm – 2:00 pm	Meal break	Off-duty, other than time spent in sleeper berth
2:00 pm – 3:00 pm	Drive (back to plant)	Driving time
3:00 pm – 5:00 pm	Driver supervises loading of vehicle	On-duty, other than driving time
5:00 pm – 6:00 pm	Drive (haul load of aggregate to site)	Driving time
6:00 pm – 8:00 pm	Driver supervises unloading of vehicle	On-duty, other than driving time
8:00 pm – 9:00 pm	Meal break	Off-duty, other than time spent in sleeper berth
9:00 pm – 10:00 pm	Drive (back to plant)	Driving time
10:00 pm – Midnight	Driver conducts post-trip inspection and performs other duties for motor carrier (Driver starts 8 hours off-duty at midnight)	On-duty, other than driving time

The driver records the activities on the daily grid as follows:



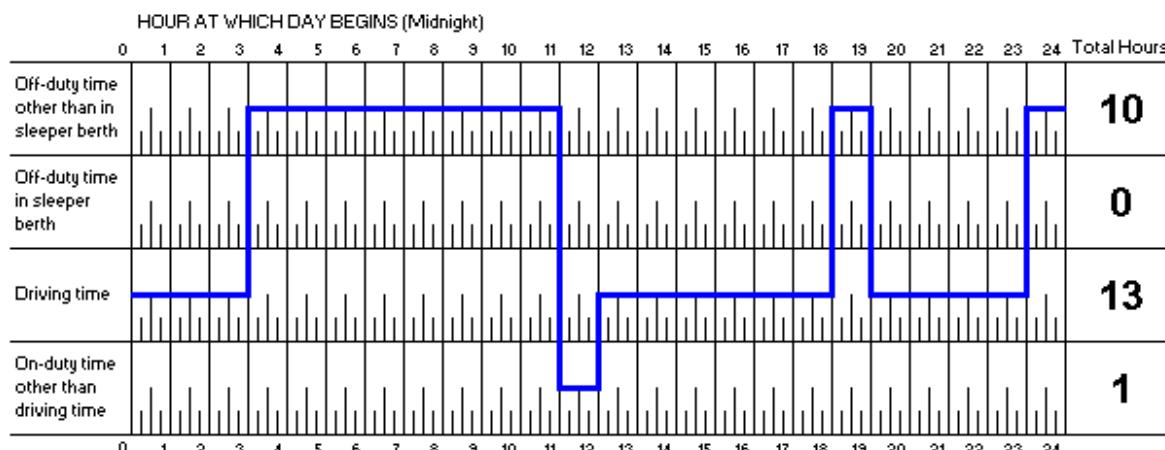
Can a work shift span more than one “day”?

A work shift can span more than one “day” however, all daily limits still apply each day.

Example #4:

Time	Activity	Duty Status
Midnight – 3:00 am	Drive	Driving time
3:00 am – 11:00 am	Sleep (core rest period)	Off-duty time other than time spent in a sleep berth
11:00 am – Noon	Supervise loading of vehicle and conduct pre-trip inspection	On-duty, other than driving time
Noon – 6:00 pm	Drive	Driving time
6:00 pm – 7:00 pm	Meal break	Off-duty time other than time spent in a sleep berth
7:00 pm – 11:00 pm	Drive	Driving time
11:00 pm – Midnight	Meal break	Off-duty time other than time spent in a sleep berth

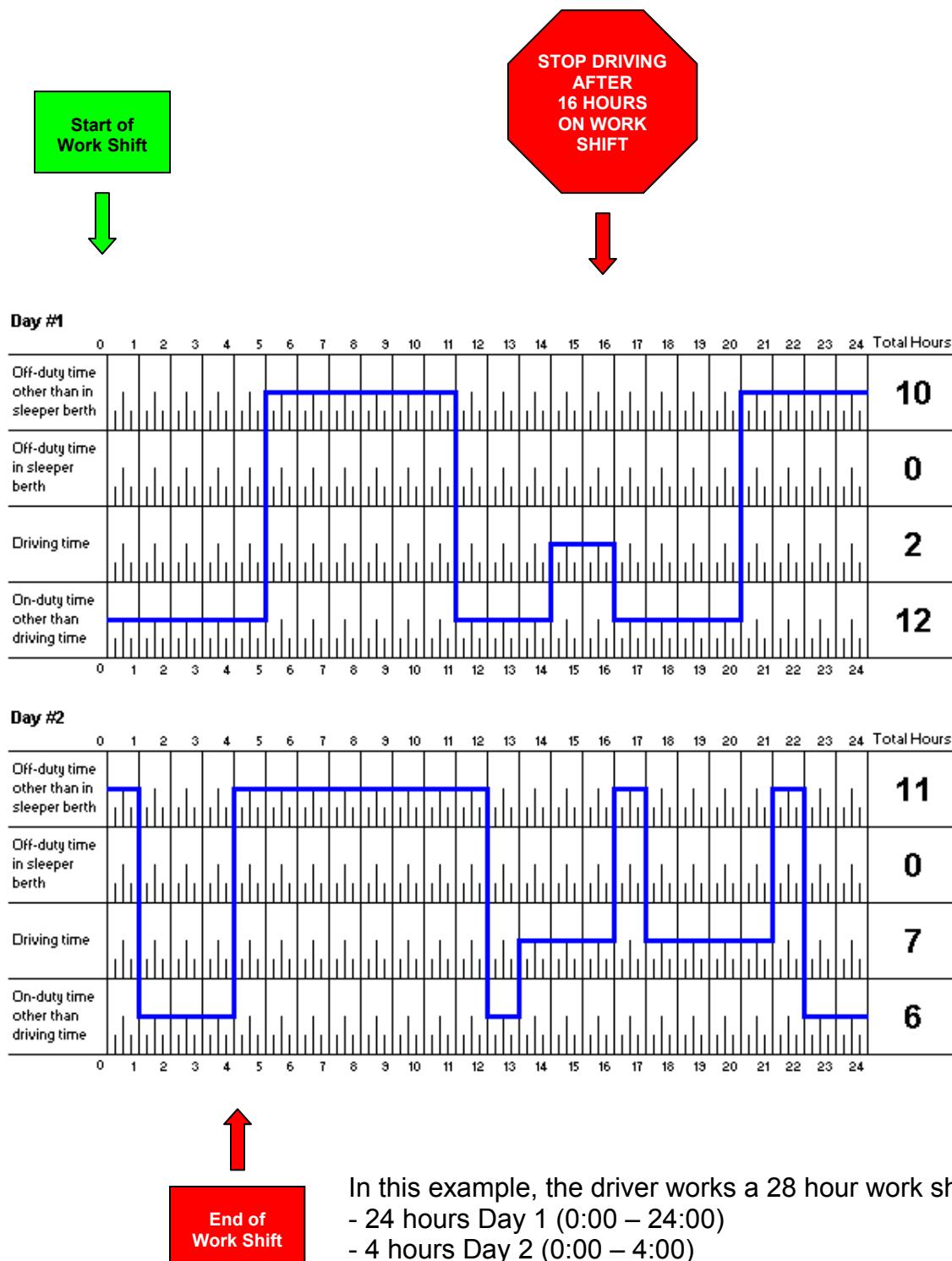
The driver records the activities on the daily grid as follows:



In this example, even though the driver has only worked 13 hours of the work shift (11:00 – 24:00), the driver must stop driving at 23:00 because of the daily driving and on-duty limits.

Example #5

The driver had 8 consecutive hours of core off-duty time (core rest) before starting Day #1.



The work shift limit states that a driver cannot drive after 16 hours on the work shift. Because the driver does not drive after the 16th hour (i.e., 16:00 on Day 1), the driver has not exceeded any limits. The driver also does not drive after 14 hours on-duty in a work shift so does not violate the on-duty limit.

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

- No driving after 13 hours driving (driver drove 2 hours and then stopped driving)
- No driving after 14 hours on-duty (driver was on-duty for 10 hours and then stopped driving)
- No driving after 16 hours elapsed time (driver stopped driving after 16 hours on the work shift)

However, in addition to the work shift limits, the driver must ensure that he/she does not exceed the daily limits discussed in Module 5.

Can a driver combine a core rest period (8 consecutive hours) with the 2-hour daily off-duty time requirement?

The Regulations do not allow for “double dipping.” None of the 8 consecutive hours of off-duty time (core rest period) can count towards the 2-hour daily off-duty requirement. However, the 2 hours off-duty time (or a portion of the 2 hours) can occur immediately before or after the core rest period.

Example #6

The driver had 7 consecutive hours of off-duty time before starting Day #1.

DAY #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										1

DAY #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										1

The driver meets the daily and core off-duty requirements as follows:

- Daily Off-Duty Time Requirement \geq 10 hours ✓
 - 2 hours not part of 8 consecutive hours core off-duty time and each block \geq 30 minutes ✓
 - (Block 1: 1 hour 8:00 – 9:00)
 - (Block 2: 1 hour 17:00 – 18:00)
- Core Off-Duty Requirement \geq 8 consecutive hours ✓
 - (Day 1: 6 hours 18:00 – 24:00)
 - (Day 2: 2 hours 0:00 – 2:00)

Summary of Daily and Work Shift Limits

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- 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

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

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- No driving after 16 hours elapsed time (includes all time in work shift)

Module Self-Check Questions

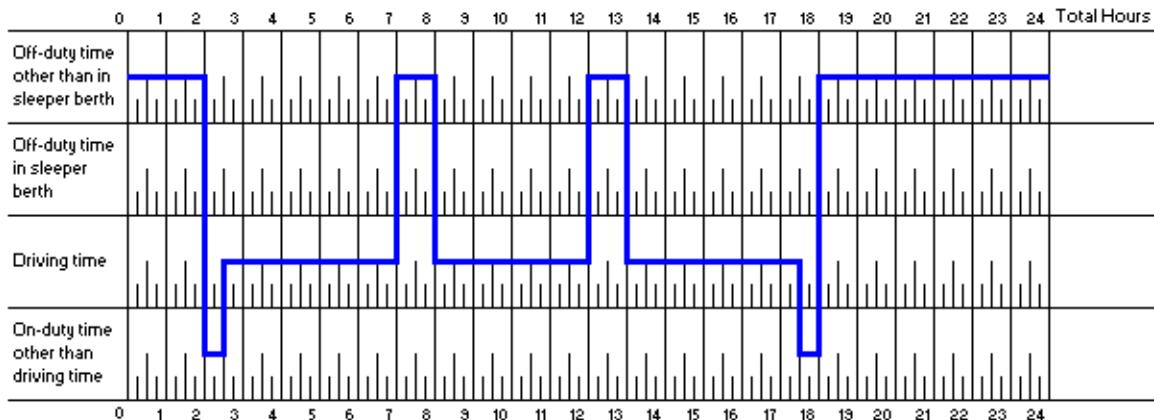
If you can answer the following questions, you are ready to move to the next module. If you can't answer the questions, please review the module again before continuing.

- 1) Dispatch tells a driver to report at 16:00. The driver shows up on time however, at the terminal, the shipper tells the driver that the load will not be ready for another 5 hours. How does the driver record the waiting time on the daily log? How does the waiting time impact the driver's 16 hour work shift?

- 2) Review the following daily logs and identify any work shift or daily limit violations.

Driver #1

Note: Off-duty time from 0:00 – 2:00 and 18:00 – 24:00 are part of core rest periods (i.e., 8 consecutive hours off-duty time).





Driver #2

Note: Off-duty time from 0:00 – 2:00 and 20:00 – 24:00 are part of core rest periods (i.e., 8 consecutive hours off-duty time).

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

Driver #3

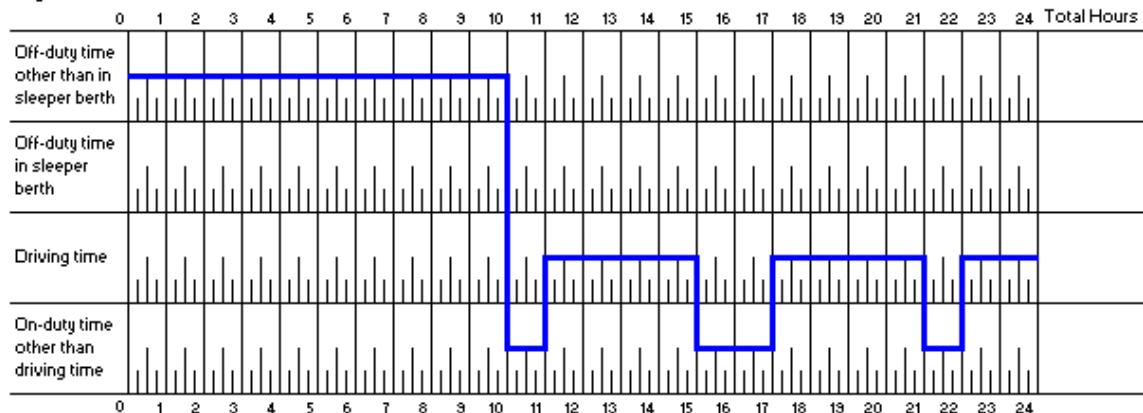
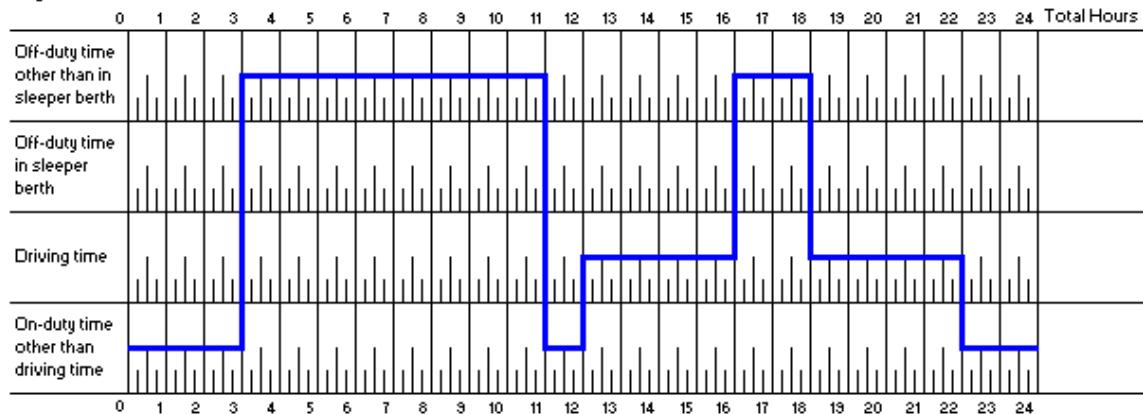
Note: The driver had 8 consecutive hours of off-duty time (core rest period) before starting Day #1 and took 8 consecutive hours of off-duty time following Day #2.

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

Driver #4
Day #1

Day #2


Driver #5

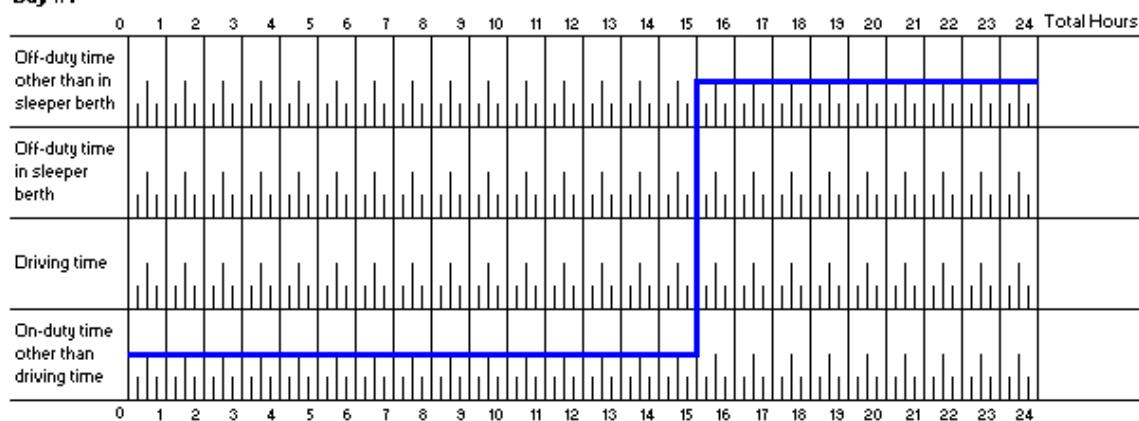
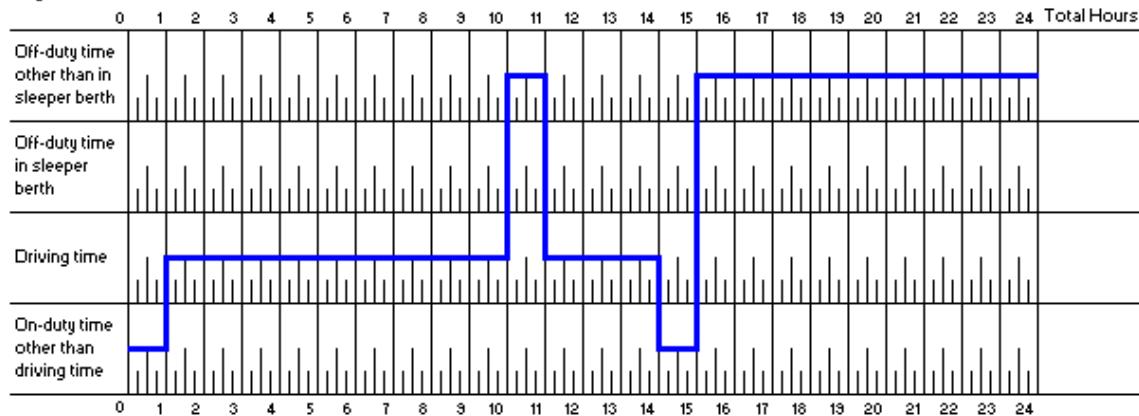
Note: Off-duty time from 20:00 – 24:00 on Day #2 is part of core rest period (i.e., 8 consecutive hours off-duty time).

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

Driver #6
Day #1

Day #2


Answers to Module Self-Check Questions

- 1) Dispatch tells a driver to report at 16:00. The driver shows up on time however, at the terminal, the shipper tells the driver that the load will not be ready for another 5 hours. How does the driver record the waiting time on the daily log? How does the waiting time impact the driver's 16 hour work shift?
 - Waiting time is recorded as on-duty time, other than driving
 - Driver's shift has started so waiting time is considered part of 16 hour work shift (elapsed time)
 - If motor carrier relieves driver from responsibility and driver can do whatever the driver wants to do, waiting time can be recorded as off-duty time but this time is also considered part of the 16 hour work shift (elapsed time)

- 2) Review the following daily logs and identify any work shift or daily limit violations.

Driver #1

Note: Off-duty time from 0:00 – 2:00 and 18:00 – 24:00 are part of core rest periods (i.e., 8 consecutive hours off-duty time).

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										1

Driver #1

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving (13 hours)
- No driving after 14 hours on-duty ($13 + 1 = 14$ hours)
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours ($2 + 6 = 8$ hours)
 - 2 additional off-duty hours (blocks \geq 30 minutes) that are not part of 8 consecutive hours ($1 + 1 = 2$ hours)

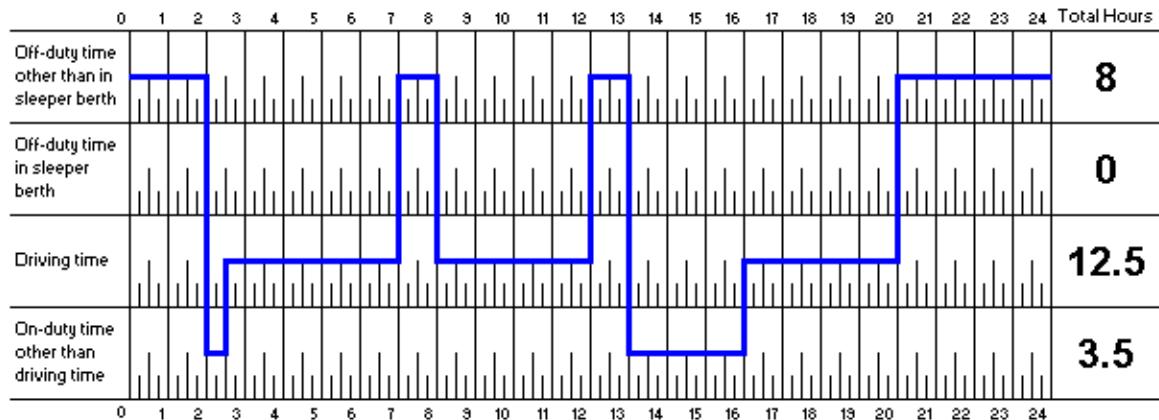
Work Shift Limits (period between end of one core rest period and start of next core rest period)

- No driving after 13 hours driving (13 hours)
- No driving after 14 hours on-duty ($13 + 1 - 14$ hours)
- No driving after 16 hours elapsed time (includes all time in work shift)
($2:00 - 18:00 = 16$ hours)



Driver #2

Note: Off-duty time from 0:00 – 2:00 and 20:00 – 24:00 are part of core rest periods (i.e., 8 consecutive hours off-duty time).



Driver #2

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving (12.5 hours)
- No driving after 14 hours on-duty
- **Drive after 14 hours on-duty**
 - **The 14th hour was reached at 18:00**
 - **Driver drove in violation from 18:00 – 20:00 for a total of 2 hours in violation**
- 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
- **Driver in violation of off-duty requirement**
 - **Driver did not take 10 hours off-duty (off-duty for only 8 hours)**

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

- No driving after 13 hours driving (12.5 hours)
- No driving after 14 hours on-duty
- **Drive after 14 hours on-duty**
 - **The 14th hour was reached at 18:00**
 - **Driver drove in violation from 18:00 – 20:00 for a total of 2 hours in violation**
- No driving after 16 hours elapsed time (includes all time in work shift)
- **Drive after 16 hours elapsed time**
 - **The 16th hour was reached at 18:00**
 - **Driver drove in violation from 18:00 – 20:00 for a total of 2 hours in violation**

Driver #3

Note: The driver had 8 consecutive hours of off-duty time (core rest period) before starting Day #1 and took 8 consecutive hours of off-duty time following Day #2.

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										14
On-duty time other than driving time																										0

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										14
On-duty time other than driving time																										0

Driver #3

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving

Day 1

- Drive after 13 hours driving time
- The 13th hour was reached at 23:00
- Driver drove in violation from 23:00 – 24:00 for a total of 1 hour in violation

Day 2

- Drive after 13 hours driving time
- The 13th hour was reached at 23:00
- Driver drove in violation from 23:00 – 24:00 for a total of 1 hour in violation

- No driving after 14 hours on-duty (14 hours Day 1, 14 hours Day 2)
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours
(Day 1: 12:00 – 20:00) (Day 2: 8:00 – 16:00)
 - 2 additional off-duty hours (blocks ≥ 30 minutes) that are not part of 8 consecutive hours
(Day 1: 10:00 – 12:00) (Day 2: 6:00 – 8:00)

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

- No driving after 13 hours driving
(10 hours Work Shift 1, 10 hours Work Shift 2, 8 hours Work Shift 3)
- No driving after 14 hours on-duty
(10 hours Work Shift 1, 10 hours Work Shift 2, 8 hours Work Shift 3)
- No driving after 16 hours elapsed time (includes all time in work shift)
(10 hours Work Shift 1, 10 hours Work Shift 2, 8 hours Work Shift 3)

Driver #4
Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										10
On-duty time other than driving time																										4

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										8
On-duty time other than driving time																										6

Driver #4

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving (10 hours Day 1, 10 hours Day 2)
- No driving after 14 hours on-duty (14 hours Day 1, 14 hours Day 2)
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours
 - 2 additional off-duty hours (blocks \geq 30minutes) that are not part of 8 consecutive hours
 - (2 hours on Day 1: 8:00 – 10:00)
 - (2 hours on Day 2: 16:00 – 18:00)

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

- No driving after 13 hours driving (10 hours)
- No driving after 14 hours on-duty (14 hours)
- No driving after 16 hours elapsed time (includes all time in work shift)
(14 hours on Day 1: 10:00 – 24:00)
(3 hours on Day 2: 0:00 – 3:00)
* Work shift is 17 hours but driver does not drive after the 16th hour (i.e., 2:00 on Day 2)

Driver #5

Note: Off-duty time from 20:00 – 24:00 on Day #2 is part of core rest period (i.e., 8 consecutive hours off-duty time).

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										1

Driver #5

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving (13 hours Day 1, 13 hours Day 2)
- No driving after 14 hours on-duty (14 hours Day 1, 14 hours Day 2)
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours
 - 2 additional off-duty hours (blocks \geq 30minutes) that are not part of 8 consecutive hours
 - **Driver in violation of off-duty requirement**
 - **Driver did not take 2 hours off-duty that weren't part of 8 consecutive hours on Day 1 or Day 2**

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

- No driving after 13 hours driving (13 hours Work Shift 1, 13 hours Work Shift 2)
- No driving after 14 hours on-duty (14 hours Work Shift 1, 14 hours Work Shift 2)
- No driving after 16 hours elapsed time (includes all time in work shift)
Work Shift 1: 8:00 – 22:00 = 14 hours
Work Shift 2: 6:00 – 20:00 = 14 hours

Driver #6

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										9
Off-duty time in sleeper berth																										0
Driving time																										0
On-duty time other than driving time																										15

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										12
On-duty time other than driving time																										2

Driver #6

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving (0 hours Day 1, 12 hours Day 2)
- No driving after 14 hours on-duty
 - (Driver is on-duty but not driving after 14 hours on-duty on Day 1:
14:00 – 15:00)
 - (14 hours Day 2)
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours
 - 2 additional off-duty hours (blocks \geq 30minutes) that are not part of 8 consecutive hours
 - **Driver in violation of off-duty requirement**
 - **Driver did not take 10 hours off-duty on Day 1 (only took 9 hours)**
 - **Driver did not take 2 hours off-duty that weren't part of 8 consecutive hours on Day 1 (only took 1 hour)**

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

- No driving after 13 hours driving (12 hours)
- No driving after 14 hours on-duty
 - (Work Shift 1: Driver is on-duty but not driving from 14 hours on-duty
14:00 – 15:00 on Day 1)
 - (Work Shift 2: 14 hours)
- No driving after 16 hours elapsed time (includes all time in work shift)
 - (Work Shift 1: 15 hours)
 - (Work Shift 2: 15 hours)



Notes:



Module 7

Deferral of Off-Duty Time



© Microsoft®.



© Microsoft®.

Things to think about ...

Although daily off-duty time gives drivers the opportunity for adequate sleep, there may be situations when a driver is unable to take the required 10 hours off-duty time in a "day." In these situations, the Federal *Commercial Vehicle Drivers Hours of Service Regulations* give drivers the flexibility to defer some of the daily off-duty time to the next day.

How many daily off-duty time hours can a driver defer?

What are the conditions for daily off-duty time deferral?

What will I learn in this module?

- Number of daily off-duty time hours that a driver can defer
- Conditions for daily off-duty time deferral

How many daily off-duty time hours can a driver defer?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 16 Deferral of Daily Off-duty Time*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 13 Mandatory Off-duty Time*

If a driver is unable to take 10 hours of off-duty time in a day, the driver can defer up to 2 hours to the following day. However, the deferred off-duty time cannot be part of the 8 consecutive hours of core off-duty time (core rest).

Example:

Day	Off-Duty Time
Day 1	8 hours
Day 2	12 hours (i.e., 10 hours + 2 hours deferred from Day 1)
Total	20 hours

The total off-duty time taken in the two days must be at least 20 hours (i.e., total off-duty time for 2 days \geq 20 hours).

What are the conditions for daily off-duty time deferral?

In order to defer daily off-duty time, a driver must meet the following conditions:

- Off-duty time hours deferred from Day 1 must be added to the next 8 consecutive hours of core off-duty time on Day 2. For example, if a driver deferred 2 hours from Day 1, the driver must take 10 consecutive hours of core off-duty time on Day 2 (8 hours + 2 hours).

It is important to note that the deferred off-duty time requirement is different from the regular daily off-duty requirement. Specifically, the driver must take all 8 consecutive hours of core off-duty time on Day 1 and all 10 consecutive hours of core off-duty time on Day 2.

- None of the core off-duty time can count towards the additional 2 hours of off-duty time on Day 2. However, the 2 hours of off-duty time (or a portion of the 2 hours) can occur immediately before or after the core rest period.
- Total driving time in the two days must not exceed 26 hours (i.e., total driving time \leq 26 hours)
- When a driver decides to defer off-duty hours, the driver must first declare that the driver is “using” the deferral of off-duty time option by recording it in the “Remarks” section of the daily log. The driver must also record whether the driver is operating under Day One or Day Two of the deferral (i.e., both items need to be recorded on the daily log)

Although the deferral applies only to off-duty time, there is an impact on other daily limits. Because drivers can defer up to 2 hours of off-duty time to the next day, drivers can be on-duty for a maximum of 2 extra hours on Day 1. This can be “driving” or “on-duty, other than driving time”. However, as discussed above, a driver cannot exceed 26 hours of driving time in the two days.

In addition, a driver must apply the following work shift limits in off-duty deferral situations:

- After 13 hours of driving time in a work shift, a driver must take at least 8 consecutive hours of off-duty time (core rest period) before driving again
- After 14 hours of on-duty time in a work shift, a driver must take at least 8 consecutive hours of off-duty time (core rest period) before driving again
- After 16 hours of elapsed time in a work shift, a driver must take at least 8 consecutive hours of off-duty time (core rest period) before driving again

In Module 9, we discuss cycle limits and the impact that off-duty time deferral has on cycle limits.



© Microsoft®.



Example #1:

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										0
Driving time																										15
On-duty time other than driving time																										1

Remarks: Deferral of Off-duty Time Used - Day 1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										12
Off-duty time in sleeper berth																										0
Driving time																										11
On-duty time other than driving time																										1

Remarks: Deferral of Off-duty Time Used - Day 2



Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours
(15 hours Day 1 + 11 hours Day 2 = 26 hours)
- Total off-duty time in 2 days \geq 20 hours
(8 hours Day 1 + 12 hours Day 2 = 20 hours)
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1
(14:00 – 22:00 Day 1)
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2
(14:00 – 24:00 Day 2)
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (5:00 – 7:00 Day 2)

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

- Core rest period (minimum 8 consecutive hours) taken after 13 hours of driving in a work shift
(Work Shift 1 Driving Time: 1:00 – 14:00 = 13 hours)
(Work Shift 2 Driving Times: 22:00 – 5:00; 8:00 – 14:00 = 13 hours)
- Core rest period (minimum 8 consecutive hours) taken after 14 hours on-duty in a work shift
(Work Shift 1 On-Duty Time: 0:00 – 14:00 = 14 hours)
(Work Shift 2 On-Duty Time: 22:00 – 5:00; 7:00 – 14:00 = 14 hours)
- Core rest period (minimum 8 consecutive hours) taken after 16 hours elapsed time in a work shift
(Work Shift 1: 0:00 – 14:00 = 14 hours)
(Work Shift 2: 22:00 – 14:00 = 16 hours)

The driver declares deferral of off-duty time by recording Deferral of Off-duty Time Used - Day One and Day Two in the "Remarks" section of the daily log.



Example #2

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										0
Driving time																										12
On-duty time other than driving time																										4

Remarks: Deferral of Off-duty Time Used - Day 1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										12
Off-duty time in sleeper berth																										0
Driving time																										11.5
On-duty time other than driving time																										0.5

Remarks: Deferral of Off-duty Time Used - Day 2



Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours
(8 hours Day 1 + 12 hours Day 2 = 20 hours)
- Total off-duty time in 2 days \geq 20 hours
(8 hours Day 1 + 12 hours Day 2 = 20 hours)
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1
(14:00 – 22:00 Day 1)
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2
(14:00 – 24:00 Day 2)
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (4:00 – 6:00 Day 2)

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

- Core rest period (minimum 8 consecutive hours) taken after 13 hours of driving in a work shift
(Work Shift 1 Driving Time: 0:30 – 4:00; 5:00 – 9:00; 10:00 – 13:00 = 10.5 hours)
(Work Shift 2 Driving Times: 22:30 – 4:00; 6:00 – 13:30 = 13 hours)
- Core rest period (minimum 8 consecutive hours) taken after 14 hours on-duty in a work shift
(Work Shift 1 On-Duty Time: 0:00 – 14:00 = 14 hours)
(Work Shift 2 On-Duty Time: 22:00 – 4:00; 6:00 – 14:00 = 14 hours)
- Core rest period (minimum 8 consecutive hours) taken after 16 hours elapsed time in a work shift
(Work Shift 1: 0:00 – 14:00 = 14 hours)
(Work Shift 2: 22:00 – 14:00 = 16 hours)

The driver declares deferral of off-duty time by recording Deferral of Off-duty Time Used - Day One and Day Two in the “Remarks” section of the daily log.

How often can a driver apply the off-duty time deferral?

A driver can use the off-duty time deferral option every second day. The driver must declare the deferral of off-duty time by recording it in the “Remarks” section of the daily log. The driver must record Deferral of Off-duty Time Used - Day One or Day Two.

Example #3:

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										0
Driving time																										14
On-duty time other than driving time																										2

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24

Remarks: Deferral of Off-duty Time Used - Day 1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										12
Off-duty time in sleeper berth																										0
Driving time																										12
On-duty time other than driving time																										0

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24

Remarks: Deferral of Off-duty Time Used - Day 2

Using this example, a driver could continue to defer off-duty time every second day.

Monday	Deferral of Off-Duty Time Used – Day 1
Tuesday	Deferral of Off-Duty Time Used – Day 2
Wednesday	Deferral of Off-Duty Time Used – Day 1
Thursday	Deferral of Off-Duty Time Used – Day 2
Friday	Deferral of Off-Duty Time Used – Day 1
Saturday	Deferral of Off-Duty Time Used – Day 2

Summary of Daily and Work Shift Limits

Daily Limits (24-hour period specified by carrier)

Regular Time Requirements:

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- 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

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours
- Total off-duty time in 2 days \geq 20 hours
- Off-duty time for Day 1 and Day 2
 - At least 8 consecutive off-duty hours taken in Day 1
 - At least 10 consecutive off-duty hours taken in Day 2
 - 2 additional off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2

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

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- No driving after 16 hours elapsed time (includes all time in work shift)

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) How many daily off-duty hours can a driver defer under the Federal *Commercial Vehicle Drivers Hours of Service Regulations*?

-
- 2) List the conditions for the use of the daily off-duty deferral option.

- 3) Review the following daily logs and identify any work shift or daily limit violations.

Driver #1

Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										3

Remarks: Deferral of Off-duty Time Used - Day 1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										14
Off-duty time in sleeper berth																										0
Driving time																										10
On-duty time other than driving time																										0

Remarks: Deferral of Off-duty Time Used - Day 2



Commercial Vehicle Drivers Hours of Service

Driver #2

Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										0
Driving time																										14
On-duty time other than driving time																										2

Remarks: Deferral of Off-duty Time Used - Day 1

Day #2

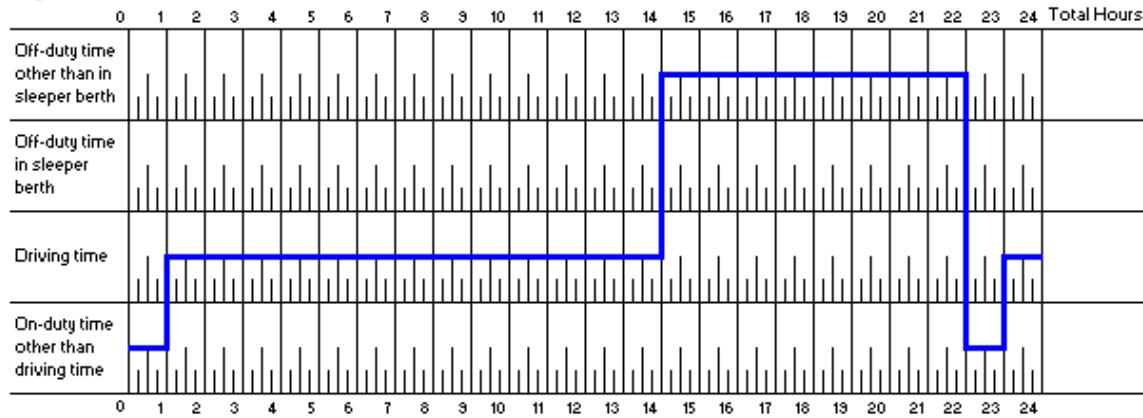
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										12
Off-duty time in sleeper berth																										0
Driving time																										11
On-duty time other than driving time																										1

Remarks: Deferral of Off-duty Time Used - Day 2

Driver #3

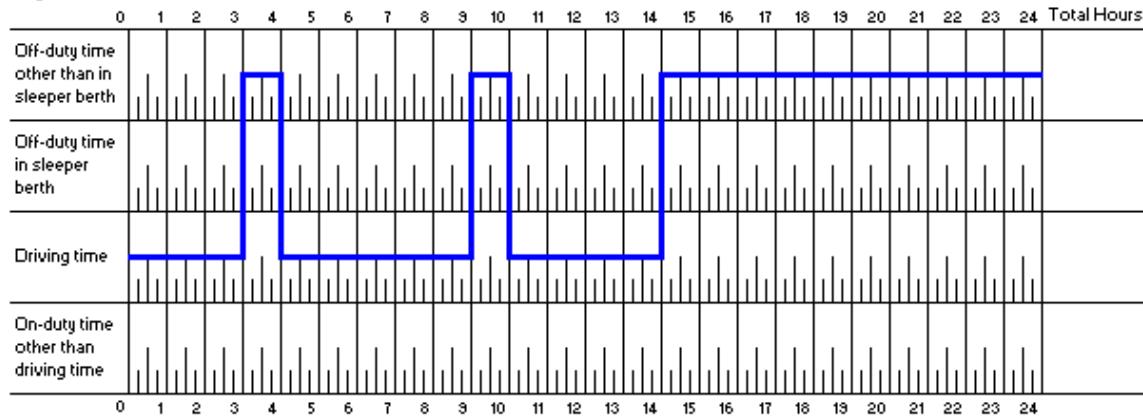
Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1



Remarks: Deferral of Off-duty Time Used - Day 1

Day #2



Remarks: Deferral of Off-duty Time Used - Day 2

Answers to Module Self-Check Questions

- 1) How many daily off-duty hours can a driver defer under the Federal *Commercial Vehicle Drivers Hours of Service Regulations*?
 - Up to 2 hours
- 2) List the conditions for the use of the daily off-duty deferral option.
 - Total driving time in 2 days ≤ 26 hours
 - Total off-duty time in 2 days ≥ 20 hours
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks ≥ 30 minutes) that are not part of 10 consecutive hours in Day 2
 - Core rest period (minimum 8 consecutive hours) taken after 13 hours of driving in a work shift
 - Core rest period (minimum 8 consecutive hours) taken after 14 hours on-duty in a work shift
 - Core rest period (minimum 8 consecutive hours) taken after 16 hours elapsed time in a work shift
 - “Remarks” section – indicate Off-duty Time Deferral Used and indicate whether it is Day One or Day Two

- 3) Review the following daily logs and identify any work shift or daily limit violations.

Driver #1

Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										3

Remarks: Deferral of Off-duty Time Used - Day 1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										14
Off-duty time in sleeper berth																										0
Driving time																										10
On-duty time other than driving time																										0

Remarks: Deferral of Off-duty Time Used - Day 2

Driver #1

Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours (23 hours)
- Total off-duty time in 2 days \geq 20 hours (22 hours)
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1
 - **Driver in violation of deferred off-duty time requirement**
 - **Driver did not take 8 consecutive hours off-duty on Day 1 (only 7 consecutive hours)**
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2 (11 hours)
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (2 hours)

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

- No driving after 13 hours driving
(Work Shift 1) (Work Shift 2)
- No driving after 14 hours on-duty
(Work Shift 1) (Work Shift 2)
- No driving after 16 hours elapsed time (includes all time in work shift)
(Work Shift 1) (Work Shift 2)

Driver #2

Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										0
Driving time																										14
On-duty time other than driving time																										2

Remarks: Deferral of Off-duty Time Used - Day 1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										12
Off-duty time in sleeper berth																										0
Driving time																										11
On-duty time other than driving time																										1

Remarks: Deferral of Off-duty Time Used - Day 2

Driver #2

Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours (25 hours)
- Total off-duty time in 2 days \geq 20 hours (20 hours)
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1 (8 hours)
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2 (10 hours)
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (2 hours)

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

- No driving after 13 hours driving
 - **Drive after 13 hours driving time on Day 1**
 - **The 13th hour was reached at 15:00 on Day 1**
 - **Driver drove in violation from 15:00 – 16:00 for a total of 1 hour in violation**
- No driving after 14 hours on-duty
 - **Drive after 14 hours on-duty time on Day 1**
 - **The 14th hour was reached at 14:00 on Day 1**
 - **Driver drove in violation from 14:00 – 16:00 for a total of 2 hours in violation**
- No driving after 16 hours elapsed time (includes all time in work shift)
 - (Work Shift 1) (Work Shift 2)

Driver #3

Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										0
Driving time																										14
On-duty time other than driving time																										2

Remarks: Deferral of Off-duty Time Used - Day 1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										12
Off-duty time in sleeper berth																										0
Driving time																										12
On-duty time other than driving time																										0

Remarks: Deferral of Off-duty Time Used - Day 2

Driver #3

Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours (26 hours)
- Total off-duty time in 2 days \geq 20 hours (20 hours)
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1 (8 hours)
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2 (10 hours)
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (2 hours)

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

- No driving after 13 hours driving
 - (Work Shift 1) (Work Shift 2)
- No driving after 14 hours on-duty
 - (Work Shift 1) (Work Shift 2)
- No driving after 16 hours elapsed time (includes all time in work shift)
 - (Work Shift 1) (Work Shift 2)



Notes:



Module 8

Splitting of Daily Off-Duty Time / Sleeper Berths



© Microsoft®.



© Microsoft®.

Things to think about ...

In order to increase daily off-duty time flexibility, the *Federal Commercial Vehicle Drivers Hours of Service Regulations* allow drivers to use two different strategies. One strategy is to use a sleeper berth and the other is to use team drivers instead of a single driver.

What is a sleeper berth?

How can a single driver use a sleeper berth to increase off-duty time flexibility?

What are team drivers?

How can team drivers use a sleeper berth to increase off-duty time flexibility?

What will I learn in this module?

- Sleeper berth criteria
- Sleeper berth rules for a single driver
- Sleeper berth rules for team drivers

What is a sleeper berth?



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) Schedule 1 Sleeper Berths*

A sleeper berth is an area of a commercial vehicle used for sleeping accommodation. If a commercial vehicle has a sleeper berth, a driver can stop and rest in the sleeper berth whenever the driver is tired or during any extended period of waiting. A driver records any time spent resting in the sleeper berth as "Off-Duty Time in a Sleeper Berth" on the daily log.

Sleeper berths must meet specific construction requirements. A driver cannot "make" a sleeper berth using the driver, passenger or back seat area. In order to claim sleeper berth time, commercial vehicles and buses must have a separate area that meets specific dimensions and environmental criteria.

Sleeper Berths in Commercial Vehicles

In a commercial vehicle, the sleeper berth:

- Can be in the cab or securely attached to the cab
- Can be in the cargo space if separated from the rest of the cargo space
- Cannot be in sleeping facilities being transported as cargo (example: boats, campers, travel trailers)
- Cannot be in or on a semi-trailer or full trailer

Sleeper berths in commercial vehicles must also meet the following criteria:

- Minimum dimensions: 1.9 metres (6.23 feet) in length x 60 centimetres (23.4 inches) in width x 60 centimetres (23.4 inches) in height (measured from the sleeping mattress to the highest point in the area)
- Allow for easy access into and out of the sleeper berth area from the driver's seat or compartment

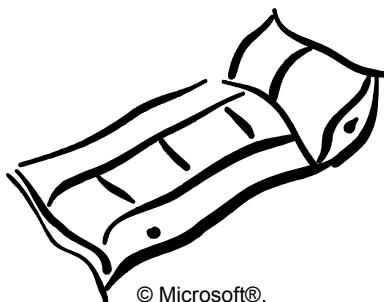
- Adequate heating, cooling, ventilation and protection from exhaust, leaks, dust and rain
- Mattress is a minimum of 10 centimetres (3.9 inches) thick and has adequate sheets and blankets. A sleeping bag is adequate in a sleeper berth.
- Have a means of preventing the ejection of the occupant in situations where a total force of 2,700 kilograms (5940 pounds) is applied to the front or side of the vehicle (i.e., sudden braking or impact situations)

Sleeper Berths in Buses

Sleeper berths in buses can be in the passenger compartment.

Sleeper berths in buses must meet the following criteria:

- Minimum dimensions: 1.9 metres (6.23 feet) in length x 60 centimetres (23.4 inches) in width x 60 centimetres (23.4 inches) in height
- Area must provide privacy (i.e., be separated from the passenger area by a solid wall) and have a locking door
- Area must have window shades to control lighting levels
- Adequate heating, cooling, ventilation and protection from exhaust, leaks, dust and rain
- Mattress is a minimum of 10 centimetres (3.9 inches) thick and has adequate sheets and blankets. A sleeping bag is adequate in a sleeper berth.
- Have a means of preventing the ejection of the occupant in situations where a total force of 2,700 kilograms (5940 pounds) is applied to the front or side of the vehicle (i.e., sudden braking or impact situations)



© Microsoft®.

What are the sleeper berth rules for a single driver?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 18 Splitting of Daily Off-Duty Time – Single Driver*

A sleeper berth does not change the daily off-duty requirement for a single driver but it does give the driver more flexibility with the daily off-duty requirement.

Splitting Off-Duty Time into Sleeper Berth Periods

If a commercial vehicle has a sleeper berth, the driver can split the 10 hours of daily off-duty time into sleeper berth periods. The off-duty time must meet the following requirements to qualify as eligible sleeper berth periods:

- Driver must rest in the sleeper berth during the off-duty times. Only time spent in the sleeper berth counts towards the sleeper berth period (i.e., any other off-duty time does not count towards the sleeper berth period).
- Each sleeper berth period must be greater than or equal to 2 hours (i.e., each period \geq 2 hours) to be eligible for this exemption
 - If a driver spends more than 30 minutes but less than 2 hours in a sleeper berth, the time counts toward the daily off-duty requirement, but it does not count towards an eligible sleeper berth period. The driver must record this ineligible sleeper berth period as “off-duty time in a sleeper berth.” In addition, the driver must include this ineligible sleeper berth time as part of elapsed time (work shift).
- Total for 2 eligible sleeper berth periods (rest periods) must be greater than or equal to 10 hours (i.e., total for 2 rest periods \geq 10 hours)

Off-Duty Requirement	Hours
Minimum rest period	2 hours
Total for 2 rest periods	10 hours

In other words, a driver has the freedom to split the 10 hours of daily off-duty time any way that the driver wants as long as each sleeper berth period is at least 2 hours and the total for 2 sleeper berth periods equals at least 10 hours. This means that there are many possible combinations of sleeper berth periods available to the single driver:

Option	Sleeper Berth Period	Sleeper Berth Period	Total Sleeper Berth Time
1	3 hours	7 hours	10 hours
2	4 hours	6 hours	10 hours
3	5 hours	5 hours	10 hours

The main advantage of the sleeper berth is that instead of having to stop for a core rest period (8 consecutive hours off-duty) plus 2 additional hours off-duty time, a driver can split the core rest period between 2 sleeper berth periods (rest periods) and drive in between the periods.



© Microsoft®.

Eligible Sleeper Berth Periods

In order to count as an eligible sleeper berth period, a sleeper berth period for a single driver must meet all of the following criteria:

- Sleeper berth period \geq 2 hours
- This sleeper berth period + another sleeper berth period \geq 10 hours
- Driving time accumulated before and after the sleeper berth period
 \leq 13 hours
- No driving after 14 hours on-duty accumulated before and after the sleeper berth period
- No driving after 16 hours elapsed time accumulated before and after the sleeper berth period

If a sleeper berth period fails to meet any of these criteria, the sleeper berth period is ineligible and the driver must follow the regular off-duty requirements.

Daily Limits When Using Sleeper Berth

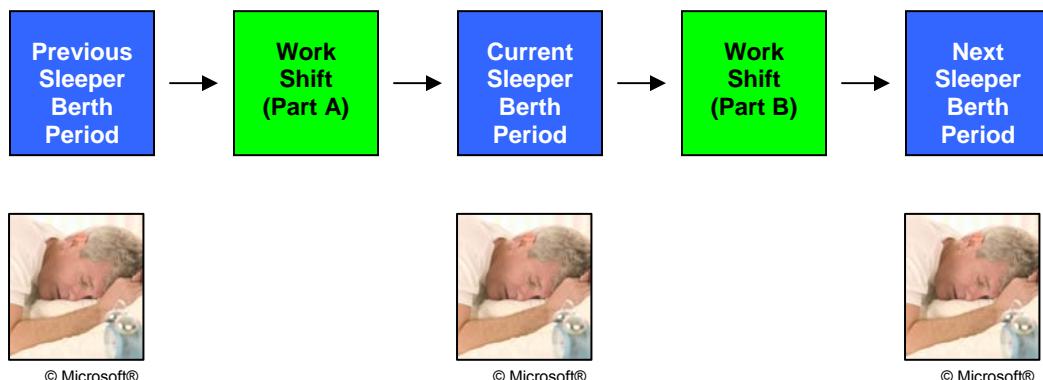
Even though the driver has increased flexibility with the sleeper berth, the driver must continue to follow the daily limits:

- Stop driving after 13 hours driving time in a “day”
- Stop driving after 14 hours on-duty time in a “day”
- At least 10 hours off-duty in a “day” and none of the off-duty time can be deferred to the next day

Work Shift Limits When Using Sleeper Berth

In addition to the daily limits, a driver must comply with the work shift limits:

- Stop driving after 13 hours driving time (before and after each eligible sleeper berth period)
- Stop driving after 14 hours on-duty time (before and after each eligible sleeper berth period)
- Stop driving after 16 hours of elapsed time in a work shift. A sleeper berth work shift includes the periods surrounding a sleeper berth period. It includes all activities since the previous sleeper berth period until the next sleeper berth period but excludes the current sleeper berth period.



To calculate the 16th hour of elapsed time in a work shift:

- Exclude the hours spent in the current eligible sleeper berth period
- Include all work shift activities from the end of the previous sleeper berth to the beginning of the next sleeper berth period:
 - On-duty time
 - Off-duty time not spent in a sleeper berth
 - All periods of less than 2 hours spent in a sleeper berth
 - Any other period spent in a sleeper berth that does not qualify as an eligible sleeper berth period



Therefore, a driver needs to check the following when using a sleeper berth:

- 1) Check each sleeper berth period to see if it is an eligible sleeper berth period
- 2) Check the daily limits
- 3) Check the work shift limits



Example #1:

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										3
Driving time																										11
On-duty time other than driving time																										2

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										0
Off-duty time in sleeper berth																										10
Driving time																										13
On-duty time other than driving time																										1

Check each sleeper berth period to see if it is an eligible sleeper berth period

In this example, the driver takes 3 sleeper berth periods:

Sleeper Berth Period	≥ 2 hours	This period + another period ≥ 10 hours	≤ 13 hours driving before and after sleeper berth period	No driving after 14 hours on-duty before and after sleeper berth period	No driving after 16 hours elapsed time before and after the sleeper berth period	Eligible Sleeper Berth Period
A Day #1 15:00 – 18:00	Yes (3)	Yes (A + B = 10)	Yes (6 + 6)	Yes (7 + 7)	Yes (7 + 7)	Yes
B Day #2 1:00 – 8:00	Yes (7)	Yes (B + C = 10)	Yes (6 + 7)	Yes (7 + 7)	Yes (7 + 7)	Yes
C Day #2 15:00 – 18:00	Yes (3)	Yes (B + C = 10)	Yes (7 + 5)	Yes (7 + 6)	Yes (7 + 6)	Yes

All three sleeper berth periods are eligible sleeper berth periods (rest periods) because they meet all the criteria. Note, however, that over the long term, there can never be an odd number of eligible sleeper berth periods (i.e., driver must split the daily off-duty time into 2 sleeper berth periods).

Check the daily limits

In this example, the driver is within all daily limits on Day 1 and Day 2:

- No driving after 13 hours driving in a “day”
 - (Day 1: 11 hours)
 - (Day 2: 13 hours)

- No driving after 14 hours on-duty in a “day”
 - (Day 1: 13 hours)
 - (Day 2: 14 hours)

- At least 10 hours off-duty in a “day”
 - (Day 1: 8 + 3 = 11 hours)
 - (Day 2: 10 hours)

Check the work shift limits

The driver is also within the work shift limits for the 3 work shifts (a diagram of the start / end of each work shift start is on page 14):

Work Shift #1

- No driving after 13 hours driving time in the work shift (before and after each eligible sleeper berth period)

6 hours	9:00 (Day 1) – 15:00 (Day 1)
<u>6 hours</u>	19:00 (Day 1) – 1:00 (Day 2)
12 hours ✓	(No driving after 13 th hour)

- No driving after 14 hours on-duty time in the work shift (before and after each eligible sleeper berth period)

7 hours	8:00 (Day 1) – 15:00 (Day 1)
<u>7 hours</u>	18:00 (Day 1) – 1:00 (Day 2)
14 hours ✓	(No driving after 14 th hour)

- No driving after 16 hours of elapsed time in the work shift (eligible sleeper berth periods are not included in elapsed time)

Work Shift #1	17 hours	8:00 (Day 1) – 1:00 (Day 2)
Less: Sleeper Berth A	<u>(3 hours)</u>	15:00 (Day 1) – 18:00 (Day 1)
	14 hours ✓	(No driving after 16 th hour)

Work Shift #2

- No driving after 13 hours driving time in the work shift (before and after each eligible sleeper berth period)

6 hours	19:00 (Day 1) – 1:00 (Day 2)
<u>7 hours</u>	8:00 (Day 2) – 15:00 (Day 2)
13 hours ✓	(No driving after 13th hour)

- No driving after 14 hours on-duty time in the work shift (before and after each eligible sleeper berth period)

7 hours	18:00 (Day 1) – 1:00 (Day 2)
<u>7 hours</u>	8:00 (Day 2) – 15:00 (Day 2)
14 hours ✓	(No driving after 14 th hour)

- No driving after 16 hours of elapsed time in the work shift (eligible sleeper berth periods are not included in elapsed time)

Work Shift #2	21 hours	18:00 (Day 1) – 15:00 (Day 2)
Less: Sleeper Berth B	<u>(7 hours)</u>	1:00 (Day 2) – 8:00 (Day 2)
	14 hours ✓	(No driving after 16 th hour)

Work Shift #3

- No driving after 13 hours driving time in the work shift (before and after each eligible sleeper berth period)

7 hours	8:00 (Day 2) – 15:00 (Day 2)
<u>5 hours</u>	18:00 (Day 2) – 23:00 (Day 2)
12 hours ✓	(No driving after 13 th hour)

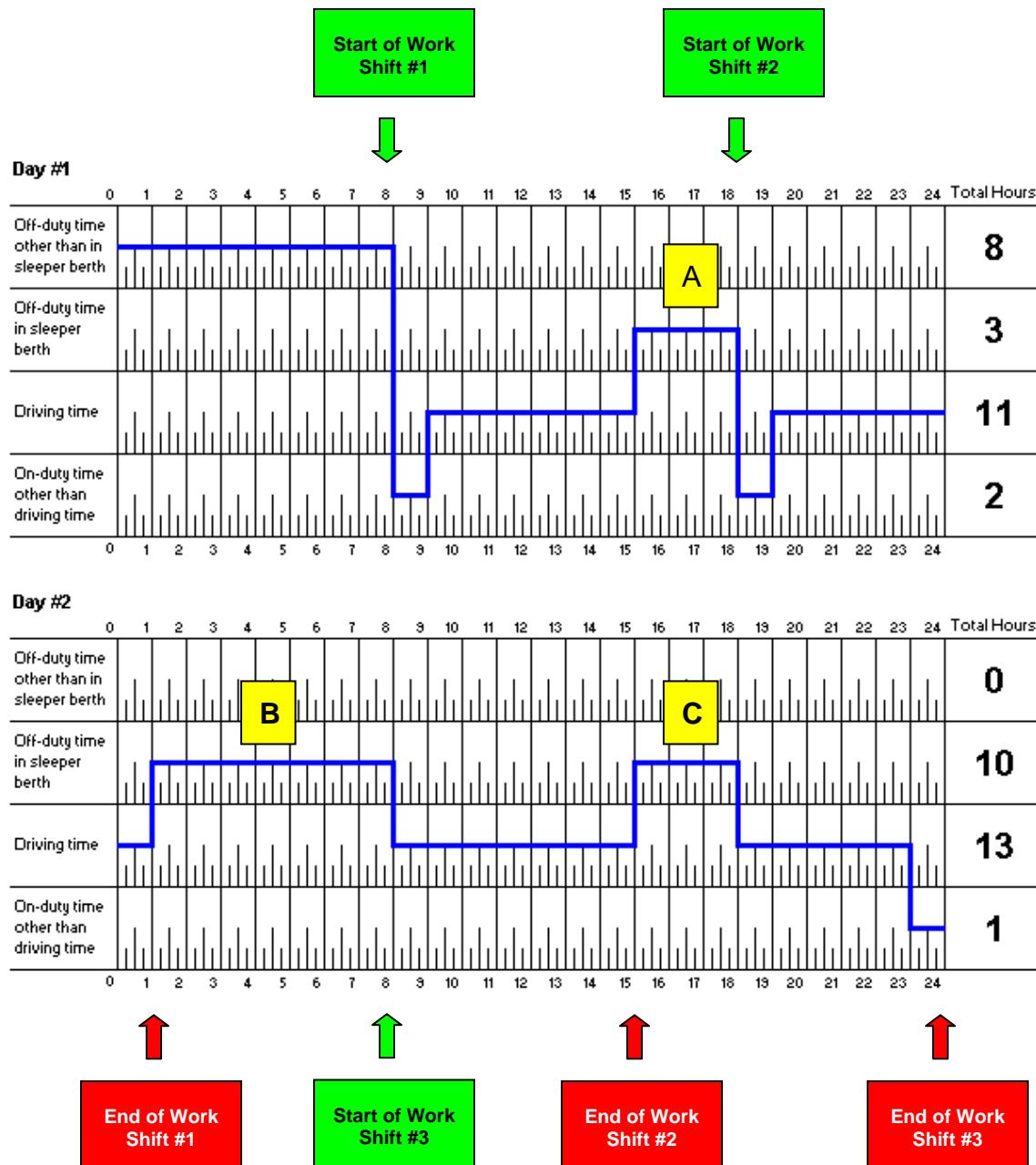
- No driving after 14 hours on-duty time in the work shift (before and after each eligible sleeper berth period)

7 hours	8:00 (Day 2) – 15:00 (Day 2)
<u>6 hours</u>	18:00 (Day 2) – 24:00 (Day 2)
13 hours ✓	(No driving after 14 th hour)

- No driving after 16 hours of elapsed time in the work shift (eligible sleeper berth periods are not included in elapsed time)

Work Shift #3	16 hours	8:00 (Day 2) – 24:00 (Day 2)
Less: Sleeper Berth C	<u>(3 hours)</u>	15:00 (Day 2) – 18:00 (Day 2)
	13 hours ✓	(No driving after 16 th hour)

Example #1 (continued):



Switch to a Regular Work Shift

At some point, a driver may decide to switch to a regular work shift (i.e., no sleeper berth) and regular off-duty time (i.e., no splitting of off-duty time). In these situations, the driver must take 8 consecutive hours of off-duty time to make the switch. The 8 consecutive off-duty hours can be a combination of off-duty time and time spent in the sleeper berth as long as the time is continuous.



**REST FOR 8
CONSECUTIVE
HOURS**

In situations where a driver takes one 2-hour sleeper berth period and one 8-hour sleeper berth period, the 8-hour period qualifies as 8 consecutive hours of off-duty time so the driver can switch to a regular work shift.

Over the long term, a driver needs to ensure that the driver has taken an even number of sleeper berth periods before switching to a regular work shift. If the driver has taken an odd number of sleeper berth periods, then the last sleeper berth period is considered to be a regular period of off-duty time. This off-duty time must meet the regular off-duty requirements (i.e., 8 consecutive off-duty hours or off-duty hours that are in blocks ≥ 30 minutes).

What are the sleeper berth rules for team drivers?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 19 Splitting of Daily Off-Duty Time – Team of Drivers*

In some situations, motor carriers may decide to use team drivers (co-drivers) in a commercial vehicle that has a sleeper berth. If more than one driver intends to drive the commercial vehicle, the sleeper berth rules for team drivers apply. The driver must record the names of co-drivers on the daily log (refer to Module 17).

A sleeper berth does not change the daily off-duty requirement for team drivers but it does give the drivers more flexibility with the daily off-duty requirement.

Splitting Off-Duty Time into Sleeper Berth Periods

If a commercial vehicle has a sleeper berth, team drivers can split the 10 hours of daily off-duty time into sleeper berth periods. The off-duty time must meet the following requirements to qualify as eligible sleeper berth periods:

- The off-duty driver must rest in the sleeper berth during off-duty times. Only time spent in the sleeper berth counts towards the sleeper berth period (i.e., any other off-duty time, such as sitting in the passenger seat, does not count towards the sleeper berth period).
- Each sleeper berth period must be greater than or equal to 4 hours (i.e., each period ≥ 4 hours) to be eligible for this exemption
 - If a driver spends more than 30 minutes but less than 4 hours in a sleeper berth, the time counts toward the daily off-duty requirement, but it does not count towards an eligible sleeper berth period. The driver must record this ineligible sleeper berth period as “off-duty time in a sleeper berth.” In addition, the driver must include this ineligible sleeper berth time as part of elapsed time (work shift).
 - Total for 2 eligible sleeper berth periods (rest periods) must be greater than or equal to 8 hours (i.e., total for 2 rest periods ≥ 8 hours)

Off-Duty Requirement	Hours
Minimum rest period	4 hours
Total for 2 rest periods	8 hours

Because the eligible sleeper berth periods only require a total of 8 hours of off-duty time, each of the team drivers must take an additional 2 hours of off-duty time to meet the daily 10-hour requirement.

In other words, co-drivers have the freedom to split the 10 hours of daily off-duty time any way that the drivers want as long as each sleeper berth period is at least 4 hours and the total for 2 sleeper berth periods equals at least 8 hours. This means that there are many possible combinations of sleeper berth periods available to co-drivers:

Option	Sleeper Berth Period	Sleeper Berth Period	Additional Off-Duty Time	Total Off-Duty Time
1	4 hours	4 hours	2 hours	10 hours
2	4 hours	5 hours	1 hour	10 hours

The main advantage of team drivers using a sleeper berth is that instead of having to stop for a core rest period (8 consecutive hours off-duty), the drivers can split the core rest period between 2 sleeper berth periods (rest periods) and drive in between the periods. Each co-driver, however, still needs to take additional off-duty time so that each driver has at least 10 off-duty hours each day.

Eligible Sleeper Berth Periods

In order to count as an eligible sleeper berth period, a sleeper berth period for a team driver must meet all of the following criteria:

- Sleeper berth period \geq 4 hours
- This sleeper berth period + another sleeper berth period \geq 8 hours
- Driving time accumulated before and after the sleeper berth period
 \leq 13 hours
- No driving after 14 hours on-duty accumulated before and after the sleeper berth period
- No driving after 16 hours elapsed time accumulated before and after the sleeper berth period

If a sleeper berth period fails to meet any of these criteria, the sleeper berth period is ineligible and the driver must follow the regular off-duty requirements.

Daily Limits When Using Sleeper Berth

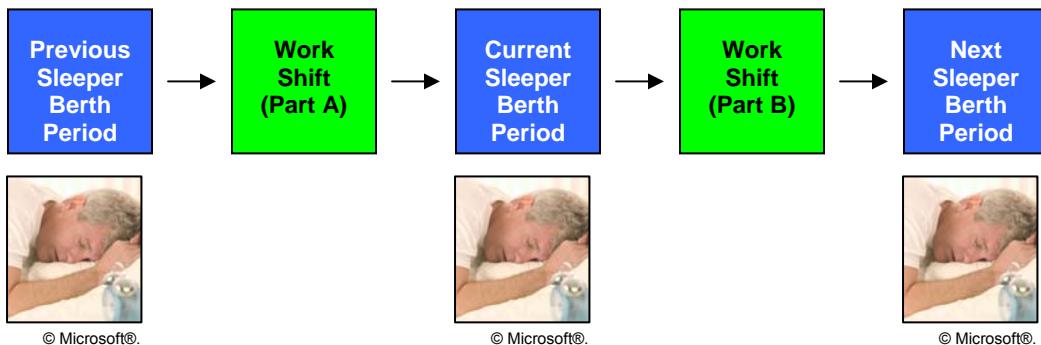
Even though the driver has increased flexibility with the sleeper berth, the co-driver must continue to follow the daily limits:

- Stop driving after 13 hours driving time in a “day”
- Stop driving after 14 hours on-duty time in a “day”
- At least 10 hours off-duty in a “day” and none of the off-duty time can be deferred to the next day

Work Shift Limits When Using Sleeper Berth

In addition to the daily limits, each co-driver must comply with the work shift limits.

- Stop driving after 13 hours driving time (before and after each eligible sleeper berth period)
- Stop driving after 14 hours on-duty time (before and after each eligible sleeper berth period)
- Stop driving after 16 hours of elapsed time in a work shift. A sleeper berth work shift includes the periods surrounding a sleeper berth period. It includes all activities since the end of the previous sleeper berth period until the start of the next sleeper berth period but excludes the current eligible sleeper berth period.



To calculate the 16th hour of elapsed time in a work shift:

- Exclude the hours spent in the current eligible sleeper berth period
- Include all work shift activities from the end of the previous sleeper berth to the beginning of the next sleeper berth period:
 - On-duty time
 - Off-duty time not spent in a sleeper berth
 - All periods of less than 2 hours spent in a sleeper berth
 - Any other period spent in a sleeper berth that does not qualify as an eligible sleeper berth period



Therefore, a team driver needs to check the following when using a sleeper berth:

- 1) Check each sleeper berth period to see if it is an eligible sleeper berth period
- 2) Check the daily limits
- 3) Check the work shift limits



Example #2:

Note: The team drivers had 8 consecutive hours of off-duty time before starting Day #1. These daily logs are for Driver #1 of the team drivers.

Driver #1

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										2
Off-duty time in sleeper berth									A												B					8
Driving time																										13
On-duty time other than driving time																										1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										2
Off-duty time in sleeper berth							C														D					8
Driving time																										13
On-duty time other than driving time																										1

Check each sleeper berth period to see if it is an eligible sleeper berth period

In this example, the driver takes 3 sleeper berth periods:

Sleeper Berth Period	≥ 4 hours	This period + another period ≥ 8 hours	≤ 13 hours driving before and after sleeper berth period	No driving after 14 hours on-duty before and after sleeper berth period	No driving after 16 hours elapsed time before and after the sleeper berth period	Eligible Sleeper Berth Period
A Day #1 5:00 – 9:00	Yes (4)	Yes ($A + B = 8$)	Yes ($4 + 8$)	Yes ($5 + 8$)	Yes ($5 + 9$)	Yes
B Day #1 18:00 – 22:00	Yes (4)	Yes ($B + C = 8$)	Yes ($8 + 4$)	Yes ($8 + 4$)	Yes ($9 + 5$)	Yes
C Day #2 3:00 – 7:00	Yes (4)	Yes ($C + D = 8$)	Yes ($4 + 9$)	Yes ($4 + 9$)	Yes ($5 + 11$)	Yes

All three sleeper berth periods are eligible sleeper berth periods (rest periods) because they meet all of the criteria.

As the eligible sleeper berth periods only require a total of 8 hours of off-duty time, each of the team drivers must take an additional 2 hours of off-duty time to meet the daily requirement.

Check the daily limits

In this example, the team driver is within all daily limits:

- No driving after 13 hours driving in a “day”
- No driving after 14 hours on-duty in a “day”
- At least 10 hours off-duty in a “day”

(Day 1: 4 + 1 + 4 + 1 = 10 hours)

(Day 2: 4 + 1 + 1 + 4 = 10 hours)

Check the work shift limits

The driver is also within the work shift limits for the 3 work shifts (a diagram of the start / end of each work shift start is on page 26):

Work Shift #1

- No driving after 13 hours driving time in the work shift (before and after each eligible sleeper berth period)

4 hours	1:00 (Day 1) – 5:00 (Day 1)
4 hours	9:00 (Day 1) – 13:00 (Day 1)
<u>4 hours</u>	14:00 (Day 1) – 18:00 (Day 1)
12 hours ✓	(No driving after 13 th hour)

- No driving after 14 hours on-duty time in the work shift (before and after each eligible sleeper berth period)

5 hours	0:00 (Day 1) – 5:00 (Day 1)
4 hours	9:00 (Day 1) – 13:00 (Day 1)
<u>4 hours</u>	14:00 (Day 1) – 18:00 (Day 1)
13 hours ✓	(No driving after 14 th hour)

- No driving after 16 hours of elapsed time in the work shift (eligible sleeper berth periods are not included in elapsed time)

Work Shift #1	18 hours	0:00 (Day 1) – 18:00 (Day 1)
Less: Sleeper Berth A	<u>(4 hours)</u>	5:00 (Day 1) – 9:00 (Day 1)
	14 hours ✓	(No driving after 16 th hour)

Work Shift #2

- No driving after 13 hours driving time in the work shift (before and after each eligible sleeper berth period)

4 hours	9:00 (Day 1) – 13:00 (Day 1)
4 hours	14:00 (Day 1) – 18:00 (Day 1)
<u>4 hours</u>	23:00 (Day 2) – 3:00 (Day 2)
12 hours ✓	(No driving after 13 th hour)

- No driving after 14 hours on-duty time in the work shift (before and after each eligible sleeper berth period)

4 hours	9:00 (Day 1) – 13:00 (Day 1)
4 hours	14:00 (Day 1) – 18:00 (Day 1)
<u>4 hours</u>	23:00 (Day 1) – 3:00 (Day 2)
12 hours ✓	(No driving after 14 th hour)

- No driving after 16 hours of elapsed time in the work shift (eligible sleeper berth periods are not included in elapsed time)

Work Shift #2	18 hours	9:00 (Day 1) – 3:00 (Day 2)
Less: Sleeper Berth B	<u>(4 hours)</u>	18:00 (Day 1) – 22:00 (Day 1)
	14 hours ✓	(No driving after 16 th hour)

Work Shift #3

- No driving after 13 hours driving time in the work shift (before and after each eligible sleeper berth period)

4 hours	23:00 (Day 1) – 3:00 (Day 2)
5 hours	8:00 (Day 2) – 13:00 (Day 2)
<u>4 hours</u>	14:00 (Day 2) – 18:00 (Day 2)
13 hours ✓	(No driving after 13 th hour)

- No driving after 14 hours on-duty time in the work shift (before and after each eligible sleeper berth period)

4 hours	23:00 (Day 1) – 3:00 (Day 2)
5 hours	8:00 (Day 2) – 13:00 (Day 2)
<u>4 hours</u>	14:00 (Day 2) – 18:00 (Day 2)
13 hours ✓	(No driving after 14 th hour)



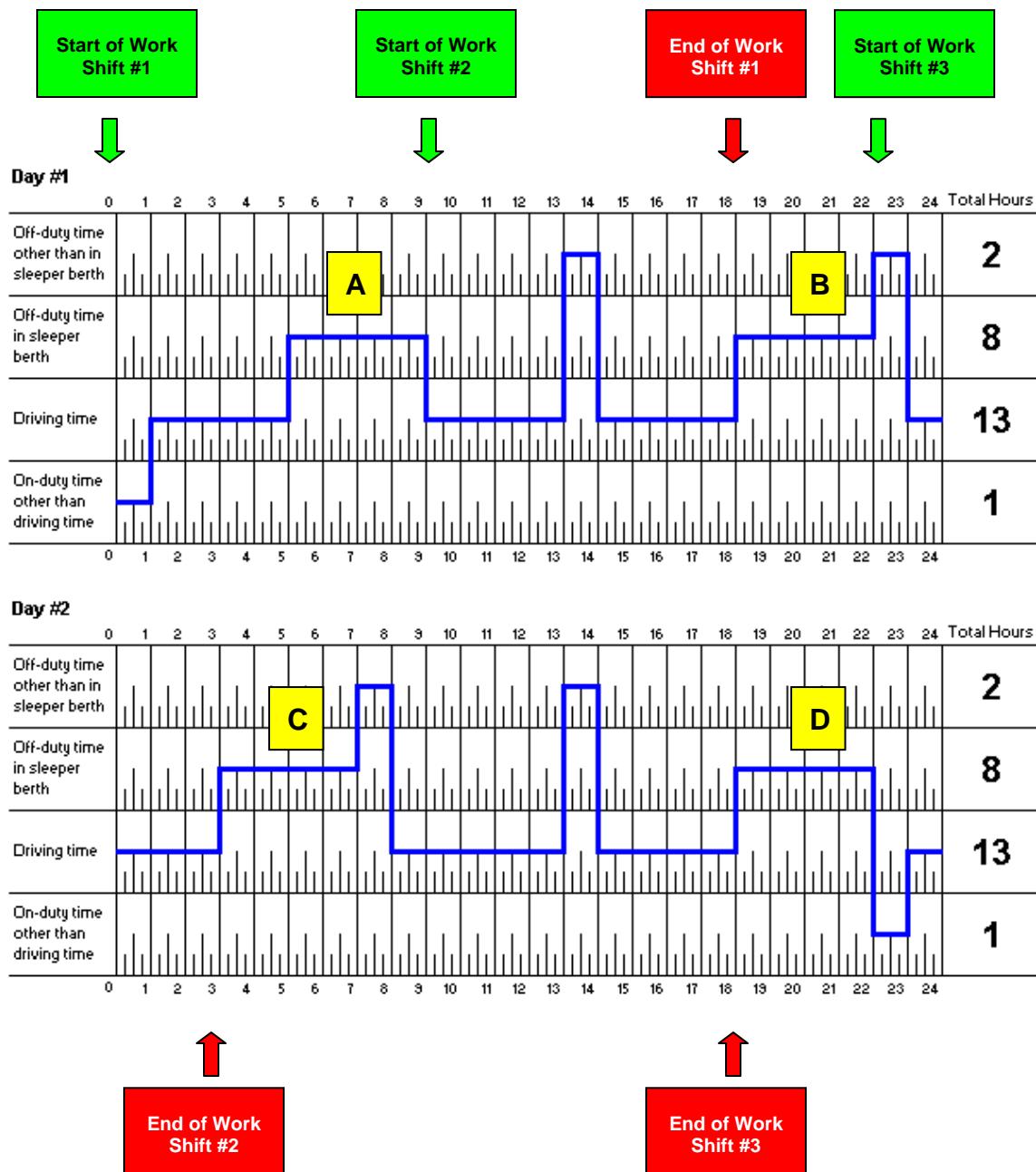
No driving after 16 hours of elapsed time in the work shift (eligible sleeper berth periods are not included in elapsed time)

Work Shift #3	20 hours	22:00 (Day 1) – 18:00 (Day 2)
Less: Sleeper Berth C	<u>4 hours</u>	3:00 (Day 2) – 7:00 (Day 2)
		16 hours ✓ (No driving after 16 th hour)



Example #2 (continued):

Driver #1



Example #2 (continued):

Team drivers must maintain their own daily logs and must meet the daily and work shift limits on their own. The daily logs for Driver #2 illustrate how this co-driver's daily logs match those of Driver #1 (refer to page 10). When Driver #1 is driving, Driver #2 is resting in the sleeper berth. When Driver #2 is driving, Driver #1 is resting in the sleeper berth. Both drivers take the same on-duty, other than driving time and off-duty time, other than in a sleeper berth.

Driver #2

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										2
Off-duty time in sleeper berth																										13
Driving time																										8
On-duty time other than driving time																										1

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										2
Off-duty time in sleeper berth																										13
Driving time																										8
On-duty time other than driving time																										1



Switch to a Regular Work Shift

At some point, a co-driver may decide to switch to a regular work shift (i.e., no sleeper berth) and regular off-duty time (i.e., no splitting of off-duty time). In these situations, the co-driver must take 8 consecutive hours of off-duty time to make the switch. The 8 consecutive off-duty hours can be a combination of off-duty time and time spent in the sleeper berth as long as the time is continuous.



**REST FOR 8
CONSECUTIVE
HOURS**

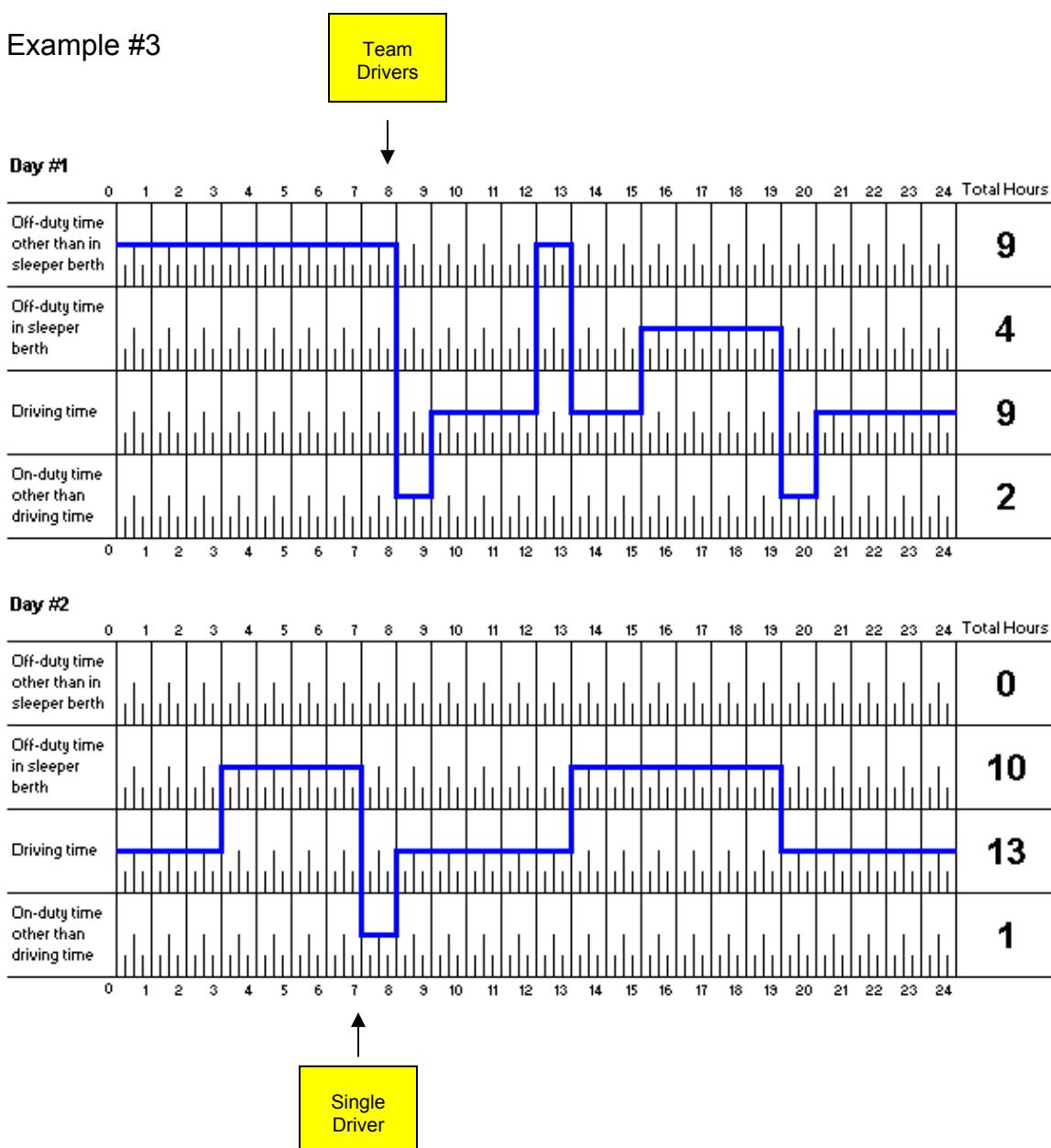
In situations where a co-driver takes one 2-hour sleeper berth period and one 8-hour sleeper berth period, the 8-hour period qualifies as 8 consecutive hours of off-duty time so the driver can switch to a regular work shift.

The driver should ensure that, over the long term, the driver has had an even number of sleeper berth periods before switching to a regular work shift. If the driver has an odd number of sleeper berth periods, then the last sleeper berth period is considered to be a regular period of off-duty time. This off-duty time must meet the regular off-duty requirements (i.e., 8 consecutive off-duty hours or off-duty hours that are in blocks ≥ 30 minutes).

Switch from Team Drivers to a Single Driver

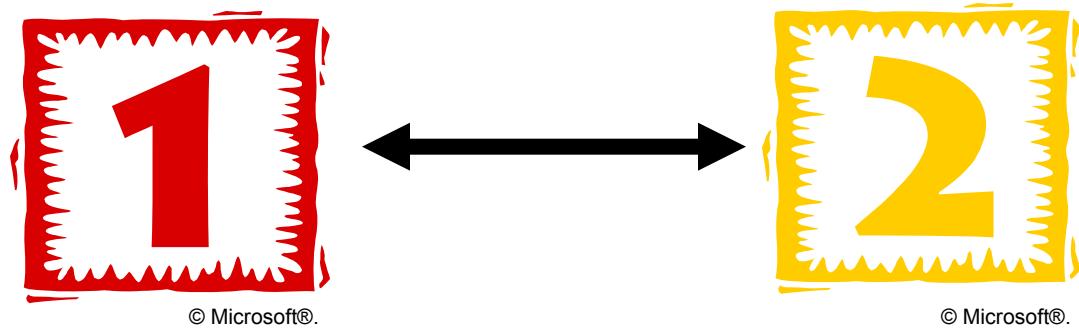
If team drivers want to switch to a single driver (or vice versa), the driver needs to record in the daily log when the change occurs and follow the rules for the new driving situation (i.e., single driver or team drivers) from that point forward.

Example #3



In this example, the team drivers follow the team sleeper berth rules (i.e., total for 2 sleeper berth periods \geq 8 hours; each period \geq 4 hours). The single driver follows the single driver sleeper berth rules (i.e., total for 2 sleeper berth periods \geq 10 hours; each period \geq 2 hours).

The 4-hour sleeper berth period on Day #2 is not used by the single driver. The 6-hour sleeper berth period on Day #2 is the first of two sleeper berth periods for the single driver.



Summary of Daily and Work Shift Limits (Using Sleeper Berth)

Daily Limits (24-hour period specified by carrier)

Regular Time and Sleeper Berth Time:

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- At least 10 hours off-duty

Work Shift Limits

Single Driver Using Sleeper Berth:

- No driving after 13 hours driving on either side of each eligible sleeper berth period
- No driving after 14 hours on-duty on either side of each eligible sleeper berth period
- No driving after 16 hours elapsed time on either side of each eligible sleeper berth period (excluding time in eligible sleeper berth period)

(Eligible sleeper berth period \geq 2 hours and total for 2 eligible sleeper berth periods \geq 10 hours)

Team Drivers Using Sleeper Berth:

- No driving after 13 hours driving on either side of each eligible sleeper berth period
- No driving after 14 hours on-duty on either side of each eligible sleeper berth period
- No driving after 16 hours elapsed time on either side of each eligible sleeper berth period (excluding time in eligible sleeper berth period)

(Eligible sleeper berth period \geq 4 hours and total for 2 eligible sleeper berth periods \geq 8 hours. Require 2 additional hours of off-duty time.)

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) Describe an eligible sleeper berth period for a single driver.

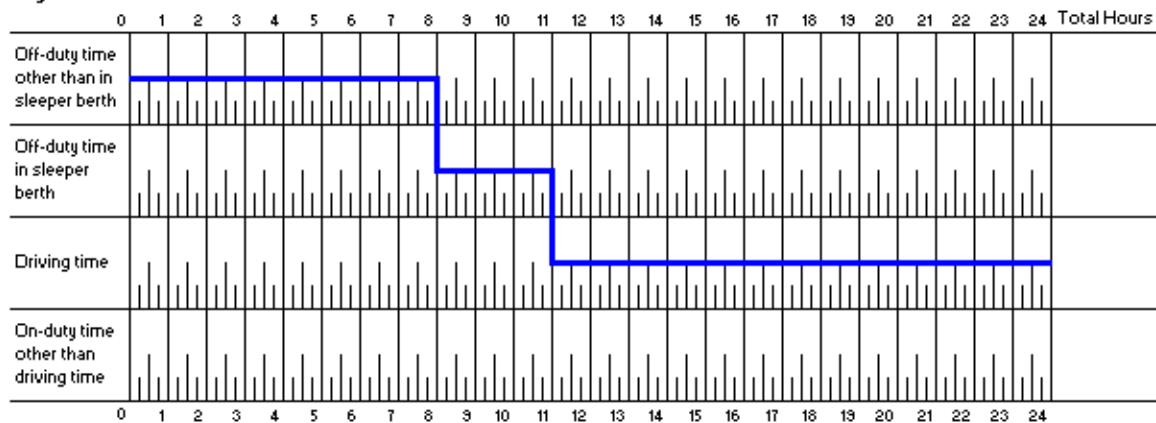
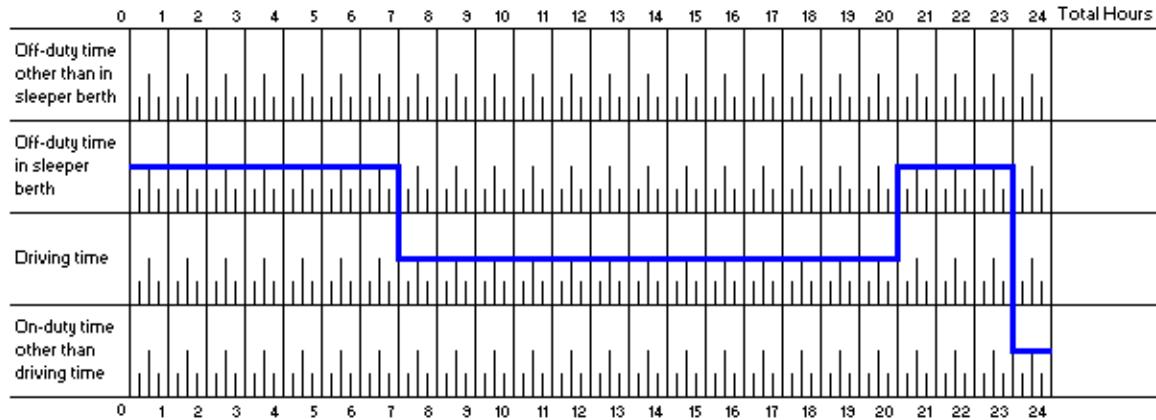
- 2) Describe an eligible sleeper berth period for team drivers.

- 3) Identify the sleeper berth daily limits.

- 4) Identify the sleeper berth work shift limits.

- 5) Review the following daily logs and identify any daily limit, work shift or sleeper berth violations.

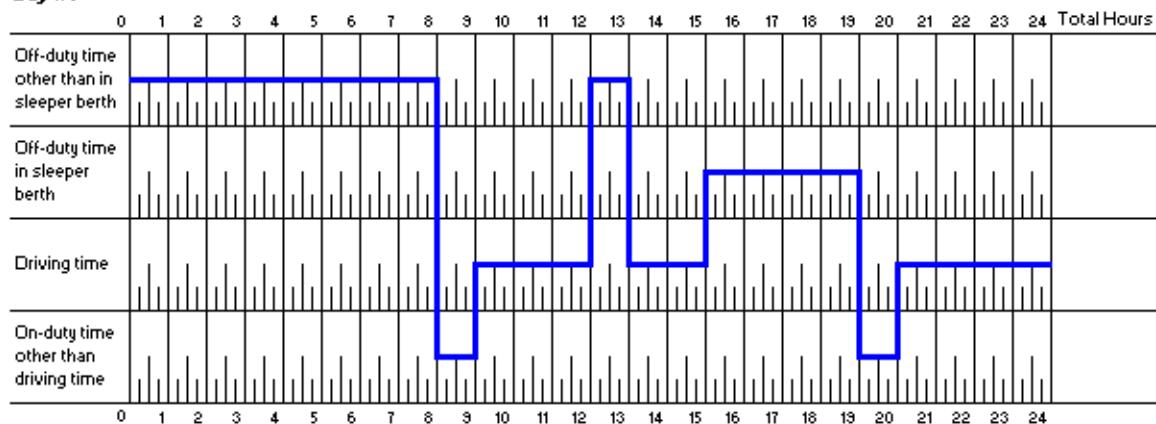
Single Driver

Day #1

Day #2


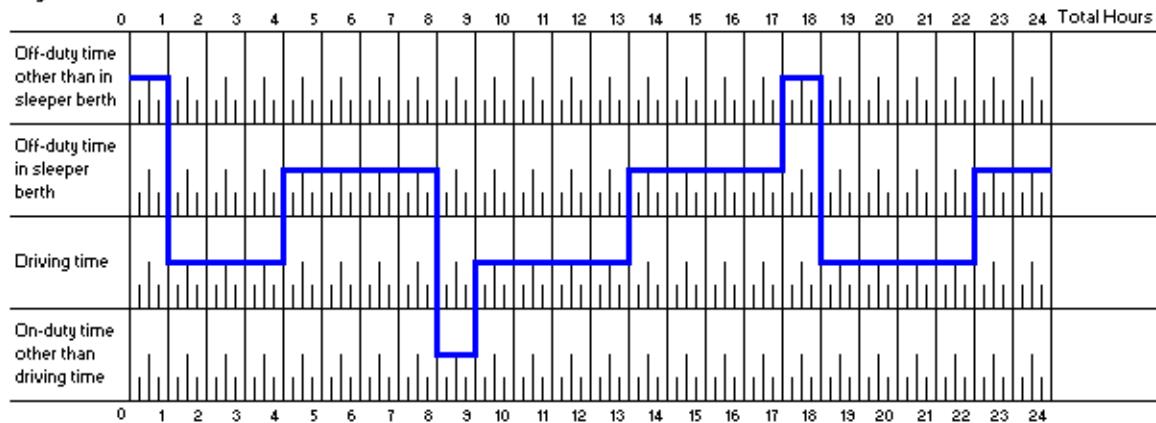


Team Drivers

Day #1



Day #2

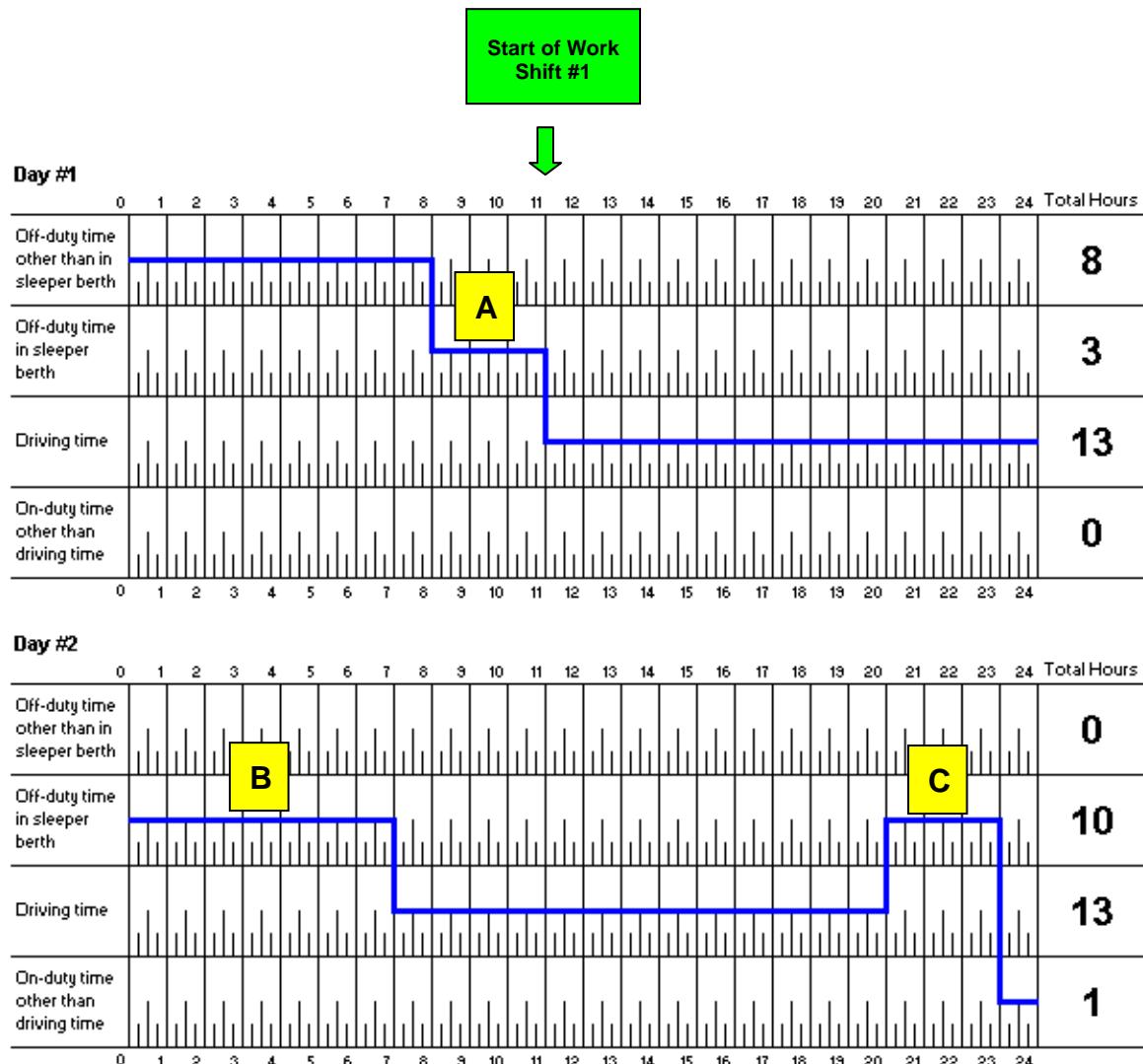


Answers to Module Self-Check Questions

- 1) Describe an eligible sleeper berth period for a single driver.
 - Each sleeper berth period \geq 2 hours
 - Total for 2 sleeper berth periods \geq 10 hours
- 2) Describe an eligible sleeper berth period for team drivers.
 - Each sleeper berth period \geq 4 hours
 - Total for 2 sleeper berth periods \geq 8 hours
- 3) Identify the sleeper berth daily limits.
 - Stop driving after 13 hours driving time in a “day”
 - Stop driving after 14 hours on-duty time in a “day”
 - At least 10 hours off-duty in a “day” and none of the off-duty time can be deferred to the next day
- 4) Identify the sleeper berth work shift limits.
 - Stop driving after 13 hours driving time (from the end of previous eligible sleeper berth period to the start of the next eligible sleeper berth period)
 - Stop driving after 14 hours on-duty time (from the end of previous eligible sleeper berth period to the start of the next eligible sleeper berth period)
 - Stop driving after 16 hours of elapsed time. A sleeper berth work shift includes the periods surrounding a sleeper berth period. It includes all activities since the previous sleeper berth period until the next sleeper berth period but excludes the current sleeper berth period.

- 5) Review the following daily logs and identify any daily limit, work shift or sleeper berth violations.

Single Driver



Single Driver

Sleeper Berth Period	≥ 2 hours	This period + another period ≥ 10 hours	≤ 13 hours driving before and after sleeper berth period	No driving after 14 hours on-duty before and after sleeper berth period	No driving after 16 hours elapsed time before and after the sleeper berth period	Eligible Sleeper Berth Period
A Day #1 8:00 – 11:00	Yes (3)	Yes (A + B = 10)	Yes (0 + 13)	Yes (0 + 13)	Yes (0 + 13)	Yes
B Day #2 0:00 – 7:00	Yes (7)	Yes (A + B = 10)	No (13 + 13)			No

Period B is not an eligible sleeper berth period therefore, the driver must follow regular work shift rules (instead of sleeper berth work shift rules).

Daily Limits (24-hour period specified by carrier)

Regular Time and Sleeper Berth Time:

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- At least 10 hours off-duty

Work Shift Limits

- No driving after 13 hours driving
 - **Drive after 13 hours driving**
 - **The 13th hour was reached at 24:00 on Day 1**
 - **Driver drove in violation from 7:00 – 20:00 on Day 2 for a total of 13 hours in violation**
- No driving after 14 hours on-duty
 - **Drive after 14 hours on-duty**
 - **The 14th hour was reached at 8:00 on Day 2**
 - **Driver drove in violation from 8:00 – 20:00 on Day 2 for a total of 12 hours in violation**
- No driving after 16 hours elapsed time
 - **Drive after 16 hours elapsed time**
 - **The 16th hour was reached at 3:00 on Day 2**
 - **Driver drove in violation from 7:00 – 20:00 on Day 2 for a total of 13 hours in violation**

*Note: This driver needs to take 8 consecutive hours off-duty to bring the driver back into compliance.

Team Drivers

Day #1

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										9
Off-duty time in sleeper berth																										4
Driving time																										9
On-duty time other than driving time																										2

Day #2

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										2
Off-duty time in sleeper berth																										10
Driving time																										11
On-duty time other than driving time																										1

Team Drivers:

Sleeper Berth Period	≥ 4 hours	This period + another period ≥ 8 hours	≤ 13 hours driving before and after sleeper berth period	No driving after 14 hours on-duty before and after sleeper berth period	No driving after 16 hours elapsed time before and after the sleeper berth period	Eligible Sleeper Berth Period
A Day #1 15:00 – 19:00	Yes (4)	Yes ($A + B = 8$)	Yes ($5 + 7$)	Yes ($6 + 8$)	Yes ($7 + 9$)	Yes
B Day #2 4:00 – 8:00	Yes (4)	Yes ($B + C = 8$)	Yes ($7 + 4$)	Yes ($8 + 5$)	Yes ($9 + 5$)	Yes
C Day #2 13:00 – 17:00	Yes (4)	Yes ($B + C = 8$)	Yes ($4 + 4$)	Yes ($5 + 4$)	Yes ($5 + 5$)	Yes

Daily Limits (24-hour period specified by carrier)

Regular Time and Sleeper Berth Time:

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- At least 10 hours off-duty

Work Shift Limits

Team Drivers Using Sleeper Berth:

Work Shift #1

- No driving after 13 hours driving time in the work shift (before and after each eligible sleeper berth period)

3 hours	9:00 (Day 1) – 12:00 (Day 1)
2 hours	13:00 (Day 1) – 15:00 (Day 1)
4 hours	20:00 (Day 1) – 24:00 (Day 1)
<u>3 hours</u>	1:00 (Day 2) – 4:00 (Day 2)
12 hours ✓	(No driving after 13 th hour)

- No driving after 14 hours on-duty time in the work shift (before and after each eligible sleeper berth period)

4 hours	8:00 (Day 1) – 12:00 (Day 1)
2 hours	13:00 (Day 1) – 15:00 (Day 1)
5 hours	19:00 (Day 1) – 24:00 (Day 1)
<u>3 hours</u>	1:00 (Day 2) – 4:00 (Day 2)
14 hours ✓	(No driving after 14 th hour)

- No driving after 16 hours of elapsed time in the work shift (eligible sleeper berth periods are not included in elapsed time)

Work Shift #1	20 hours	8:00 (Day 1) – 4:00 (Day 2)
Less: Sleeper Berth A	<u>(4 hours)</u>	15:00 (Day 1) – 19:00 (Day 1)
	16 hours ✓	(No driving after 16 th hour)

Work Shift #2

- No driving after 13 hours driving time in the work shift (before and after each eligible sleeper berth period)

4 hours	20:00 (Day 1) – 24:00 (Day 1)
3 hours	1:00 (Day 2) – 4:00 (Day 2)
<u>4 hours</u>	9:00 (Day 2) – 13:00 (Day 2)
11 hours ✓	(No driving after 13 th hour)

- No driving after 14 hours on-duty time in the work shift (before and after each eligible sleeper berth period)

5 hours	19:00 (Day 1) – 24:00 (Day 1)
3 hours	1:00 (Day 2) – 4:00 (Day 2)
<u>5 hours</u>	8:00 (Day 2) – 13:00 (Day 2)
13 hours ✓	(No driving after 14 th hour)

- No driving after 16 hours of elapsed time in the work shift (eligible sleeper berth periods are not included in elapsed time)

Work Shift #2	18 hours	19:00 (Day 1) – 13:00 (Day 2)
Less: Sleeper Berth B	<u>(4 hours)</u>	4:00 (Day 2) – 8:00 (Day 2)
	14 hours ✓	(No driving after 16 th hour)

Work Shift #3

- No driving after 13 hours driving time in the work shift (before and after each eligible sleeper berth period)

4 hours	9:00 (Day 2) – 13:00 (Day 2)
<u>4 hours</u>	18:00 (Day 2) – 22:00 (Day 2)
8 hours ✓	(No driving after 13 th hour)

- No driving after 14 hours on-duty time in the work shift (before and after each eligible sleeper berth period)

5 hours	8:00 (Day 2) – 13:00 (Day 2)
<u>4 hours</u>	18:00 (Day 2) – 22:00 (Day 2)
9 hours ✓	(No driving after 14 th hour)

- No driving after 16 hours of elapsed time in the work shift (eligible sleeper berth periods are not included in elapsed time)

Work Shift #3	14 hours	8:00 (Day 2) – 22:00 (Day 2)
Less: Sleeper Berth C	<u>(4 hours)</u>	13:00 (Day 2) – 17:00 (Day 2)
	10 hours ✓	(No driving after 16 th hour)



Module 9

Cycles



© Microsoft®.



© Microsoft®.

Things to think about ...

In addition to daily and work shift limits, drivers need to work within cycle limits of cumulative on-duty hours. Cycle limits help to prevent the fatigue that builds over time. When a driver reaches a cycle limit, the driver must stop driving. A driver can start a new cycle at any time if the driver takes an extended period of off-duty time that acts as a cycle reset.

What are the cycle limits?

How many off-duty hours must a driver take to reset the cycle?

What if a driver does not reach a cycle limit?

What if a driver wants to switch to (or start) a different cycle?

What will I learn in this module?

- Cycle limits
- Cycle resets
- Cycle switching

What are the cycle limits and cycle resets?



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) Sections 24, 25, 26 and 27 Cycles*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Sections 28 Cycle Reset – Off-Duty Time*

Driver must operate under one of two cycles under the *Federal Commercial Vehicle Drivers Hours of Service Regulations*:

- Cycle 1 – limit of 70 hours on-duty time over a period of 7 consecutive days
- Cycle 2 – limit of 120 hours of on-duty time over a period of 14 consecutive days

The motor carrier must choose whether the driver will follow the rules for Cycle 1 or Cycle 2. The driver must declare the cycle choice on the daily log for every day.

Each cycle limits the number of on-duty hours in either a 7-day (Cycle 1) or 14-day (Cycle 2) period. On-duty time includes both “Driving time” and “On-duty time, other than driving time.” If a driver reaches the cycle limit, the driver must stop driving however, the driver can perform other on-duty work as long as the driver does not exceed the daily and work shift limits.

At any time, a driver can end the current cycle and start a new cycle if the driver takes an extended period of off-duty time that acts as a cycle reset. During the cycle reset, the accumulated on-duty hours are set back to zero hours. After the reset period, the driver starts a new cycle and the driver’s on-duty hours begin to accumulate from zero again.

However, a driver does not have to reset the cycle. A driver can reduce the number of on-duty hours that the driver accumulates each day so as not to exceed the cycle limits (i.e., 70 hours in 7 days for Cycle 1; 120 hours in 14 days for Cycle 2).



Cycle 1

If a driver is operating under Cycle 1:

- No driving after accumulating 70 hours of on-duty time during any period of 7 consecutive days



Example #1:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					Off-Duty	Off-Duty
✓ 12 hours on-duty	✓ 10 hours on-duty 					
✓ 12 hours on-duty						

In this example, the driver reaches the Cycle 1 limit (i.e., 70 hours of on-duty time) during the 6th day (Friday). The driver is not eligible to drive on Saturday because the driver still has 70 on-duty hours in 7 days. However, on the next day, Sunday, the driver is eligible for 12 on-duty hours again.

It is important to understand that the cycle is a “sliding window” of any 7 consecutive days. Therefore, the driver must always check that the total on-duty time for the previous 6 days plus the on-duty time for the current day is less than or equal to 70 hours (i.e., Total on-duty hours for previous 6 days + Total on-duty hours for current day \leq 70 hours).

Example #2:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Off-Duty	Off-Duty	✓ 13 hours on-duty	✓ 8 hours on-duty	✓ 12 hours on-duty	✓ 10 hours on-duty	✓ 11 hours on-duty
✓ 3 hours on-duty	✓ 10 hours on-duty	✓ 10 hours on-duty	✓ 13 hours on-duty	✓ 13 hours on-duty	STOP DRIVING 24 hours off-duty	STOP DRIVING 12 hours off-duty Start a new cycle – resume driving

In this example, there are four different 7-day periods:

- Period 1 (Tuesday – Monday) 67 total on-duty hours
- Period 2 (Wednesday – Tuesday) 64 total on-duty hours
- Period 3 (Thursday – Wednesday) 69 total on-duty hours
- Period 4 (Friday – Thursday) 70 total on-duty hours

The following table illustrates the sliding window for this example:

Day #	Total On-Duty for Day	Total On-Duty for 7 Days
1	13	
2	8	
3	12	
4	10	
5	11	
6	3	
7	10	67
8	10	64
9	13	69
10	13	70

The driver reaches the Cycle 1 limit (i.e., 70 hours of on-duty time in any 7 consecutive days) at the end of the 10th day (second Thursday). The driver decides to take 36 consecutive hours of off-duty time to reset the cycle. During the cycle reset, the accumulated on-duty hours are set back to zero hours. After the reset period, the driver starts a new cycle and resumes driving (i.e., on-duty time starts from zero).

Cycle 2

If a driver is operating under Cycle 2:

- No driving after 120 hours of on-duty time in any period of 14 consecutive days
- At no point during the cycle can a driver exceed 70 hours of on-duty time without taking at least 24 consecutive hours of off-duty time. This off-duty time can be a combination of off-duty time and time spent in a sleeper berth as long as the time is continuous.





Example #3:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				Off-Duty	Off-Duty	Off-Duty
14 hours on-duty	14 hours on-duty	14 hours on-duty	14 hours on-duty	14 hours on-duty	24 hours off-duty	14 hours on-duty
14 hours on-duty	14 hours on-duty	8 hours on-duty 				
14 hours on-duty						

In this example, the driver reaches 70 hours of on-duty time at the end of the 5th day (Thursday). The driver must take 24 consecutive hours of off-duty time before the driver resumes driving.

The driver then continues ensuring that he / she does not drive after accumulating more than 120 hours in any 14-day period. The driver stops driving after 8 hours on-duty on the second Tuesday. The driver is not eligible to drive again until third Sunday because the driver has 120 on-duty hours in 14 days.

It is important to understand that the cycle is a “sliding window” of any 14 consecutive days. Therefore, the driver must always check that the total on-duty time for the previous 13 days plus the on-duty time for the current day is less than or equal to 120 hours (i.e., Total on-duty hours for previous 13 days + Total on-duty hours for current day \leq 120 hours).

Example #4:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				Off-Duty	Off-Duty	Off-Duty
13 hours on-duty	8 hours on-duty	12 hours on-duty	10 hours on-duty	11 hours on-duty	6 hours on-duty	10 hours on-duty
24 hours off-duty	10 hours on-duty	9 hours on-duty	8 hours off-duty	9 hours on-duty	5 hours on-duty	8 hours on-duty
10 hours on-duty	11 hours on-duty	24 hours off-duty	14 hours on-duty	14 hours on-duty	12 hours on-duty	24 hours off-duty
		Start a new cycle – resume driving				

In this example, the driver reaches 70 hours of on-duty time at the end of the 7th day (Saturday) and 16th day (third Monday). The driver must take 24 consecutive hours of off-duty time before the driver resumes driving.

In this example, there are seven different 14-day periods:

- Period 1 (Sunday – second Saturday) 119 total on-duty hours
- Period 2 (Monday – third Sunday) 116 total on-duty hours
- Period 3 (Tuesday – third Monday) 119 total on-duty hours
- Period 4 (Wednesday – third Tuesday) 107 total on-duty hours
- Period 5 (Thursday – third Wednesday) 111 total on-duty hours
- Period 6 (Friday – third Thursday) 114 total on-duty hours
- Period 7 (Saturday – third Friday) 120 total on-duty hours

The following table illustrates the sliding window for this example:

Day #	Total On-Duty for Day	Total On-Duty for 14 Days
1	13	
2	8	
3	12	
4	10	
5	11	
6	6	
7	10	
8	0	
9	10	
10	9	
11	8	
12	9	
13	5	
14	8	119
15	10	116
16	11	119
17	0	107
18	14	111
19	14	114
20	12	120



The driver reaches the Cycle 2 limit (i.e., 120 hours of on-duty time in any 14 consecutive days) at the end of the 20th day (third Friday). The driver decides to take 72 consecutive hours of off-duty time to reset the cycle. During the cycle reset, the accumulated on-duty hours are set back to zero hours. After the reset period, the driver starts a new cycle and resumes driving (i.e., on-duty time starts from zero).



© Microsoft®.

What is “mandatory 24 hours off-duty”?

Some drivers don't accumulate enough on-duty hours in a 7-day or 14-day period to reach a cycle limit. For example, a driver who works less than 10 hours per day will not reach either a Cycle 1 or a Cycle 2 limit however, the driver still needs a period of off-duty time.

If a driver does not reach a Cycle 1 or Cycle 2 limit:

- No driving after 14 consecutive days (regardless of the number of accumulated on-duty hours in the cycle)



- After 14 consecutive days on-duty, a driver must take at least 24 consecutive hours of off-duty time before the driver resumes driving. This off-duty time can be a combination of off-duty time and time spent in a sleeper berth as long as the time is continuous.

This, however, does not mean that a driver must work for 14 days before taking at least 24 consecutive hours off-duty. A driver is free to take 24 consecutive hours off-duty at any time. As long as a driver has one 24-hour off-duty period in the preceding 14 days, the driver is complying with the Regulations.



Example #5:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
 24 hours off-duty	On-duty	On-duty	On-duty	On-duty	On-duty	On-duty
On-duty	On-duty	On-duty	On-duty	On-duty	On-duty	On-duty
On-duty		On-duty	On-duty	On-duty	On-duty	On-duty

In this example, the driver is on-duty for 14 days (to third Sunday) but does not reach either the Cycle 1 or Cycle 2 limit. The driver must take 24 consecutive hours of off-duty time before the driver resumes driving.

How do drivers switch cycles, restart their current cycle, or change the start time of their day?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Sections 28 Cycle Reset – Off-Duty Time*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 29 Cycle Switching – Off-Duty Time*

There are many reasons why drivers may want to switch to a different cycle, restart their current cycle, or change the start time of their day:

- Motor carrier wants to switch from Cycle 1 to Cycle 2 (or vice versa) based on work schedules. A motor carrier may decide that Cycle 1 works better than Cycle 2 (or vice versa).
- Motor carrier wants to change the start time of the day. In Module 5, we determined that the motor carrier sets the start time for the day. If a motor carrier wants to change the start time, the driver needs to start a new cycle.
- Driver works for more than one motor carrier. If a driver works for more than one carrier during the same day or same cycle, the driver must use the start time of the day and cycle set by the motor carrier that the driver was working for at the time the driver started the cycle. If a driver wants to change the start time and cycle, the driver needs to start a new cycle.



© Microsoft®.

In all of these situations, the driver needs to end the current cycle by taking an extended period of off-duty time (cycle reset):

- To switch from Cycle 1 to Cycle 2, driver needs to take at least 36 consecutive hours of off-duty time
- To switch from Cycle 2 to Cycle 1, driver needs to take at least 72 consecutive hours of off-duty time
- To change the start time of the day when using Cycle 1, driver needs to take at least 36 consecutive hours of off-duty time
- To change the start time of the day when using Cycle 2, driver needs to take at least 72 consecutive hours of off-duty time
- To reset Cycle 1 (i.e., reset the accumulated on-duty hours back to 0), the driver needs to take at least 36 consecutive hours of off-duty time.
- To reset Cycle 2 (i.e., reset the accumulated on-duty hours back to 0), the driver needs to take at least 72 consecutive hours of off-duty time.

A driver can end and reset the current cycle at any time after accumulating any number of hours in a cycle. A driver does not need to complete the current cycle before taking a cycle reset. The driver must record changes to the start time for the day and cycle in the daily log.

After taking the off-duty time (cycle reset), the driver can start a new cycle and resume driving (i.e., on-duty time starts from zero). During a cycle, the day begins at the same time every day.


Commercial Vehicle Drivers Hours of Service
Example #6:

This driver, who is using Cycle 1, changes the start time of the day on Day #3 after taking a cycle reset (i.e., ≥ 36 consecutive hours off-duty time).

Day #1		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											16
Off-duty time in sleeper berth																											0
Driving time																											7
On-duty time other than driving time																											1

Remarks: Cycle 1

Day #2		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											
Driving time																											
On-duty time other than driving time																											

Remarks: Cycle 1 - Changed start time for the next day to 2:00 am

Day #3		HOUR AT WHICH DAY BEGINS (2:00 am)																								Total Hours	
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	1	2	
Off-duty time other than in sleeper berth																											
Off-duty time in sleeper berth																											
Driving time																											
On-duty time other than driving time																											

Remarks: Cycle 1 - Start time for the day changed to 2:00 am

Cycle reset complete at 12:00 midnight

Off-duty from midnight to 2:00 am



Commercial Vehicle Drivers Hours of Service

Example #7

This driver switches from Cycle 2 to Cycle 1 after taking a cycle reset (i.e., ≥ 72 hours off-duty time).

Day #1 HOUR AT WHICH DAY BEGINS (Midnight)																	Total Hours								
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																									12
Off-duty time in sleeper berth																									0
Driving time																									7
On-duty time other than driving time																									5

Remarks: Cycle 2

Day #2 HOUR AT WHICH DAY BEGINS (Midnight)																	Total Hours								
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																									24
Off-duty time in sleeper berth																									
Driving time																									
On-duty time other than driving time																									

Remarks: Cycle 2

Day #3 HOUR AT WHICH DAY BEGINS (Midnight)																	Total Hours								
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																									24
Off-duty time in sleeper berth																									
Driving time																									
On-duty time other than driving time																									

Remarks: Cycle 2

Day #4 HOUR AT WHICH DAY BEGINS (Midnight)																	Total Hours								
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																									
Off-duty time in sleeper berth																									
Driving time																									
On-duty time other than driving time																									

Remarks: Switch from Cycle 2 to Cycle 1
Cycle reset complete at 15:00

Summary of Cycle Limits

Cycle Limits (cycle specified by carrier)

Cycle 1:

- No driving after 70 hours on-duty in any 7 consecutive days
- If applicable, the driver has the option to take at least 36 consecutive hours off-duty to reset Cycle 1 or switch to Cycle 2 (i.e., reset cumulative on-duty hours to zero)

Cycle 2:

- No driving after 120 hours on-duty in any 14 consecutive days
- No driving after 70 hours on-duty at any time in the cycle without taking 24 consecutive hours off-duty
- If applicable, the driver has the option to take at least 72 consecutive hours off-duty to reset Cycle 2 or switch to Cycle 1 (i.e., reset cumulative on-duty hours to zero)

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

Summary of Daily, Work Shift and Cycle Limits

Daily Limits (24-hour period specified by carrier)

Regular Time (including use of sleeper berth):

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- 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

Deferred Time (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours
- Total off-duty time in 2 days \geq 20 hours
- Off-duty time for Day 1 and Day 2
 - At least 8 consecutive off-duty hours taken in Day 1
 - At least 10 consecutive off-duty hours taken in Day 2
 - 2 additional off-duty hours (blocks \geq 30 minutes) that are not part of 8 consecutive hours in Day 2

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

No Sleeper Berth Used:

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- No driving after 16 hours elapsed time (includes all time in work shift)

Single Driver Using Sleeper Berth:

- No driving after 13 hours driving on either side of each eligible sleeper berth period
- No driving after 14 hours on-duty on either side of each eligible sleeper berth period
- No driving after 16 hours elapsed time on either side of each eligible sleeper berth period (excluding time in eligible sleeper berth period)
 - (Eligible sleeper berth period \geq 2 hours and total for 2 eligible sleeper berth periods \geq 10 hours)

Team Drivers Using Sleeper Berth:

- No driving after 13 hours driving on either side of each eligible sleeper berth period
- No driving after 14 hours on-duty on either side of each eligible sleeper berth period
- No driving after 16 hours elapsed time on either side of each eligible sleeper berth period (excluding time in eligible sleeper berth period)
 - (Eligible sleeper berth period \geq 4 hours and total for 2 eligible sleeper berth periods \geq 8 hours. Require 2 additional hours of off-duty time.)

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)

Cycle 2:

- No driving after 120 hours on-duty in any 14 consecutive days
- No driving after 70 hours on-duty at any time in the cycle without taking 24 consecutive hours off-duty
- At least 72 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

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) Describe the cycle limit and cycle reset for Cycle 1.

- 2) Describe the cycle limit and cycle reset for Cycle 2.

- 3) Describe how drivers can check “sliding windows” within Cycle 1 and Cycle 2.

- 4) Describe the two off-duty time requirements for a driver who does not reach a Cycle 1 or Cycle 2 limit.

- 5) Identify the number of off-duty hours a driver must take for each of the following situations:

Switch from Cycle 1 to Cycle 2 _____

Switch from Cycle 2 to Cycle 1 _____

Change start time of the day when using Cycle 1 _____

Change start time of the day when using Cycle 2 _____



6) A driver works the following hours:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Cycle Reset	Cycle Reset	Cycle Reset	Day #1	Day #2	Day #3	Day #4
Off-Duty	Off-Duty	Off-Duty	10 hours on-duty	7 hours on-duty	5 hours on-duty	13 hours on-duty
Day #5	Day #6	Day #7	Day #8	Day #9	Day #10	Day #11
9 hours on-duty	13 hours on-duty	8 hours on-duty	7 hours on-duty	10 hours on-duty	10 hours on-duty	13 hours on-duty
Day #12	Day #13	Day #14				
13 hours on-duty	13 hours on-duty	13 hours on-duty				

*Note: All on-duty hours are driving hours. Every day the driver starts driving at midnight, which is also the start of the day.

Identify any violations if the driver is operating under Cycle 1.

Identify any violations if the driver is operating under Cycle 2.

7) A driver works the following hours:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Cycle Reset	Cycle Reset	Cycle Reset	Day #1	Day #2	Day #3	Day #4
Off-Duty	Off-Duty	Off-Duty	5 hours on-duty	7 hours on-duty	5 hours on-duty	6 hours on-duty
Day #5	Day #6	Day #7	Day #8	Day #9	Day #10	Day #11
3 hours on-duty	7 hours on-duty	9 hours on-duty	6 hours on-duty	10 hours on-duty	9 hours on-duty	8 hours on-duty
Day #12	Day #13	Day #14	Day #15	Day #16		
7 hours on-duty	8 hours on-duty	5 hours on-duty	9 hours on-duty	6 hours on-duty		

*Note: All on-duty hours are driving hours. Every day the driver starts driving at midnight, which is also the start of the day.

Identify any violations if the driver is operating under Cycle 1.

Identify any violations if the driver is operating under Cycle 2.

8) Answer the questions below using the daily logs.

Day #1		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											0
Driving time																											0
On-duty time other than driving time																											0

Day #2		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10.5
Off-duty time in sleeper berth																											0
Driving time																											13
On-duty time other than driving time																											0.5

Day #3		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10
Off-duty time in sleeper berth																											0
Driving time																											13
On-duty time other than driving time																											1


Commercial Vehicle Drivers Hours of Service
Day #4 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										11.25
Off-duty time in sleeper berth																										0
Driving time																										12.25
On-duty time other than driving time																										0.5
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #5 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10.5
Off-duty time in sleeper berth																										0
Driving time																										12.5
On-duty time other than driving time																										1
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #6 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										1
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	



Commercial Vehicle Drivers Hours of Service

Day #7		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											0
Driving time																											0
On-duty time other than driving time																											0
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #8		HOUR AT WHICH DAY BEGINS (Midnight)																									Total Hours
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											0
Driving time																											0
On-duty time other than driving time																											0
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #9		HOUR AT WHICH DAY BEGINS (Midnight)																									Total Hours
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											2
Off-duty time in sleeper berth																											10
Driving time																											10
On-duty time other than driving time																											2
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	



Commercial Vehicle Drivers Hours of Service

Day #10		HOUR AT WHICH DAY BEGINS (Midnight)																										
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours	
Off-duty time other than in sleeper berth																												1
Off-duty time in sleeper berth																												9
Driving time																												12
On-duty time other than driving time																												2

Day #11		HOUR AT WHICH DAY BEGINS (Midnight)																										
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours	
Off-duty time other than in sleeper berth																												2
Off-duty time in sleeper berth																												8
Driving time																												13
On-duty time other than driving time																												1

Day #12		HOUR AT WHICH DAY BEGINS (Midnight)																										
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours	
Off-duty time other than in sleeper berth																												0.75
Off-duty time in sleeper berth																												11.25
Driving time																												11
On-duty time other than driving time																												1



Commercial Vehicle Drivers Hours of Service

Day #13 HOUR AT WHICH DAY BEGINS (Midnight)																			Total Hours							
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										5
Driving time																										7
On-duty time other than driving time																										2

Day #14 HOUR AT WHICH DAY BEGINS (Midnight)																			Total Hours							
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										12.5
On-duty time other than driving time																										1.5

Day #15 HOUR AT WHICH DAY BEGINS (Midnight)																			Total Hours							
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										24
Off-duty time in sleeper berth																										0
Driving time																										0
On-duty time other than driving time																										0


Commercial Vehicle Drivers Hours of Service

Day #16		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10
Off-duty time in sleeper berth																											0
Driving time																											12.5
On-duty time other than driving time																											1.5

Day #17		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10.75
Off-duty time in sleeper berth																											0
Driving time																											9.25
On-duty time other than driving time																											4

Day #18		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10
Off-duty time in sleeper berth																											0
Driving time																											4.5
On-duty time other than driving time																											9.5

Identify any violations if the driver is operating under Cycle 1.

Identify any violations if the driver is operating under Cycle 2.

9) Answer the questions below using the daily logs.

Driver #1

Day #1		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											12
Off-duty time in sleeper berth																											0
Driving time																											7
On-duty time other than driving time																											5

Day #2		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											
Driving time																											
On-duty time other than driving time																											

Day #3		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											
Off-duty time in sleeper berth																											
Driving time																											
On-duty time other than driving time																											



Driver #1 finishes a work shift at 15:00 on Day 1, and the next work shift starts at 3:00 on Day 3. The driver has taken a proper cycle reset in between the work shifts.

What cycle is this driver using?

Where should the driver record this cycle information?

At what time is the cycle reset complete?

What is the start time for each day in the cycle?

Who determines the start time for the day?

Driver #2

A motor carrier notifies Driver #2 that he/she will no longer be working days but will be working evenings starting on Day #3. The driver will still be using Cycle 1 but, starting on Day #3, the driver's day will begin at 9:00 pm.

Day #1		HOUR AT WHICH DAY BEGINS (Midnight)																										
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours	
Off-duty time other than in sleeper berth																												
Off-duty time in sleeper berth																												
Driving time																												
On-duty time other than driving time																												

Remarks:

Day #2		HOUR AT WHICH DAY BEGINS (Midnight)																										
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours	
Off-duty time other than in sleeper berth																												
Off-duty time in sleeper berth																												
Driving time																												
On-duty time other than driving time																												

Remarks:

Day #3		HOUR AT WHICH DAY BEGINS (9:00 pm)																										
		22	23	24	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	Total Hours		
Off-duty time other than in sleeper berth																												
Off-duty time in sleeper berth																												
Driving time																												
On-duty time other than driving time																												

Remarks:



How many off-duty hours does the driver need to complete a Cycle 1 reset?

Complete the daily log for Day #1, Day #2 and Day #3 by adding the cycle reset and applicable remarks.

On what day and at what hour does the driver complete the Cycle 1 reset?

Answers to Module Self-Check Questions

- 1) Describe the cycle limit and cycle reset for Cycle 1.
 - Cycle limit - No driving after 70 hours of on-duty time during any period of 7 consecutive days
 - Cycle reset - Driver may take at least 36 consecutive hours of off-duty time to reset the cycle
- 2) Describe the cycle limit and cycle reset for Cycle 2.
 - Cycle limit
 - No driving after 120 hours of on-duty time in any period of 14 consecutive days
 - At no point within the cycle can a driver exceed 70 hours of on-duty time without taking at least 24 consecutive hours of off-duty time
 - Cycle reset - Driver may take at least 72 consecutive hours of off-duty time to reset the cycle
- 3) Describe how drivers can check “sliding windows” within Cycle 1 and Cycle 2.
 - Cycle 1 limit is for ANY 7 days (Total on-duty hours for previous 6 days + Total on-duty hours for current day \leq 70 hours)
 - Cycle 2 limit is for ANY 14 days (Total on-duty hours for previous 13 days + Total on-duty hours for current day \leq 120 hours)
- 4) Describe the two off-duty time requirements for a driver who does not reach a Cycle 1 or Cycle 2 limit.
 - No driving after 14 consecutive days (regardless of the number of on-duty hours accumulated in the cycle)
 - After 14 consecutive days on-duty, a driver must take at least 24 consecutive hours of off-duty time before the driver resumes driving
- 5) Identify the number of off-duty hours a driver must take for each of the following situations:

Switch from Cycle 1 to Cycle 2	36 consecutive hours off-duty
Switch from Cycle 2 to Cycle 1	72 consecutive hours off-duty
Change start time of day when using Cycle 1	36 consecutive hours off-duty
Change start time of day using when Cycle 2	72 consecutive hours off-duty



6) A driver works the following hours:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Cycle Reset	Cycle Reset	Cycle Reset	Day #1	Day #2	Day #3	Day #4
Off-Duty	Off-Duty	Off-Duty	10 hours on-duty	7 hours on-duty	5 hours on-duty	13 hours on-duty
Day #5	Day #6	Day #7	Day #8	Day #9	Day #10	Day #11
9 hours on-duty	13 hours on-duty	8 hours on-duty	7 hours on-duty	10 hours on-duty	10 hours on-duty	13 hours on-duty
Day #12	Day #13	Day #14				
13 hours on-duty	13 hours on-duty	13 hours on-duty				

*Note: All on-duty hours are driving hours. Every day the driver starts driving at midnight, which is also the start of the day.

Identify any violations if the driver is operating under Cycle 1.

Cycle Limits (cycle specified by carrier)

Cycle 1:

- No driving after 70 hours on-duty in any 7 consecutive days

Day #	Total On-Duty for Day	Total On-Duty for 7 Days
1	10	
2	7	
3	5	
4	13	
5	9	
6	13	
7	8	65 ✓
8	7	62 ✓
9	10	65 ✓
10	10	70 ✓
11	13	70 ✓
12	13	74 ✗
13	13	74 ✗
14	13	79 ✗

Driver reached 70 hours on-duty in 7 consecutive days during Day #12, Day #13 and Day #14

**Driver needed to stop driving after reaching 70 hours on-duty
Driver drove in violation on Day #12 (4 hours), Day #13 (4 hours), and Day #14 (9 hours) for a total of 17 hours**

- At least 36 consecutive hours off-duty (to reset cycle)
 - Not applicable in this example

Day Off:

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

Identify any violations if the driver is operating under Cycle 2.

Cycle Limits (cycle specified by carrier)

Cycle 2:

- No driving after 120 hours on-duty in any 14 consecutive days

Day #	Total On-Duty for Day	Total On-Duty for 14 Days
1	10	
2	7	
3	5	
4	13	
5	9	
6	13	
7	8	
8	7	
9	10	
10	10	
11	13	
12	13	
13	13	
14	13	144 *

**Driver reached 120 hours in 14 consecutive days during Day #13
 Driver needed to stop driving after reaching 120 on-duty hours
 Driver drove in violation on Day #13 (11 hours) and Day #14 (13 hours) for a total of 24 hours**

- No driving after 70 hours on-duty at any time in the cycle without taking 24 consecutive hours off-duty
**Driver reached 70 hours on-duty after 5 hours on-duty on the Day #8
 Driver needed to take 24 hours off-duty before resuming driving
 Driver drove in violation the Day #8, Day #9, Day #10, Day #11, Day #12, Day #13 and Day #14 for a total of 74 hours**
- At least 72 consecutive hours off-duty (to reset cycle)
- Not applicable in this example

Day Off:

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

7) A driver works the following hours:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Cycle Reset	Cycle Reset	Cycle Reset	Day #1	Day #2	Day #3	Day #4
Off-Duty	Off-Duty	Off-Duty	5 hours on-duty	7 hours on-duty	5 hours on-duty	6 hours on-duty
Day #5	Day #6	Day #7	Day #8	Day #9	Day #10	Day #11
3 hours on-duty	7 hours on-duty	9 hours on-duty	6 hours on-duty	10 hours on-duty	9 hours on-duty	8 hours on-duty
Day #12	Day #13	Day #14	Day #15	Day #16		
7 hours on-duty	8 hours on-duty	5 hours on-duty	9 hours on-duty	6 hours on-duty		

*Note: All on-duty hours are driving hours. Every day the driver starts driving at midnight, which is also the start of the day.

Identify any violations if the driver is operating under Cycle 1.

Cycle Limits (cycle specified by carrier)

Cycle 1:

- No driving after 70 hours on-duty in any 7 consecutive days

Day #	Total On-Duty for Day	Total On-Duty for 7 Days
1	5	
2	7	
3	5	
4	6	
5	3	
6	7	
7	9	42 ✓
8	6	43 ✓
9	10	46 ✓
10	9	50 ✓
11	8	52 ✓
12	7	56 ✓
13	8	57 ✓
14	5	53 ✓
15	9	56 ✓
16	6	52 ✓

- At least 36 consecutive hours off-duty (to reset cycle)
 - Not applicable in this example

Day Off:

- No driving after 14 consecutive days (regardless of the number of on-duty hours accumulated in the cycle) without taking at least 24 consecutive hours off-duty
Driver reached 14 consecutive days driving at the end of Day #14
Driver needed to take 24 consecutive hours off-duty before resuming driving
Driver drove in violation on Day #15 and Day #16 for a total of 15 hours

Identify any violations if the driver is operating under Cycle 2.

Cycle Limits (cycle specified by carrier)

Cycle 2:

- No driving after 120 hours on-duty in any 14 consecutive days

Day #	Total On-Duty for Day	Total On-Duty for 14 Days
1	5	
2	7	
3	5	
4	6	
5	3	
6	7	
7	9	
8	6	
9	10	
10	9	
11	8	
12	7	
13	8	
14	5	95 ✓
15	9	99 ✓
16	6	98 ✓

- No driving after 70 hours on-duty at any time in the cycle without taking 24 consecutive hours off-duty

Driver reached 70 hours on-duty after 3 hours on-duty on Day #11

Driver needed to take 24 hours off-duty before resuming driving

Driver drove in violation on Day #11 (part day), Day #12, Day #13, Day #14, Day #15 and Day #16 for a total of 40 hours

- At least 72 consecutive hours off-duty (to reset cycle)
- Not applicable in this example

Day Off:

- No driving after 14 consecutive days (regardless of the number of on-duty hours accumulated in the cycle) without taking at least 24 consecutive hours off-duty
 - Driver reached 14 consecutive days driving at the end of Day #14**
 - Driver needed to take 24 consecutive hours off-duty before resuming driving**
 - Driver drove in violation on Day #15 and Day #16 for a total of 15 hours**


Commercial Vehicle Drivers Hours of Service

8) Answer the questions below using the daily logs.

Day #1		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											0
Driving time																											0
On-duty time other than driving time																											0

Day #2		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10.5
Off-duty time in sleeper berth																											0
Driving time																											13
On-duty time other than driving time																											0.5

Day #3		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10
Off-duty time in sleeper berth																											0
Driving time																											13
On-duty time other than driving time																											1


Commercial Vehicle Drivers Hours of Service
Day #4 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										11.25
Off-duty time in sleeper berth																										0
Driving time																										12.25
On-duty time other than driving time																										0.5

Day #5 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10.5
Off-duty time in sleeper berth																										0
Driving time																										12.5
On-duty time other than driving time																										1

Day #6 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										1



Commercial Vehicle Drivers Hours of Service

Day #7		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											0
Driving time																											0
On-duty time other than driving time																											0
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #8		HOUR AT WHICH DAY BEGINS (Midnight)																									Total Hours
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											0
Driving time																											0
On-duty time other than driving time																											0
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #9		HOUR AT WHICH DAY BEGINS (Midnight)																									Total Hours
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											2
Off-duty time in sleeper berth																											10
Driving time																											10
On-duty time other than driving time																											2
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	


Commercial Vehicle Drivers Hours of Service

Day #10		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											1
Off-duty time in sleeper berth																											9
Driving time																											12
On-duty time other than driving time																											2

Day #11		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											2
Off-duty time in sleeper berth																											8
Driving time																											13
On-duty time other than driving time																											1

Day #12		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											0.75
Off-duty time in sleeper berth																											11.25
Driving time																											11
On-duty time other than driving time																											1


Commercial Vehicle Drivers Hours of Service

Day #13 HOUR AT WHICH DAY BEGINS (Midnight)																	Total Hours									
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										5
Driving time																										7
On-duty time other than driving time																										2

Day #14 HOUR AT WHICH DAY BEGINS (Midnight)																	Total Hours									
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										12.5
On-duty time other than driving time																										1.5

Day #15 HOUR AT WHICH DAY BEGINS (Midnight)																	Total Hours									
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										24
Off-duty time in sleeper berth																										0
Driving time																										0
On-duty time other than driving time																										0


Commercial Vehicle Drivers Hours of Service

Day #16		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10
Off-duty time in sleeper berth																											0
Driving time																											12.5
On-duty time other than driving time																											1.5

Day #17		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10.75
Off-duty time in sleeper berth																											0
Driving time																											9.25
On-duty time other than driving time																											4

Day #18		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10
Off-duty time in sleeper berth																											0
Driving time																											4.5
On-duty time other than driving time																											9.5

Identify any violations if the driver is operating under Cycle 1.

Cycle Limits (cycle specified by carrier)

Cycle 1:

- No driving after 70 hours on-duty in any 7 consecutive days

Day #	Total On-Duty for Day	Total On-Duty for 7 Days
1	0	
2	13.5	
3	14	
4	12.75	
5	13.5	
6	14	
7	0 (Cycle reset)	67.75 ✓
8	0 (Cycle reset)	
9	12	
10	14	
11	14	
12	12	
13	9	
14	14	
15	0	75 ✗
16	14	77 ✗
17	13.25	76.25 ✗
18	14	76.25 ✗

**Driver reached 70 hours on-duty in 7 consecutive days during Day #14, Day #15, Day #16, Day #17 and Day #18
 Driver needed to stop driving after reaching 70 hours on-duty
 Driver drove in violation on Day #14 (4.5 hours), Day #16 (6.5 hours), Day #17 (3.25 hours) and Day #18 (0.75 hours) for a total of 15 hours**

- At least 36 consecutive hours off-duty (to reset cycle)
 Day #6 17:00 – Day #9 2:00 = 57 hours

Day Off:

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

Identify any violations if the driver is operating under Cycle 2.

Cycle Limits (cycle specified by carrier)

Cycle 2:

- No driving after 120 hours on-duty in any 14 consecutive days

Day #	Total On-Duty for Day	Total On-Duty for 14 Days
1	0	
2	13.5	
3	14	
4	12.75	
5	13.5	
6	14	
7	0	
8	0	
9	12	
10	14	
11	14	
12	12	
13	9	
14	14	142.75 ✗
15	0	142.75 ✗
16	14	143.25 ✗
17	13.25	142.5 ✗
18	14	143.75 ✗

**Driver reached 120 hours in 14 consecutive days during Day #13
 Driver needed to stop driving after reaching 120 on-duty hours
 Driver drove in violation on Day #13 (6.75 hours), Day #14 (12.5 hours), Day #16 (12.5 hours), Day #17 (9.25 hours) and Day #18 (4.5 hours) for a total of 45.5 hours**

- No driving after 70 hours on-duty at any time in the cycle without taking 24 consecutive hours off-duty
- Driver reached 70 hours on-duty after 9 hours on-duty on Day #14
 Driver needed to take 24 hours off-duty before resuming driving
 Driver drove in violation Day #14 (part day), Day #15, Day #16, Day #17, and Day #18 for a total of 30.75 hours**

- At least 72 consecutive hours off-duty (to reset cycle)
 - Not applicable in this example

Day Off:

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

9) Answer the questions below using the daily logs.

Driver #1

Day #1		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											12
Off-duty time in sleeper berth																											0
Driving time																											7
On-duty time other than driving time																											5

Day #2		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											
Driving time																											
On-duty time other than driving time																											

Day #3		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											
Off-duty time in sleeper berth																											
Driving time																											
On-duty time other than driving time																											

Driver #1 finishes a work shift at 15:00 on Day 1, and the next work shift starts at 3:00 on Day 3. The driver has taken a proper cycle reset in between the work shifts.

What cycle is this driver using?

Where should the driver record this cycle information?

- Cycle 1
- In the daily log

At what time is the cycle reset complete?

- 3:00 on Day #3

What is the start time for each day in the cycle?

Who determines the start time for the day?

- Start time is Midnight for each day in the cycle
- Motor carrier determines start time for the day


Commercial Vehicle Drivers Hours of Service
Driver #2

A motor carrier notifies Driver #2 that he/she will no longer be working days but will be working evenings starting on Day #3. The driver will still be using Cycle 1 but, starting on Day #3, the driver's day will begin at 9:00 pm.

Day #1	HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										13
Off-duty time in sleeper berth																										0
Driving time																										8
On-duty time other than driving time																										3

Remarks:

Day #2	HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										21
Off-duty time in sleeper berth																										0
Driving time																										
On-duty time other than driving time																										

Remarks: Changed start time for next day to 9:00 pm

Day #3	HOUR AT WHICH DAY BEGINS (9:00 pm)																								Total Hours	
	22	23	24	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21		
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

Remarks: Start time for day changed to 9:00 pm

Cycle reset completed at midnight



How many off-duty hours does the driver need to complete a Cycle 1 reset?

- 36 hours consecutive hours off-duty

Complete the daily log for Day #1, Day #2 and Day #3 by adding the cycle reset and applicable remarks.

- See daily logs on previous page

On what day and at what hour does the driver complete the Cycle 1 reset?

- 24:00 on Day #3

Module 10

Special Permit - Oil Well Service Vehicle Permits



© Microsoft®.



© Microsoft®.

Things to think about ...

Drivers of oil well service vehicles operate within a challenging environment that may require them to work for longer periods than cycle limits allow. In these situations, a motor carrier can apply for a special permit for oil well service vehicles.

What is an oil well service vehicle permit?

How does a motor carrier apply for this permit?

What are the conditions for this permit?

What will I learn in this module?

- Special permit for oil well service vehicles
- Application for a special permit for oil well service vehicles
- Conditions for a special permit for oil well service vehicles

What is an oil well service vehicle permit?



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 63 Oil Well Service Vehicle Permits*

An oil well service vehicle is a commercial vehicle that meets both of the following criteria:

- Specially constructed, altered or equipped to accommodate a specific service requirement associated with the oil or natural gas industry
- Used exclusively in the oil and natural gas industry for transporting equipment or materials to and from oil and natural gas facilities, or for servicing and repairing oil or natural gas facilities

Because oil well service vehicles operate within a challenging environment, drivers may need to work for longer periods than the cycle limits allow. In these situations, a motor carrier can apply for a special permit. If granted, the permit authorizes the motor carrier and their designated drivers to operate under special terms and conditions for a maximum of 1 year.

Motor carriers need to apply to the provincial director for a special permit. In Alberta, the provincial director is an official with Alberta Transportation.



© Microsoft®.

How does a motor carrier apply for this special permit?

The motor carrier must submit the information and documentation required for a permit application. We will discuss permit applications in detail in Module 13.

What are the conditions for this special permit?

The provincial director considers the following when reviewing a special permit application for an oil well service vehicle:

- If the vehicle(s) and operation meet the oil well service vehicle definition and any policy limits the director imposes
- If the driver has successfully completed training directly related to safety requirements associated with operating within the field services sector of the oil or natural gas industry

AND

- The safety and health of the public, the driver or the employees of the motor carrier

In Alberta, the department (Alberta Transportation) will conduct a safety review of the applicant's compliance levels and may require periodic re-verification of safety performance.

If the director approves the application, the motor carrier receives a permit that authorizes the motor carrier to operate under special terms and conditions for one year. While operating under an oil well service vehicle permit:

- Regular cycle limits and requirements do not apply
- The driver must:
 - Take at least 3 periods of off-duty time, each at least 24 hours long, in any period of 24 days. The driver can take the periods consecutively or separate them with on-duty time.
 - Take at least 72 consecutive hours of off-duty time once no longer driving under the provisions of the permit, and before beginning driving under regular cycle limits. This off-duty time acts as a cycle reset.

- Waiting time and standby time at an oil or natural gas well site or ancillary facility can be recorded as off-duty time (and included as part of elapsed time) if:
 - The driver performs no work during the time. The driver does not have to leave the commercial vehicle to record the time as waiting/standby time.
 - The driver records the time as off-duty time on the daily grid and as waiting or standby time in the “Remarks” section.
 - The time is not included in the minimum 8 consecutive hours of core off-duty time. Standby time can be included in the daily 10-hour off-duty time requirement but not in the 8 consecutive hours. The 8 consecutive hours do not have to be part of the 10 hours but they can be.
- None of the daily off-duty time can be deferred to the next day
- Use of the radius exemption is prohibited (i.e., driver must fill out a daily log for each day). We will discuss Daily Logs in Module 17 and the Radius Exemption in Module 18.
- All other regulation requirements apply (Standby time counts toward 16-hour elapsed time limit)



Example:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				Off-Duty	Off-Duty	Off-Duty
14 hours on-duty	14 hours on-duty	14 hours on-duty	14 hours on-duty	14 hours on-duty	14 hours on-duty	14 hours on-duty
24 hours off-duty	14 hours on-duty	14 hours on-duty	14 hours off-duty	14 hours on-duty	14 hours on-duty	14 hours on-duty
14 hours on-duty	14 hours on-duty	24 hours off-duty	14 hours on-duty	14 hours on-duty	14 hours on-duty	24 hours off-duty
						Start a new cycle – resume driving
14 hours on-duty	14 hours on-duty	14 hours on-duty	24 hours off-duty	24 hours off-duty	24 hours off-duty	

In this example, the driver is operating under an oil well service vehicle permit. The driver works within all daily and work shift limits and requirements. However, instead of the regular cycle limits and requirements, the driver takes 3 periods of off-duty time in 24 days. Each period of off-duty time is 24 hours.

At the end of the 24 days, the driver is no longer working under the provisions of the permit so the driver takes 72 consecutive hours of off-duty time to reset the cycle (i.e., stop use of the permit). The driver then begins driving under the regular cycle limits and requirements.

The driver records a typical day in the logbook as follows:

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										12
On-duty time other than driving time																										2
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Remarks: Waiting/standby time at an oil well site from 12:00 - 12:30 and 21:00 - 21:30

The driver must record all activities in the daily logs and produce them when requested by an officer. We will discuss daily logs and the production of daily logs in Module 17.

A driver can work under the special terms and conditions of an oil well service vehicle permit as long as the permit is valid and the driver meets all permit criteria. However, as soon as the special permit expires or is no longer applicable, all regular cycle limits and requirements apply.

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 two criteria of an oil well service vehicle.

- 2) Describe why a motor carrier would apply for an oil well service vehicle permit.

- 3) Describe the application process for an oil well service vehicle permit.

- 4) Describe the conditions for an oil well service vehicle permit.

- 5) Identify when a driver can include waiting and standby time as off-duty time.

Answers to Module Self-Check Questions

- 1) Identify the two criteria of an oil well service vehicle.
 - Specially constructed, altered or equipped to accommodate a specific service requirement associated with the oil or natural gas industry
 - Used exclusively in the oil and natural gas industry for transporting equipment or materials to and from oil and natural gas facilities, or for servicing and repairing oil or natural gas facilities
- 2) Describe why a motor carrier would apply for an oil well service vehicle permit.
 - Oil well service vehicles operate within a challenging environment where drivers may need to work for longer periods than the cycle limits allow
 - Permit authorizes motor carrier to operate under special terms and conditions for a maximum of 1 year
- 3) Describe the application process for an oil well service vehicle permit.
 - Motor carrier submits information and documentation required for a permit application
- 4) Describe the conditions for an oil well service vehicle permit.
 - Regular cycle limits and requirements do not apply
 - The driver must:
 - Take at least 3 periods of off-duty time, each at least 24 hours long, in any period of 24 days. The driver can take the periods consecutively or separate them with on-duty time.
 - Take at least 72 consecutive hours of off-duty time once no longer driving under the provisions of the permit (i.e., before driving under regular cycle limits)

5) Identify when a driver can include waiting and standby time as off-duty time.

- Waiting time and standby time at an oil or natural gas well site or ancillary facility can be counted as off-duty time (elapsed time) if:
 - The driver performs no work during the time
 - The time is recorded in the daily log as off-duty time and noted as waiting or standby time in the “Remarks” section
 - The time is not included in the minimum 8 consecutive hours of core off-duty time. Standby time can be included in the daily 10-hour off-duty time requirement but not in the 8 consecutive hours.
 - None of the daily off-duty time can be deferred to the next day
 - All other regulation requirements apply

Module 11

Special Permit – Commercial Vehicles Other than Oil Well Service Vehicles



© Microsoft®.



© Microsoft®.

Things to think about ...

In some situations, a driver may not be able to reach a destination, deliver perishable goods, or handle a temporary increase in passengers or goods without exceeding the daily limits. In these situations, a motor carrier can apply for a special permit for commercial vehicles other than oil well service vehicles.

What is a special permit for commercial vehicles other than oil well service vehicles?

How does a motor carrier apply for this permit?

What are the conditions for this permit?

What will I learn in this module?

- Special permit for commercial vehicles other than oil well service vehicles
- Application for a special permit for commercial vehicles other than oil well service vehicles
- Conditions for a special permit for commercial vehicles other than oil well service vehicles

What is a special permit for commercial vehicles other than oil well service vehicles?



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 62 Permits for Commercial Vehicles Other than Oil Well Service Vehicles*

Some motor carriers need drivers to work for longer periods than the daily limits allow. Specifically, a motor carrier may need to reduce off-duty time or increase driving time to do the following:

- Allow a driver following a regular schedule to reach the driver's destination or home terminal. The home terminal is the motor carrier's place of business where the driver normally reports for work.
- Deliver perishable goods
- Accommodate a significant temporary increase in the transportation of passengers or goods by the motor carrier

In these situations, a motor carrier can apply for a special permit. If approved, the permit authorizes the motor carrier to operate under special terms and conditions for a maximum of 1 year.

Motor carriers need to apply to the provincial director for a special permit. In Alberta, the provincial director is an official with Alberta Transportation.



© Microsoft®.

How does a motor carrier apply for this special permit?

The motor carrier must submit the information and documentation required for a permit application. We will discuss permit applications in detail in Module 13.

What are the conditions for this special permit?

The provincial director considers the safety and health of the public, the driver and the employees of the motor carrier when reviewing the special permit application.

In Alberta, the department (Alberta Transportation) will conduct a safety review of the applicant's compliance levels and may require periodic re-verification of safety performance. The department will also need verification as to why operational changes (such as the use of more vehicles/drivers, consolidating routes, etc.) will not allow the carrier to meet the normal regulatory requirements.

If the director approves the application, the motor carrier receives a permit that authorizes the motor carrier to operate under special terms and conditions for a maximum of 1 year. The permit can only be used by the drivers and vehicles registered to the permit holder.

The special permit authorizes the driver who is operating a commercial vehicle other than an oil well service vehicle to do the following:

- Decrease daily off-duty hours by up to 2 hours if the commercial vehicle is operating south of latitude 60°N. The driver must still take the 8 consecutive hours of core off-duty time each day.
- Increase daily driving and on-duty time by up to 2 hours. In other words, a driver can drive a maximum of 15 hours and be on-duty for up to 16 hours per day.
- Use other special operating conditions

The driver can work under these special terms and conditions as long as the permit is valid. However, as soon as the special permit expires, all daily limits and requirements apply again.



Summary of Special Permit Conditions for Commercial Vehicles Other than Oil Well Service Vehicles

Daily Off-Duty Requirement

$$\begin{aligned}10 \text{ hours} \\ - 2 \text{ hours} \\ = 8 \text{ hours}\end{aligned}$$

Daily Driving Limit

$$\begin{aligned}13 \text{ hours} \\ + 2 \text{ hours} \\ = 15 \text{ hours}\end{aligned}$$

Daily On-Duty Limit

$$\begin{aligned}14 \text{ hours} \\ + 2 \text{ hours} \\ = 16 \text{ hours}\end{aligned}$$

Other Special Operating Conditions
(as specified in the permit)

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) Describe a special permit for commercial vehicles other than oil well service vehicles.

- 2) Describe the application process for a special permit for commercial vehicles other than oil well service vehicles.

- 3) Describe the conditions for a special permit for commercial vehicles other than oil well service vehicles.

Answers to Module Self-Check Questions

- 1) Describe a special permit for commercial vehicles other than oil well service vehicles.
 - Includes situations where a driver may need to reduce off-duty time or increase driving time to:
 - allow a driver following a regular schedule to reach the driver's home terminal or destination
 - deliver perishable goods
 - accommodate a significant temporary increase in the transportation of passengers or goods by the motor carrier
 - Authorizes the motor carrier to operate under special terms and conditions for a maximum of 1 year
- 2) Describe the application process for a special permit for commercial vehicles other than oil well service vehicles.
 - Motor carrier submits information and documentation required for a permit application
- 3) Describe the conditions for a special permit for commercial vehicles other than oil well service vehicles
 - Decrease daily off-duty hours by 2 hours if the commercial vehicle is operated south of latitude 60°N. The driver must still take the 8 consecutive hours of core off-duty time.
 - Increase daily driving and on-duty time by 2 hours (i.e., drive for 15 hours; on-duty for 16 hours per day).
 - Use other special operating conditions.

Notes:



Module 12

Special Permit – Research / Pilot Project



© Microsoft®.



© Microsoft®.

Things to think about ...

Although the Federal *Commercial Vehicle Drivers Hours of Service Regulations* outline rules that commercial vehicle drivers must follow, there are always exceptions to the rules.

In situations where drivers are involved in research or pilot projects, motor carriers can apply for a special permit.

What is a special permit for research / pilot projects?

How does a motor carrier apply for this special permit?

What are the conditions for this special permit?

What will I learn in this module?

- Special permit for research / pilot projects
- Application for a special permit for research / pilot projects
- Conditions for a special permit for research / pilot projects

What is a special permit for research / pilot projects?



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 61 Special Permits*

Some motor carriers may be involved in research or pilot projects. These projects may require drivers to:

- Work for longer periods than the daily, work shift, and cycle limits allow
- Retain different data on a log page
- Use a handheld electronic log system

In these types of situations, a motor carrier can apply for a special permit. If approved, the permit authorizes the motor carrier to operate under special terms and conditions for a specific period of time.

Motor carriers need to apply to the federal director for their special permit. The federal director is an official of the Road Safety and Motor Vehicle Regulation Directorate within the federal Department of Transport.



© Microsoft®.

How does a motor carrier apply for this special permit?

There are two parts to the application process for a special permit for research / pilot projects:

- 1) The permit applicant (usually the project coordinator) must submit a detailed work plan to the federal director. The work plan must include at least the following information:
 - Nature of the proposed research or pilot project
 - Objectives of the proposed research or pilot project
 - Competence of the applicant to participate in the proposed research or pilot project
 - Criteria and method for measuring results
 - Safety implications and approach to addressing any possible risks identified
 - Duration of the proposed research or pilot project
 - Manner of and timing for reporting results
- 2) The motor carrier must submit the information and documentation required for a permit application (We will discuss permit applications in Module 13).

What are the conditions for this special permit?

The federal director considers the safety and health of the public, the driver and the employees of the motor carrier when reviewing the special permit application. If the director approves the application, the motor carrier receives a permit that authorizes the motor carrier to operate under special terms and conditions for a specific period of time. We will discuss the permit process and the obligations of permit holders in Module 13.

While operating under a special permit for research or pilot projects:

- Daily limits and requirements may not apply
- Work shift limits and requirements may not apply
- Cycle limits and requirements may not apply
- Daily log requirements may not apply (We will discuss daily logs in Module 17)
- Special conditions may apply to the driver, carrier, other parties, etc.

In other words, the driver can work as needed during the research or pilot project and may not need to record his/her activities in a daily log. However, as soon as the special permit expires, all standard limits and daily log requirements would apply again.



© Microsoft®.

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) Describe a special permit for research / pilot projects.

- 2) Describe the application process for a special permit for research / pilot projects.

- 3) Describe the possible conditions for a special permit for research / pilot projects.

Answers to Module Self-Check Questions

- 1) Describe a special permit for research / pilot projects.
 - Authorizes the motor carrier to operate under special terms and conditions for a specific period of time
- 2) Describe the application process for a special permit for research / pilot projects.
 - Research or pilot project coordinator (applicant) submits a detailed work plan to the federal director
 - Motor carrier submits information and documentation required for a permit application
- 3) Describe the possible conditions for a special permit for research / pilot projects.
 - Daily limits and requirements may not apply
 - Work shift limits and requirements may not apply
 - Cycle limits and requirements may not apply
 - Daily log requirements may not apply
 - Special conditions may apply to the driver, carrier, other parties, etc.



Notes:



Module 13

Permit Process



© Microsoft®.



© Microsoft®.

Things to think about ...

In Modules 10 – 12, we reviewed three different types of special permits. Even though the nature of the permits is different, the process to obtain a permit and the obligations of permit holders are the same.

How does a motor carrier apply for a permit?

Who approves and issues a permit?

What obligations does a motor carrier have while operating under a permit?

Can a permit be changed, cancelled or suspended?

What will I learn in this module?

- Application for permits
- Approval and issuance of permits
- Obligations of permit holders
- Amendment, cancellation and suspension of permits

How does a motor carrier apply for a permit?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 64 Applications for Permits*

Motor carriers need to submit permit applications to the director (i.e., federal or provincial depending on the type of permit). The application must include at least the following information and documents:

- Name of motor carrier
- Names of the drivers who will operate a commercial vehicle under the permit
- Driver licence numbers of the drivers and the provinces of issuance
- List of commercial vehicles operated by the motor carrier
- List of all accidents involving the motor carrier or any driver of the motor carrier in the 6 months before the date of application (i.e., list accidents reported to the police as required by the laws of the province, state or country in which the accident occurred)
- Requested duration of the permit (some permits have maximum periods specified)
- If a commercial vehicle will be traveling across provinces, a detailed description of the load and the provinces in which the permit will apply
- If a commercial bus will be traveling across provinces, a detailed description of the routes to which the permit will apply
- Requested schedule
- Reasons for application, with supporting evidence

- Copy of every permit issued to the motor carrier under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* in the previous 5 years (if not otherwise available)
- Signed declaration that identifies any other application for a permit under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* made by the motor carrier to any director within the 6 months before the date of application
- Any other information required by the director to evaluate whether the granting of a permit would or would be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier

The director may also require the daily logs, supporting documents or records of on-duty times, for the 6 months before the date of application, of every driver who will operate a commercial vehicle for the motor carrier under the permit.



© Microsoft®.

Who approves and issues a permit?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 65 Approval of Other Directors*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 66 Issuance of Permits*

The director (federal or provincial depending on the type of permit) approves and issues a permit.

However, before issuing a permit, a director needs written approval from the provincial directors of the provinces in which the commercial vehicle(s) will operate under the permit. Provincial directors respond to requests for approval within 30 days and give their approval if they have no reason to believe that the permit would risk the safety or health of the public, driver or employees of the motor carrier.

When a director issues a permit, the permit specifies at least the following information:

- Reason for permit
- Duration for permit – maximum 1 year
- Any terms or conditions required for the protection of the safety and health of the public, driver or employees of the motor carrier

A permit sample follows on the next pages.



Permit No: 07-898-7872

0336-05884

Page 1 of 3

PURSUANT TO THE AUTHORITY VESTED IN THE REGISTRAR UNDER THE PROVISIONS OF THE TRAFFIC SAFETY ACT, PERMISSION IS HEREBY GRANTED TO:

Alberta Transportation - V806 Central
Permits Office
401-4920 51 St
Red Deer, AB T4N 6K8
Canada

Requested by: LK by Phone
Effective Date: January 3, 2007
Expiry Date: January 2, 2008

Issued On: January 3, 2007 at 03:17 PM
Last Revised On: January 3, 2007 at 03:17 PM
Issued By: Carrier Services

Permit Type: Federal Hours Of Service

In accordance with the provisions of Section 63 of the Federal Commercial Vehicle Drivers Hours of Service Regulation, SOR/2005-313, Sections 24 to 29 and 49 to 54 of this regulation, being the cycle requirements, do not apply provided that the holder of this permit complies with the following conditions.

In addition, the permit holder must hold a valid operating status of "Federal" or its equivalent authority from other jurisdictions.

Total Fee:

\$0.00

THIS IS NOT AN INVOICE.
THIS IS A COPY FOR YOUR RECORDS.

Conditions:

* This certificate only applies to Oil Well Service Vehicles * defined in Section 1 of the Federal Commercial Vehicle Drivers Hours of Service Regulation, SOR/2005-313 which means:

A commercial vehicle that is:

a) specially constructed, altered or equipped to accommodate a specific service requirement associated with the oil or natural gas industry and

b) used exclusively in the oil or natural gas industry for transporting equipment or material to and from oil or natural gas facilities or for servicing and repairing oil or natural gas facilities.

* This certificate only applies to Section 63 of the Federal Commercial Vehicle Drivers Hours of Service Regulation, SOR/2005-313 and states that a driver of an oil well service vehicle shall be exempt from the cycle requirements provided:

a) drivers have successfully completed training directly related to safety requirements associated with operating within the field services sector of the oil or natural gas industry; and

b) the safety and health of the public, the driver or the employees of the motor carrier are not or are unlikely to be jeopardized.

* The permit holder must comply with all other provisions of the regulation including the daily maximum for driving time and on-duty time under:



Permit No: 07-898-7872

0236-05884

Page 2 of 3

Section 63(2)(a) - the driver must take at least 3 periods of off-duty time, each at least 24 hours long, in any period of 24 days, the periods being taken consecutively or separated by on-duty time,

Section 63(2)(b) - the driver must take at least 72 consecutive hours of off-duty time after ending driving under the provisions of the permit and beginning driving under Sections 24 to 29 or 49 to 54.

Section 63(3) - when the driver begins to drive again under Sections 24 to 29 or 49 to 54, they begin to accumulate hours in the cycle.

Section 63(4) - waiting and standby time at an oil or natural gas well site or ancillary facility shall not be included as on-duty time if:

- a) the driver performs no work during the time;
- b) the time is fully and accurately recorded in the daily log as off-duty time and denoted as waiting or standby time in the "Remarks" section; and
- c) the time is not included in the mandatory minimum of 9 consecutive hours of off-duty time.

Section 63(5) - none of the daily off-duty time shall be deferred to the next day.

* The permit holder must report every traffic accident involving a driver of a National Safety Code vehicle, regulated by this permit, resulting in:

- a) the death of a person;
- b) an injury requiring treatment by a medical doctor;
- c) a condition that causes an employee to lose consciousness; or
- d) damage to all property, including cargo, totaling \$1000 or more

on the required Collision Investigation Report Form, to the Director, Carrier Services, within 30 days of the date of occurrence.

* The permit holder shall retain the original permit at the carrier's principal place of business in Alberta and shall produce such permit upon the request of a person authorized for such purposes.

* Every driver of a motor vehicle operated under the authority of this permit, shall carry a copy of the permit in the motor vehicle and the driver shall produce such permit upon request of a person authorized for such purposes.

* Regardless of whether all other conditions specified in the permit are being complied with, no permit holder shall request, require or permit a driver to drive and no driver shall drive, where the driver's faculties are impaired and it is unsafe for the driver to drive.

* The permit holder must develop and implement written policies and procedures to ensure that all other conditions in this permit are being complied with at all times. All documentation related to compliance with these conditions must be made available to an authorized person when requested.



Permit No: 07-898-7872

0236405814

Page 3 of 3

- * The permit holder shall comply with all other laws applicable to hours of service, labour, and transportation legislation.
- * The Director, Carrier Services in Alberta may cancel this permit for failure to comply with any of the provisions or conditions stated on the permit.

Alberta Infrastructure and Transportation
Vehicle Safety & Carrier Services
Carrier Services

Phone: (403) 340-5444 Fax: (403) 340-4806

Kim Durdle

Kim Durdle
Director
Carrier Services

What obligations does a motor carrier have while operating under a permit?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 67 Obligations of Permit Holders*

If a director issues a permit to a motor carrier, the motor carrier has several obligations. The motor carrier must do the following:

- Place a copy of the permit in each commercial vehicle that will operate under the permit
- Submit a list of commercial vehicles operating under the permit and notify the director of any changes so that the director can accurately and quickly identify the vehicles
- If requested by the director, submit the daily logs and supporting documents of the drivers of the commercial vehicles operating under the permit
- Notify the director immediately of any accident involving any of the commercial vehicles operating under the permit if it is required by the laws of the province, state or country in which the accident occurred to be reported to police
- Ensure that every driver, who is driving under the permit, follows the terms and conditions of the permit



© Microsoft®.

Can a permit be amended, cancelled or suspended?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 68 Amendment, Cancellation and Suspension of Permits*

A director who issues a permit can amend, cancel or suspend the permit if one of the following occurs:

- Motor carrier or driver violates the *Federal Commercial Vehicle Drivers Hours of Service Regulations* or any condition of the permit
- Director determines that the safety and health of the public, the driver or employees of the motor carrier are at risk

In addition, if a director withdraws approval for a permit issued by another director, the director who withdraws approval must notify the motor carrier in writing. In these situations, the director who issued the permit will amend the permit and remove the authority for the commercial vehicle(s) to operate under the permit in the applicable province or territory.



© Microsoft®.

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) In the following list, place a check mark beside each piece of information or document required for a permit application.

- Name of motor carrier
- Names of the drivers who will operate a commercial vehicle under the permit
- Driver licence numbers of the drivers and the provinces of issuance
- List of commercial vehicles operated by the motor carrier
- List of all accidents involving the motor carrier or any driver of the motor carrier in the 6 months before the date of application
- Requested duration of the permit
- Detailed description of the load and the provinces in which the permit will apply if a commercial vehicle will be traveling across provinces
- Detailed description of the routes to which the permit will apply if a commercial bus will be traveling across provinces
- Requested schedule
- Reasons for application, with supporting evidence
- Copy of every permit issued to the motor carrier under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* in the previous 5 years (if not otherwise available)
- Signed declaration that identifies any other application for a permit under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* made by the motor carrier to any director within the 6 months before the date of application
- Any other information required by the director to evaluate whether the granting of a permit would or would be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier

- 2) Identify the minimum items specified on a permit.

- 3) Identify the motor carrier's obligations while operating under a permit.

- 4) List the reasons why a director may amend, cancel or suspend a permit.

Answers to Module Self-Check Questions

- 1) In the following list, place a check mark beside each piece of information or document required for a permit application.

- Name of motor carrier
- Names of the drivers who will operate a commercial vehicle under the permit
- Driver licence numbers of the drivers and the provinces of issuance
- List of commercial vehicles operated by the motor carrier
- List of all accidents involving the motor carrier or any driver of the motor carrier in the 6 months before the date of application
- Requested duration of the permit
- Detailed description of the load and the provinces in which the permit will apply if a commercial vehicle will be traveling across provinces
- Detailed description of the routes to which the permit will apply if a commercial bus will be traveling across provinces
- Requested schedule
- Reasons for application, with supporting evidence
- Copy of every permit issued to the motor carrier under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* in the previous 5 years (if not otherwise available)
- Signed declaration that identifies any other application for a permit under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* made by the motor carrier to any director within the 6 months before the date of application
- Any other information required by the director to evaluate whether the granting of a permit would or would be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier

- 2) Identify the minimum items specified on a permit.
 - Reason for permit
 - Duration for permit – maximum 1 year
 - Any terms or conditions required for the protection of the safety and health of the public, driver or employees of the motor carrier
- 3) Identify the motor carrier's obligations while operating under a permit.
 - Place a copy of the permit in each commercial vehicle that will operate under the permit
 - Submit a list of commercial vehicles operating under the permit and notify the director of any changes so that the director can accurately and quickly identify the vehicles
 - If requested by the director, submit the daily logs and supporting documents of the drivers of the commercial vehicles operating under the permit
 - Notify the director immediately of any accident involving any of the commercial vehicles operating under the permit if it is required by the laws of the province, state or country in which the accident occurred to be reported to police
 - Ensure that every driver, who is driving under the permit, follows the terms and conditions of the permit
- 4) List the reasons why a director may amend, cancel or suspend a permit.
 - Motor carrier or driver contravenes the Federal *Commercial Vehicle Drivers Hours of Service Regulations* or any condition of the permit
 - Director determines that the safety and health of the public, the driver or employees of the motor carrier are at risk



Module 14

Exemptions



© Microsoft®.



© Microsoft®.

Things to think about ...

Within the Federal *Commercial Vehicle Drivers Hours of Service Regulations*, there are four situations when a driver is exempt from the driving, on-duty or off-duty limits specified in the Regulations:

- Emergencies
- Adverse driving conditions
- Driver traveling as a passenger
- Commercial vehicle used for personal use

What conditions must a driver meet to be exempt in these situations?

What will I learn in this module?

- Emergencies
- Adverse driving conditions
- Traveling as a passenger
- Commercial vehicle for personal use

What are emergencies?



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 76 Emergencies and Adverse Driving Conditions*

Emergencies

An emergency is a sudden, urgent, unexpected situation (or impending situation) that requires immediate action. In an emergency, the safety or security of people is at risk or likely to be in jeopardy. The term 'in an emergency' does not include situations such as a driver's desire to get home, shipper's demands, loading/unloading delays, market declines or a shortage of drivers.

In an emergency, drivers may require more driving time to reach a location that provides the following:

- Safety for the occupants of the commercial vehicle and for other users of the road
- Security for the commercial vehicle and its load

In these situations, the *Federal Commercial Vehicle Drivers Hours of Service Regulations* allow drivers to do the following:

- Extend driving hours of service in response to the emergency
- Drive to the first available safe location
- Remove persons and the load from the emergency situation. The "security of commercial vehicle and its load" refers to the cargo and / or passengers in the commercial vehicle. Other legislation such as the *Federal Health of Animals Regulations* and *Explosive Act* may apply.

In other words, the driving time, on-duty time, off-duty time, and cycle limits do not apply in an emergency. However, if the driver extends driving, on-duty or elapsed time because of an emergency, the driver must record it in the "Remarks" section of the daily log.

What are adverse driving conditions?



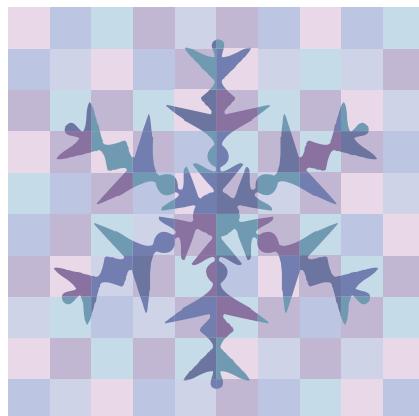
Legislative References:

- *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 76 Emergencies and Adverse Driving Conditions*

Adverse driving conditions include snow, sleet, fog, or other adverse weather conditions, that were not known (or could not reasonably have been known) to a driver or a motor carrier dispatching a driver, immediately before the driver began driving from their last place of rest. This includes a highway covered with snow or ice and unusual road conditions but does not include delays at border crossings.

For example, during the winter, a driver may check the weather forecast before starting to drive and find that the forecast is for moderate amounts of snow between the last place of rest and the destination. In this situation, the driver cannot claim adverse driving conditions when it starts to snow.

However, if the driver encounters unexpected blizzard conditions where the roads are icy and all drivers must drive with caution, the driver can claim adverse driving conditions.



© Microsoft®.

South of Latitude 60°N

If a driver encounters adverse driving conditions during a trip south of latitude 60°N (that the driver can usually complete under normal conditions), the driver can make the following adjustments:

- Increase the driving and on-duty time in the cycle by up to 2 hours
- Decrease daily off-duty time by up to 2 hours. For example, if the driver drives for 15 hours (i.e., 13 hour limit + 2 hour extension), the driver takes 8 hours off-duty (i.e., 10 hours – 2 hours). The driver must take the required 8 consecutive hours of core off-duty time.

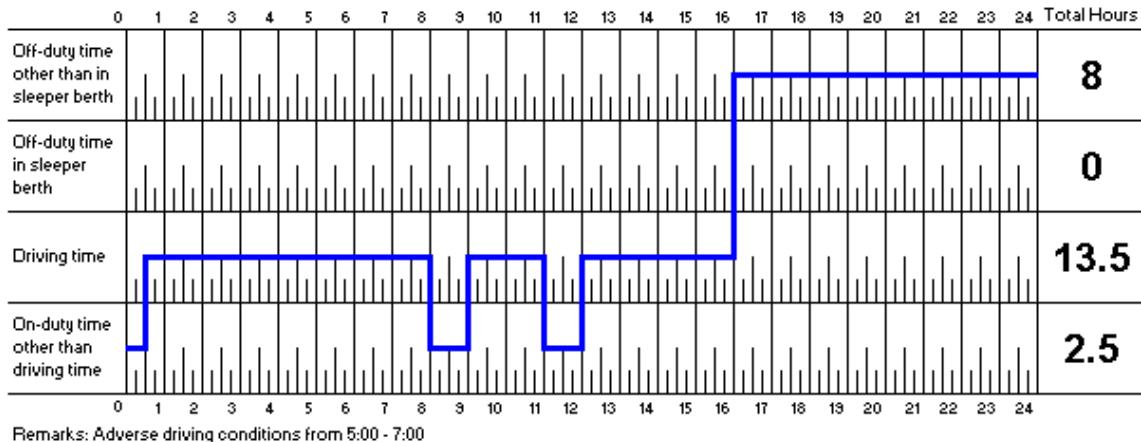
Daily Driving Limit	Daily On-Duty Limit	Daily Off-Duty Requirement
13 hours + 2 hours $= 15 \text{ hours}$	14 hours + 2 hours $= 16 \text{ hours}$	10 hours – 2 hours $= 8 \text{ hours}$

Therefore, with this exemption, the driver can extend the daily driving and on-duty limits, as well as the work shift driving and on-duty limits. However, despite the exemption, a driver must stop driving after 16 hours of elapsed time in a work shift.

If the driver extends driving time because of adverse driving conditions, the driver must record it in the “Remarks” section of the daily log.

Example #1:

A driver has 8 consecutive hours of core off-duty time before starting the day. The driver waits for two hours at the scene of a traffic accident. The accident happens before the driver reaches the destination but was not present when the driver left from his/her last rest location. It takes the driver approximately two hours to travel 10 kilometers because of the ongoing investigation, evacuation of the injured, as well as clean up at the scene.

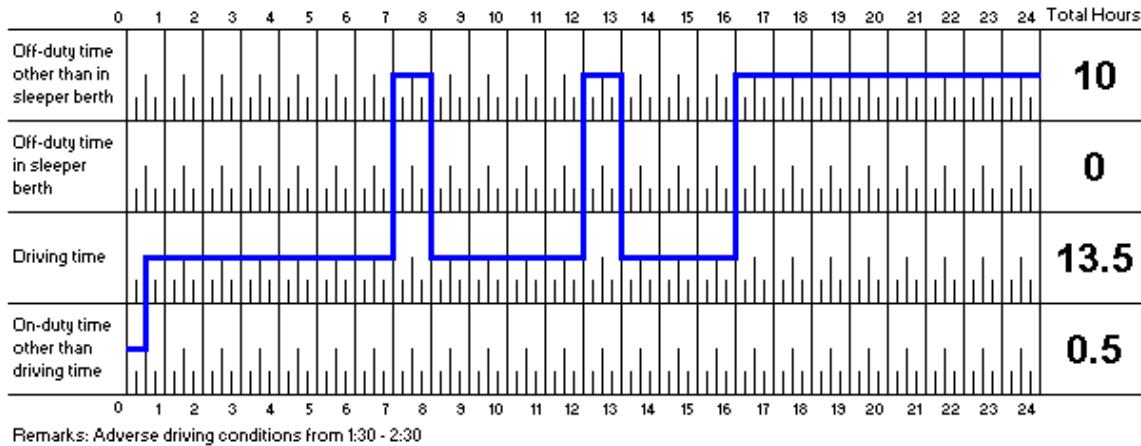


The situation is an “adverse driving condition” because the driver was not aware of, and the driver could not have predicted the event prior to the start of the trip. The driver can increase the driving and on-duty time in the cycle by up to 2 hours and decrease daily off-duty time by up to 2 hours. The driver must stop driving after 16 hours of elapsed time in the work shift.

Example #2:

A driver has 8 consecutive hours of core off-duty time before starting the day. The driver checks the weather forecast before driving and learns that there will be foggy conditions between the last place of rest and the destination.

One hour after starting the trip, the driver encounters fog and has to slow down his/her driving speed. It takes the driver 1 hour to travel 50 kilometers. After the fog, the driver continues and is able to reach the destination with no other weather problems.



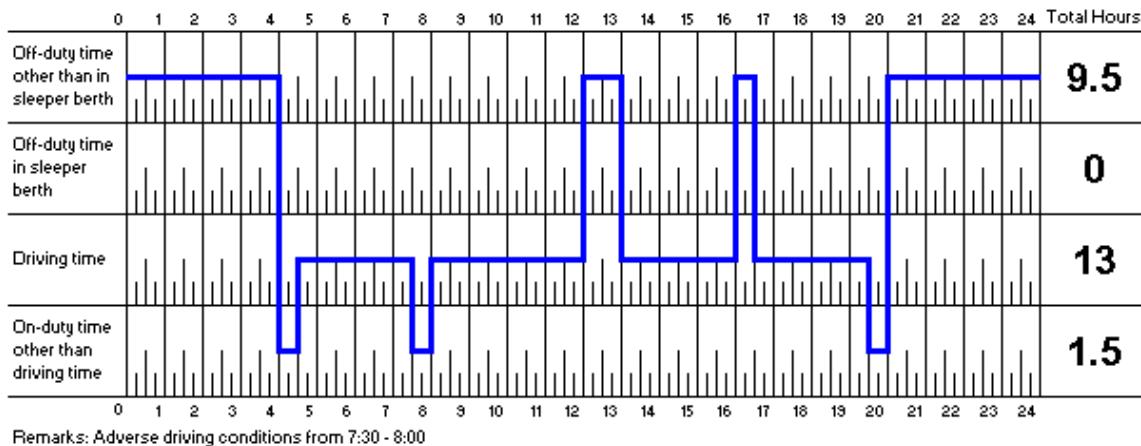
In this situation, the driver cannot claim adverse driving conditions because of the fog. The driver knew that there was fog before the driver started the trip. Therefore, because the driver is not eligible to claim adverse driving conditions, the driver must comply with the regular daily limits. In this example, the driver exceeds the daily driving limit by 0.5 hour (13.5 hours – 13 hours) and is in violation.

Example #3:

A driver finishes the last 4 hours of 8 consecutive hours of core off-duty time before starting the day. The driver checks the road report and discovers that there will be poor winter driving conditions (icy sections, bare wheel paths, drifting snow) between the last place of rest and the destination.

Three hours after starting the trip, the driver encounters an icy section of highway and the driver slows the vehicle to 10 kilometres per hour. The driver decides that it is safer to stop the vehicle and pull over to the side of the road until the highway maintenance crews have finished working on that section of highway. The driver stays in his/her vehicle for half an hour while the maintenance crew sands and salts the highway.

The driver then continues and is able to reach the destination without any other delays. After supervising the unloading of the vehicle, the driver starts 8 consecutive hours of core off-duty time.

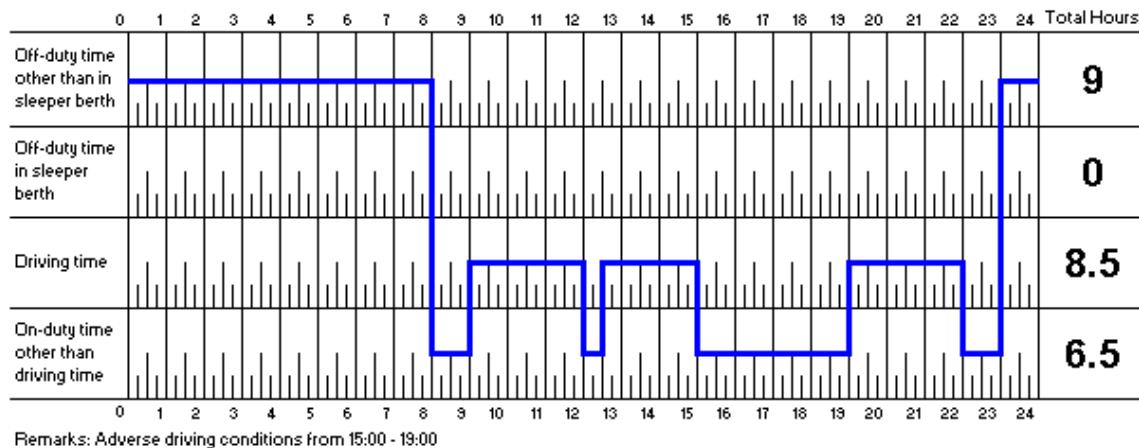


In this example, the driver cannot claim adverse driving conditions because the driver knew that there were icy sections of highway before the driver started the trip. Therefore, because the driver is not eligible to claim adverse driving conditions, the driver must comply with the regular daily limits. In this example, the driver has the following violations:

- Exceeds daily on-duty limit by 0.5 hour (14.5 hours – 14 hours)
- Fails to meet daily off-duty requirement (10 hours – 9.5 hours = 0.5 hour)

Example #4

A driver is traveling from Fort St. John to Edmonton. Although the driver could normally complete the trip from Fort St. John to Edmonton, the driver plans to spend the night in Whitecourt, before completing his trip to Edmonton the next day. The driver encounters adverse driving conditions one hour before Whitecourt (i.e., driver must wait while the debris from a major traffic accident is removed from the highway). The driver uses the adverse driving conditions extension to drive to Edmonton. The driver starts 8 consecutive hours of core off-duty time at 23:00.



The driver can claim adverse driving conditions because the driver was not aware of, and the driver could not have predicted the delay caused by the traffic accident, prior to the start of the trip. The driver is eligible to use the maximum 2-hour extension to drive to Edmonton because, under normal conditions, the driver can complete the trip from Fort St. John to Edmonton. Therefore, although the driver has 15 hours of on-duty time in the day and the work shift, the driver is not in violation.

Summary of Adverse Driving Condition Limits (South of Latitude 60°N)

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving + maximum 2-hour extension
- No driving after 14 hours on-duty + maximum 2-hour extension
- At least 8 hours of off-duty time which form part of 8 consecutive core off-duty hours

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

- No driving after 13 hours driving + maximum 2 hour extension
- No driving after 14 hours on-duty + maximum 2 hour extension
- No driving after 16 hours elapsed time (includes all time in work shift)



North of Latitude 60°N

If a driver encounters adverse road conditions during a trip north of latitude 60°N (that the driver can complete under normal conditions), the driver can make the following adjustments:

- Increase driving time by up to 2 hours
- Driver must take the required 8 consecutive hours of off-duty time

If the driver extends driving time because of adverse driving conditions, the driver must record it in the “Remarks” section of the daily log. We will discuss driving north of latitude 60°N in detail in Module 16.



© Microsoft®.

When is a driver traveling as a passenger?



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 10 Traveling as a Passenger – Off-Duty Time*

A driver is traveling as a passenger if the driver meets the following conditions:

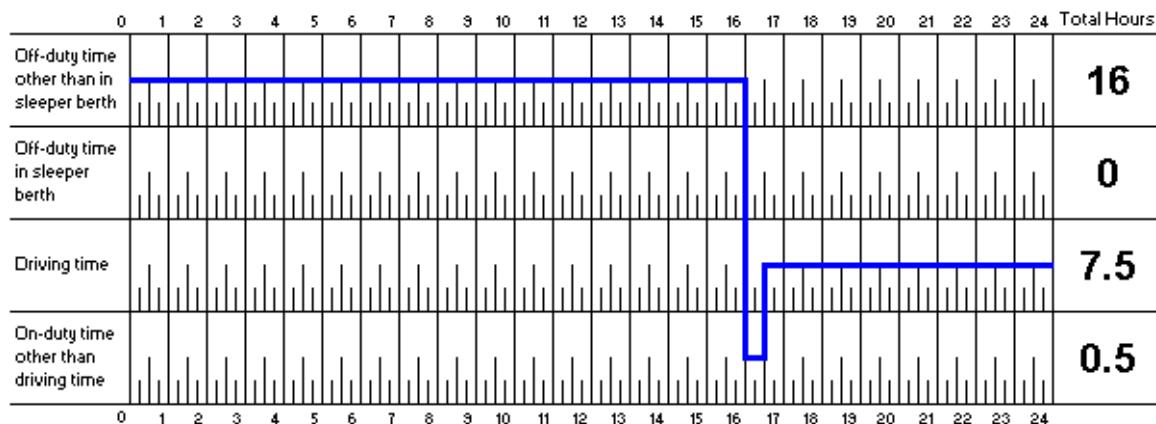
- A motor carrier asks the driver to travel as a passenger in a commercial vehicle, car, train, aircraft or boat to a destination where the driver will begin driving
- Upon reaching the destination, the driver takes 8 consecutive hours of off-duty time before driving. If the driver takes this off-duty time, the driver can count the time spent as a passenger as off-duty time.

For example, a motor carrier might require that a driver travel by bus to a destination where the driver will begin driving. If the driver hires a cab or gets a ride from a friend from the bus depot to the truck terminal, then the driver can count that travel time as a passenger would as "off-duty time" when the driver later takes 8 hours off-duty.

However, if the driver rents a car or drives his personal car from the bus depot to the truck terminal, then that time would be considered to be "on-duty not driving" (since he was not a "passenger") and that time would NOT be changed to off-duty when he eventually takes his 8 hours off-duty.

Example #5:

A driver travels as a passenger in a car from 0:00 – 8:00 to the destination where the driver will begin driving. The driver then takes 8 consecutive hours off-duty before starting the work shift at 16:00.



Example #6:

A driver travels as a passenger in an aircraft from Lethbridge to Edmonton (with a stopover from 6:45 – 7:30 in Calgary). The driver leaves Lethbridge at 6:00 and arrives in Edmonton at 8:30. While on the plane and during the stopover, the driver completes paperwork. When the driver arrives in Edmonton, the driver takes 8 consecutive hours off-duty before starting the work shift at 16:30.

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										16.5
Off-duty time in sleeper berth																										0
Driving time																										7
On-duty time other than driving time																										0.5
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

In this example, the driver can claim off-duty time while traveling from Lethbridge to Edmonton. The time that a driver spends completing administrative work while traveling as a passenger on an aircraft is considered to be off-duty time.

Team Drivers

In some situations, the driver is a co-driver (team driver) who has been, or is about to be, the driver:

- In order to claim off-duty time (spent in a sleeper berth), the co-driver must rest in the sleeper berth. The co-driver cannot sleep on the passenger seat, while the vehicle is being operated, and claim off-duty time.
- Any time spent resting in or otherwise occupying a commercial vehicle (other than the sleeper berth) must be recorded as "on-duty time."



© Microsoft®.

When can a driver use a commercial vehicle for personal use?



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) Sections 2(1)(e) and 2(2) Application*

A driver can record the time spent driving a commercial vehicle for personal use as off-duty time if it meets all of the following criteria:

- Vehicle is unloaded. Specifically, a driver cannot use a truck with cargo on it for personal use unless all of the cargo is unloaded. A driver can use a truck with fixed mounted equipment (i.e., welding truck, drill rig, etc.) and loose items such as dunnage. However, trucks with any "real cargo" such as freight, pipe, bags, etc. would need to be unloaded first before a driver can use the vehicle for personal use. Unloading of such a truck would not include removal of any "operational" items like chains, etc.
- Any trailers are unhitched
- Distance traveled does not exceed 75 kilometers in a day. Distance is measured by actual distance not radius distance.
- Driver records the odometer reading in the logbook at the beginning and end of the personal use
- Driver is not the subject of an out-of-service declaration

Any time that the driver uses the vehicle to perform business for the motor carrier must be recorded as on-duty time. For example, if a driver fuels the vehicle while using the commercial vehicle for personal use, the driver must record fueling time as on-duty time. Whether or not a company pays for the on-duty time is irrelevant.

Travel Time

When a driver is using the vehicle for personal use/reasons, a driver records all travel time as off-duty time. This includes the use of a commercial vehicle as a personal vehicle for the weekend however, the driver must not exceed 75 kilometers per day. Other daily limits do not apply while the driver is driving the vehicle for personal use.

When a driver is driving to the home terminal, the travel time can be either on-duty or off-duty. The home terminal is the motor carrier's place of business and is the location where the driver ordinarily reports for work. It also includes a temporary work site designated by the motor carrier.

- If the driver is returning to the home terminal at the end of a work shift, the travel time is on-duty driving time.
- If the driver is driving to the home terminal to report for work, the travel time may be off-duty.

Example # 7:

A driver drives the commercial vehicle for personal use on a Saturday (day off). The driver drives for 69 kilometers. From 12:00 – 1:00, the driver fuels the vehicle and performs maintenance activities on the vehicle. The driver records the activities on the daily log as follows:

	Odometer Start	139876
	Odometer Finish	139945
	Total Distance	69 km
Off-duty time other than in sleeper berth	0	23
Off-duty time in sleeper berth	0	0
Driving time	0	0
On-duty time other than driving time	0	1
	0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Total Hours

Module Self-Check Questions

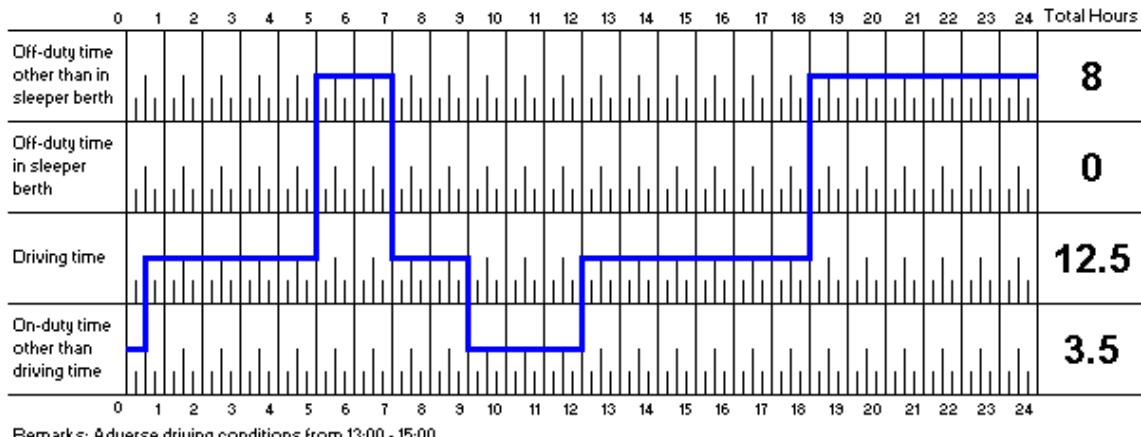
If you can answer the following questions, you are ready to move to the next module. If you can't answer the questions, please review the module again before continuing.

- 1) A driver is 1 hour from a truck stop that provides facilities for the driver to rest for 8 hours, but the driver is only 2 hours from home. If the driver is using the emergency exemption, can the driver drive home?
-
-

- 2) Review the following daily logs and identify any violations.

Driver #1

Note: The driver had 8 consecutive hours off-duty before starting the day and the 6 hours at the end of the day is part of 8 consecutive hours off-duty.



Driver #2

Note: The driver had 8 consecutive hours off-duty before starting the day and the 6 hours at the end of the day is part of 8 consecutive hours off-duty.

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										0
Driving time																										12.5
On-duty time other than driving time																										3.5

Remarks: Adverse driving conditions from 5:00 - 7:00

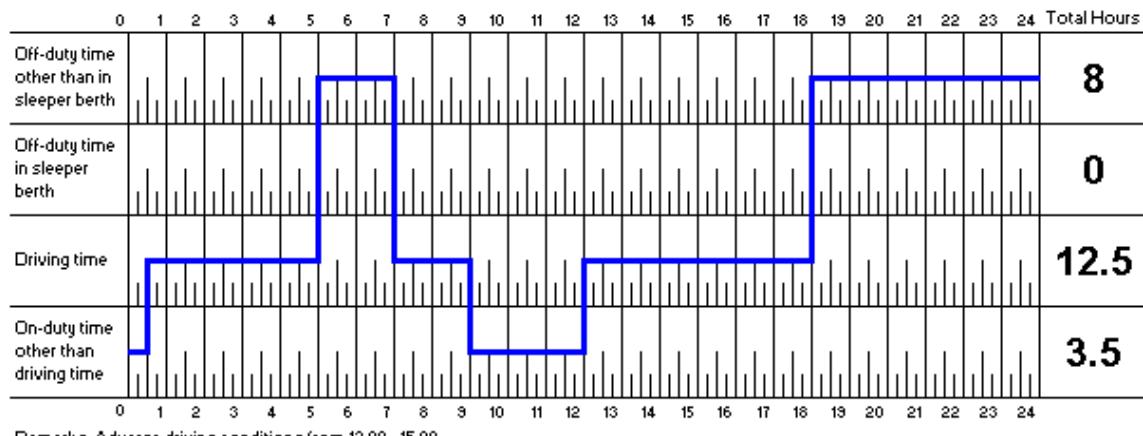
Answers to Module Self-Check Questions

- 1) A driver is 1 hour from a truck stop that provides facilities for the driver to rest for 8 hours, but the driver is only 2 hours from home. If the driver is using the emergency exemption, can the driver drive home?
 - No, in the case of an emergency, the driving rules only extend to the first location that can accommodate passengers and provides security for the commercial vehicle and its load

- 2) Review the following daily logs and identify any violations.

Driver #1

Note: The driver had 8 consecutive hours off-duty before starting the day and the 6 hours at the end of the day is part of 8 consecutive hours off-duty.



Driver #1

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving + maximum 2 hour extension (adverse driving conditions)
- No driving after 14 hours on-duty + maximum 2 hour extension (adverse driving conditions)
- At least 8 hours of off-duty time which form part of 8 consecutive core off-duty hours

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

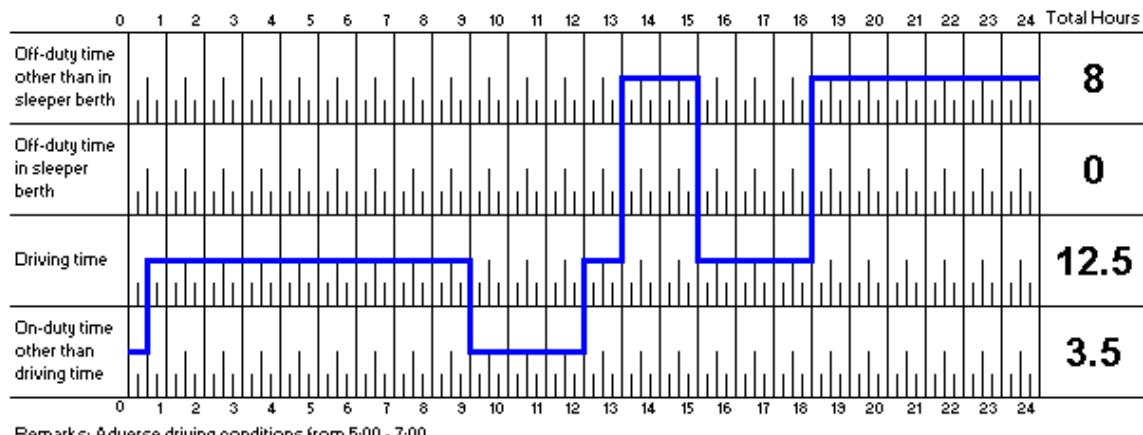
- No driving after 13 hours driving + maximum 2 hour extension (adverse driving conditions)
- No driving after 14 hours on-duty + maximum 2 hour extension (adverse driving conditions)
- No driving after 16 hours elapsed time (includes all time in work shift)
 - **Drive after 16 hours elapsed time**
 - **The 16th hour was reached at 16:00**
 - **Driver drove in violation from 16:00 – 18:00 for a total of 2 hours in violation**



Commercial Vehicle Drivers Hours of Service

Driver #2

Note: The driver had 8 consecutive hours off-duty before starting the day and the 6 hours at the end of the day is part of 8 consecutive hours off-duty.



Driver #2

Daily Limits (start time of 24-hour period specified by carrier)

- No driving after 13 hours driving + maximum 2 hour extension (adverse driving conditions)
- No driving after 14 hours on-duty + maximum 2 hour extension (adverse driving conditions)
- At least 8 hours of off-duty time which form part of 8 consecutive core off-duty hours

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

- No driving after 13 hours driving + maximum 2 hour extension (adverse driving conditions)
- No driving after 14 hours on-duty + maximum 2 hour extension (adverse driving conditions)
- No driving after 16 hours elapsed time (includes all time in work shift)
 - **Drive after 16 hours elapsed time**
 - **The 16th hour was reached at 16:00**
 - **Driver drove in violation from 16:00 – 18:00 for a total of 2 hours in violation**



Notes:



Module 15

Ferries



© Microsoft®.



© Microsoft®.

Things to think about ...

Some commercial vehicle drivers travel by ferry to reach their destination. Drivers can accumulate a lot of on-duty time waiting at the terminal to board the ferry as well as off-duty time during the ferry crossing.

The Federal *Commercial Vehicle Drivers Hours of Service Regulations* give drivers who travel 5 hours or more by ferry an off-duty exemption.

How is the ferry duration time calculated?

What are the requirements when traveling by ferry?

What will I learn in this module?

- Requirements when traveling by ferry

How is the ferry duration time calculated?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 17 Ferries*

When a commercial vehicle travels by ferry, the driver can accumulate a lot of off-duty time during the ferry crossing. In order to count the time on a ferry as off-duty time, the driver must be completely relieved of all duty, responsibility and obligation for the care and custody of the vehicle, its accessories, and any passengers or cargo it may be carrying. In other words, the driver must have the freedom to leave the vehicle to do something else on the ferry. This relief must also be consistent with the regulations of the ferry operator and Canadian Coast Guard.

In order to qualify for the off-duty time exemption, the driver must travel more than 5 consecutive hours by ferry. To calculate ferry duration time, a driver needs to use the actual scheduled departure and arrival times. In other words, ferry duration time is actual “propeller-churning” time. The “check-in and check-out” times are not applicable (i.e., waiting time at the terminal and off-loading time are not included in this off-duty time exemption).

If ferry duration time is less than 5 hours, a driver records the time spent on the ferry based on what the driver is actually doing:

- If the driver is working (selling tickets), the driver is on-duty
- If the driver is eating lunch, the driver is off-duty



© Microsoft®.

What are the requirements when traveling by ferry?



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 17 Ferries*

A driver who travels more than 5 consecutive hours by ferry does not have to take the 8 consecutive hours of core off-duty time. In order to be eligible for this off-duty exemption, the driver must meet the following conditions:

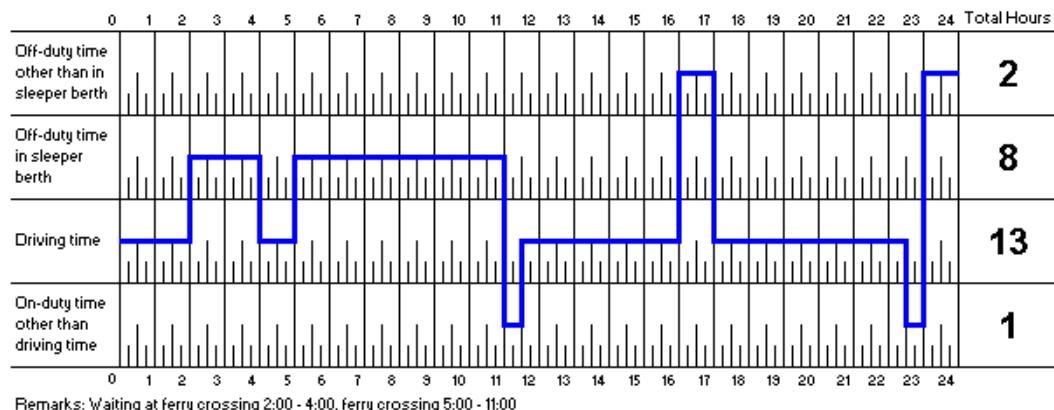
- 1) Time spent in a sleeper berth while waiting at the ferry terminal
 - +
 - Time spent in rest accommodations on the ferry
 - +
 - Time spent at a rest stop that is located no more than 25 kilometers from the ferry disembarkation point (off-loading point)
 - =
 - 8 hours minimum
- 2) Driver records the hours listed in Condition 1) in the daily log as off-duty time spent in a sleeper berth. However, a driver must record any time spent driving from the disembarkation point to the rest stop as on-duty driving time.
- 3) Driver keeps receipts for the ferry crossing and rest accommodation fees. These receipts are supporting documents. A supporting document is a document or information recorded or stored by any means that is used by a director or inspector to determine if the driver has followed the Regulations. If there are no rest accommodations on the ferry, a driver is not eligible for this exemption (i.e., the driver cannot use a boarding pass as a receipt for rest accommodations).
- 4) Information shown on supporting documents must be consistent with the daily log entries.

Example:

A driver performs the following activities in a day:

Time	Activity	Duty Status
2 hours	Drive to ferry terminal	Driving time
2 hours	Rest in sleeper berth while waiting at ferry terminal	Off-duty time spent in a sleeper berth
1 hour	Drive onto ferry (keep receipt as supporting document)	Driving time
6 hours	Sleep in ferry accommodations (keep receipt as supporting document)	Off-duty time spent in a sleeper berth
0.5 hour	Pre-trip inspection	On-duty, other than driving time
4.5 hours	Drive off ferry and towards destination	Driving time
1 hour	Eat supper	Off-duty time other than time spent in a sleeper berth
5.5 hours	Drive	Driving time
0.5 hour	Supervise unloading of vehicle, conduct post-trip inspection and complete paperwork	On-duty, other than driving time
1 hour	Sleep (start of 8 consecutive hours)	Off-duty time other than time spent in a sleeper berth

The driver records the activities on the daily grid as follows:



There are no violations for the day.

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) Describe how ferry duration time is calculated.

- 2) Describe the off-duty exemption when traveling by ferry.

- 3) List the four conditions that a driver must meet to be eligible for the off-duty exemption.

Answers to Module Self-Check Questions

- 1) Describe how ferry duration time is calculated.
 - Actual scheduled departure and arrival times (i.e., actual “propeller-churning” time)
 - “Check-in and check-out” times are not applicable (i.e., waiting time at the terminal and off-loading time are not included)
- 2) Describe the off-duty exemption when traveling by ferry.
 - Driver who travels more than 5 consecutive hours by ferry does not have to take the 8 consecutive hours of core off-duty time
 - Driver must meet 4 conditions
- 3) List the four conditions that a driver must meet to be eligible for the off-duty exemption.
 - Time spent in a sleeper berth while waiting at the ferry terminal
 - +
Time spent in rest accommodations on the ferry
 - +
Time spent at a rest stop that is located no more than 25 kilometers from the ferry disembarkation point (off-loading point)
 - =
8 hours minimum
 - Driver records the hours listed in first condition in the daily log as off-duty time spent in a sleeper berth
 - Driver keeps receipts for the ferry crossing and rest accommodation fees
 - Information shown on supporting documents are consistent with daily log entries



Notes:



Module 16

North of 60



© Microsoft®.



© Microsoft®.

Things to think about ...

Some commercial vehicle drivers transport loads of goods or passengers beyond Alberta's northern border that is at latitude 60°N.

Because drivers face harsh driving conditions and long stretches between communities north of latitude 60°N, the *Federal Commercial Vehicle Drivers Hours of Service Regulations* include a modified set of rules for these drivers.

What are the requirements when traveling north of 60?

What will I learn in this module?

- Driving, on-duty, and work shift limits
- Off-duty requirements
- Sleeper berth rules for a single driver and team drivers
- Cycle limits, cycle resets, and cycle switching

What are the driving, on-duty, and work shift limits when traveling north of latitude 60°N?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 37 Application*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 38 Driving and On-Duty Time*

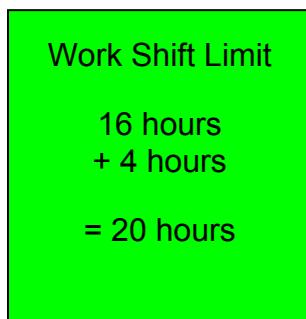
The northern border between Alberta and the Northwest Territories is at latitude 60°North. When a driver crosses latitude 60°North, the driving time limit increases by 2 hours, so a driver must stop driving after 15 hours driving.



Similarly, when a driver crosses the latitude 60°North, the on-duty time increases by 4 hours, so a driver must stop driving after 18 hours on-duty.



The work shift limit also changes when a driver crosses the latitude 60°North. The work shift limit increases by 4 hours, so a driver must stop driving after 20 hours in a work shift.



The driver is eligible to apply these new limits as soon as a driver crosses the latitude 60°North and the driver does not have to record this change in limits on the daily log.

A driver can travel freely between north of latitude 60° and south of latitude 60°:

- When a driver is north of latitude 60°, the driver applies the north of 60° driving, on-duty, and work shift limits
- When the driver is south of latitude 60°, the driver applies the south of 60° driving, on-duty, and work shift limits

What are the off-duty requirements when traveling north of latitude 60°N?



Legislative References:

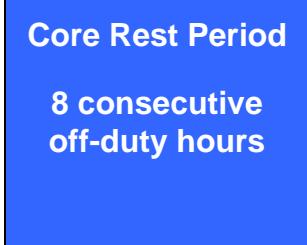
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 39 Mandatory Off-Duty Time*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 40 Daily Off-Duty Time*

When a driver crosses the latitude 60°North, daily off-duty time decreases by 2 hours so a driver needs to take 8 hours off-duty.

This off-duty time is a core rest period. At the end of every work shift, the driver must start a core rest period (8 consecutive hours of off-duty time) before the driver can drive again. Once the driver has taken the core rest period, the driver can start a new work shift. In other words, every work shift is anchored on either end with a core rest period (i.e., one immediately before and one immediately after the work shift).

Daily Off-Duty Requirement

$$\begin{aligned} & 10 \text{ hours} \\ & - 2 \text{ hours} \\ & = 8 \text{ hours} \end{aligned}$$



Work Shift

Core Rest Period
8 consecutive off-duty hours

What are the sleeper berth rules when traveling north of latitude 60°N?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 41 Splitting of Daily Off-Duty Time – Single Driver*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 42 Splitting of Daily Off-Duty Time – Team of Drivers*

Sleeper Berth – Single Driver

A sleeper berth does not change the daily off-duty requirement for a single driver but it does give the driver more flexibility with the daily off-duty requirement.

If a commercial vehicle has a sleeper berth, the driver can split the 8 hours of daily off-duty time into sleeper berth periods. The off-duty time must meet the following requirements to qualify as eligible sleeper berth periods:

- Driver must rest in the sleeper berth during the off-duty times. Only time spent in the sleeper berth counts towards the sleeper berth period (i.e., any other off-duty time does not count towards the sleeper berth period).
- Each sleeper berth period must be greater than or equal to 2 hours (i.e., each period \geq 2 hours). If a driver spends more than 30 minutes but less than 2 hours in a sleeper berth, the time counts toward the daily off-duty requirement, but it does not count towards an eligible sleeper berth period.
- Total for 2 eligible sleeper berth periods (rest periods) must be greater than or equal to 8 hours

Off-Duty Requirement	Hours
Minimum rest period	2 hours
Total for 2 rest periods	8 hours

In other words, a driver has the freedom to split the 8 hours of daily off-duty time any way that the driver wants as long as each sleeper berth period is at least 2 hours and the total for any 2 eligible sleeper berth periods equals at least 8 hours.

The main advantage of the sleeper berth is that instead of having to stop for a core rest period (8 consecutive hours off-duty), a driver can split the core rest period between 2 sleeper berth periods (rest periods) and drive in between the periods. None of the off-duty time is eligible for deferral to the next day.

Eligible Sleeper Berth Periods

In order to count as an eligible sleeper berth period, a sleeper berth period for a single driver must meet all of the following criteria:

- Sleeper berth period \geq 2 hours
- This sleeper berth period + another sleeper berth period \geq 8 hours
- Driving time accumulated before and after the sleeper berth period
 \leq 15 hours
- No driving after 18 hours on-duty accumulated before and after the sleeper berth period

If a sleeper berth period fails to meet any of these criteria, the sleeper berth period is ineligible and the driver must follow the regular off-duty requirements for North of 60 (i.e., 8 consecutive hours of off-duty time).

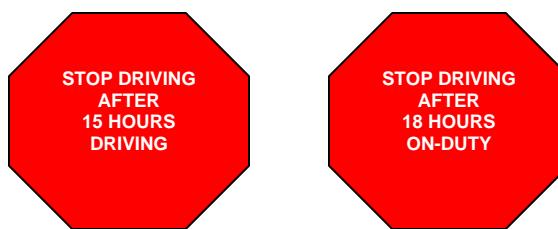
Work Shift Limits When Using Sleeper Berth

However, even though the driver has increased flexibility with the sleeper berth, the driver must continue to follow the limits:

- Stop driving after 15 hours of driving time (before and after each eligible sleeper berth period)
- Stop driving after 18 hours of on-duty time (before and after each eligible sleeper berth period). On-duty time includes the periods surrounding a sleeper berth period. It includes all activities since the previous eligible sleeper berth period until the next eligible sleeper berth period but excludes the current sleeper berth period.

To calculate the 18th hour on-duty:

- Exclude the hours spent in the current sleeper berth period
- Include all activities from the previous sleeper berth to the next sleeper berth period:
 - On-duty time
 - Off-duty time not spent in a sleeper berth
 - All periods of less than 2 hours spent in a sleeper berth
 - Any other period spent in a sleeper berth that does not qualify as an eligible sleeper berth period



Sleeper Berth – Team Drivers

In some situations, motor carriers may decide to use team drivers in a commercial vehicle that has a sleeper berth. If more than one driver intends to drive the commercial vehicle, the sleeper berth rules for team drivers apply.

A sleeper berth does not change the daily off-duty requirement for team drivers but it does give the drivers more flexibility with the daily off-duty requirement. If a commercial vehicle has a sleeper berth, team drivers can split the 8 hours of daily off-duty time into sleeper berth periods. The off-duty time must meet the following requirements to qualify as eligible sleeper berth periods:

- The off-duty driver must rest in the sleeper berth during off-duty times. Only time spent in the sleeper berth counts towards the sleeper berth period (i.e., any other off-duty time does not count towards the sleeper berth period).
- Each sleeper berth period must be greater than or equal to 4 hours (i.e., each period \geq 4 hours). If a driver spends more than 30 minutes but less than 4 hours in a sleeper berth, the time counts toward the daily off-duty requirement, but it does not count towards an eligible sleeper berth period.
- Total for 2 eligible sleeper berth periods (rest periods) must be greater than or equal to 8 hours

Off-Duty Requirement	Hours
Minimum rest period	4 hours
Total for 2 rest periods	8 hours

The main advantage of team drivers using a sleeper berth is that instead of having to stop for a core rest period (8 consecutive hours off-duty), the drivers can split the core rest period between 2 sleeper berth periods (rest periods) and drive in between the periods. None of the off-duty time is eligible for deferral to the next day.

Eligible Sleeper Berth Periods

In order to count as an eligible sleeper berth period, a sleeper berth period for a team driver must meet all of the following criteria:

- Sleeper berth period \geq 4 hours
- This sleeper berth period + another sleeper berth period \geq 8 hours
- Driving time accumulated before and after the sleeper berth period
 \leq 15 hours
- No driving after 18 hours on-duty accumulated before and after the sleeper berth period

If a sleeper berth period fails to meet any of these criteria, the sleeper berth period is ineligible and the driver must follow the regular off-duty requirements for North of 60 (i.e., 8 consecutive hours of off-duty time).

Work Shift Limits When Using Sleeper Berth

However, even though the drivers have increased flexibility with the sleeper berth, the drivers must continue to follow the limits:

- Stop driving after 15 hours of driving time (before and after each eligible sleeper berth period)
- Stop driving after 18 hours of on-duty time (before and after each eligible sleeper berth period). On-duty time includes the periods surrounding a sleeper berth period. It includes all activities since the previous eligible sleeper berth period until the next eligible sleeper berth period but excludes the current sleeper berth period.

To calculate the 18th hour on-duty:

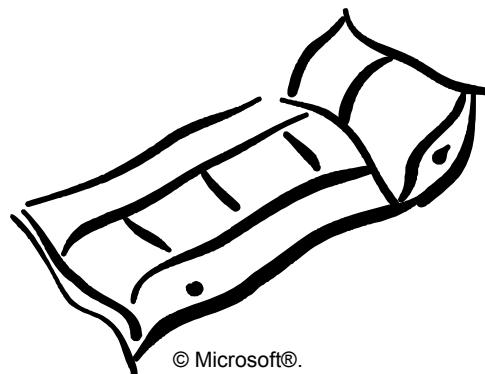
- Exclude the hours spent in the current sleeper berth period
- Include all activities from the previous sleeper berth to the next sleeper berth period:
 - On-duty time
 - Off-duty time not spent in a sleeper berth
 - All periods of less than 4 hours spent in a sleeper berth
 - Any other period spent in a sleeper berth that does not qualify as an eligible sleeper berth period



Switch to a Regular Work Shift

At some point, a driver may decide to switch to a regular work shift (i.e., no sleeper berth) and regular off-duty time (i.e., no splitting of off-duty time). In these situations, the driver must take 8 consecutive hours of off-duty time to make the switch. The 8 consecutive off-duty hours can be a combination of off-duty time and time spent in the sleeper berth as long as the time is continuous.

**REST FOR 8
CONSECUTIVE
HOURS**



What are the cycle limits and cycle resets when traveling north of latitude 60°N?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Sections 49 - 52 Cycles*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 53 Cycle Reset – Off-Duty Time*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 54 Cycle Switching – Off-Duty Time*

There are two cycles under the *Federal Commercial Vehicle Drivers Hours of Service Regulations* for north of latitude 60°North:

- Cycle 1 – limit of 80 hours of on-duty time over a period of 7 consecutive days
- Cycle 2 – limit of 120 hours of on-duty time over a period of 14 consecutive days

The motor carrier must choose whether the driver will follow the rules for Cycle 1 or Cycle 2. The driver must declare the cycle choice on the daily log for every day.

Each cycle limits the number of on-duty hours in either a 7-day (Cycle 1) or 14-day (Cycle 2) period. On-duty time includes both “Driving time” and “On-duty time, other than driving time.” If a driver reaches the cycle limit, the driver must stop driving however, the driver can perform other on-duty work as long as the driver does not exceed the work shift limits.

At any time, a driver can end the current cycle and start a new cycle if the driver takes an extended period of off-duty time that acts as a cycle reset. During the cycle reset, the accumulated on-duty hours are set back to zero hours. After the reset period, the driver starts a new cycle and the driver’s on-duty hours begin to accumulate from zero again.

However, a driver does not have to reset the cycle. A driver can reduce the number of on-duty hours that the driver accumulates each day so as not to exceed the cycle limits (i.e., 80 hours in 7 days for Cycle 1; 120 hours in 14 days for Cycle 2).



Drivers can travel freely between north of latitude 60° and south of latitude 60°. When a driver is north of latitude 60°, the driver applies the north of 60° cycle limits and when the driver is south of latitude 60°, the driver applies the south of 60° cycle limits. The driver does not have to record this change of cycle limits on the daily log. In addition, if a driver drives from the Northwest Territories into Alberta, the driver does not have to take a cycle reset before entering Alberta.





Cycle 1

If a driver chooses to follow Cycle 1:

- No driving after accumulating 80 hours of on-duty time during any period of 7 consecutive days



Example #1:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					Off-Duty	Off-Duty
✓ 10 hours on-duty	✓ 16 hours on-duty	✓ 18 hours on-duty	✓ 18 hours on-duty	✓ 18 hours on-duty		
✓ 10 hours on-duty						

In this example, the driver reaches the Cycle 1 limit (i.e., 80 hours of on-duty time) at the end of the 5th day (Thursday). The driver is not eligible to drive on Friday or Saturday because the driver still has 80 on-duty hours in 7 days. However, on Sunday, the driver is eligible for 10 on-duty hours again.

It is important to understand that the cycle is a “sliding window” of any 7 consecutive days. Therefore, the driver must always check that the total on-duty time for the previous 6 days plus the on-duty time for the current day is less than or equal to 80 hours (i.e., Total on-duty hours for previous 6 days + Total on-duty hours for current day \leq 80 hours).

Example #2:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Off-Duty	Off-Duty	✓ 11 hours on-duty	✓ 12 hours on-duty	✓ 14 hours on-duty	✓ 11 hours on-duty	✓ 11 hours on-duty
✓ 10 hours on-duty	✓ 10 hours on-duty	✓ 10 hours on-duty	✓ 13 hours on-duty	✓ 15 hours on-duty	STOP DRIVING 24 hours off-duty	STOP DRIVING 12 hours off-duty Start a new cycle – resume driving

In this example, there are four different 7-day periods:

- Period 1 (Tuesday – Monday) 79 total on-duty hours
- Period 2 (Wednesday – Tuesday) 78 total on-duty hours
- Period 3 (Thursday – Wednesday) 79 total on-duty hours
- Period 4 (Friday – Thursday) 80 total on-duty hours

The following table illustrates the sliding window for this example:

Day #	Total On-Duty for Day	Total On-Duty for 7 Days
1	11	
2	12	
3	14	
4	11	
5	11	
6	10	
7	10	79
8	10	78
9	13	79
10	15	80

The driver reaches the Cycle 1 limit (i.e., 80 hours of on-duty time in any 7 consecutive days) at the end of the 10th day (second Thursday). The driver decides to take 36 consecutive hours of off-duty time to reset the cycle. During the cycle reset, the accumulated on-duty hours are set back to zero hours. After the reset period, the driver starts a new cycle and resumes driving (i.e., on-duty time starts from zero).



Cycle 2

If a driver chooses to follow Cycle 2:

- No driving after 120 hours of on-duty time in any period of 14 consecutive days
- At no point within the cycle can a driver exceed 80 hours of on-duty time without taking at least 24 consecutive hours of off-duty time. This off-duty time can be a combination of off-duty time and time spent in a sleeper berth as long as the time is continuous.





Example #3:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				Off-Duty	Off-Duty	Off-Duty
12 hours on-duty	18 hours on-duty	18 hours on-duty	18 hours on-duty	14 hours on-duty	24 hours off-duty	10 hours on-duty
		 8 hours on-duty 				
12 hours on-duty						

In this example, the driver reaches 80 hours of on-duty time at the end of the 5th day (Thursday). The driver must take 24 consecutive hours of off-duty time before the driver resumes driving.

The driver then continues ensuring that he / she does not drive after accumulating more than 120 hours in any 14-day period. The driver stops driving after 8 hours on-duty on the second Tuesday. The driver is not eligible to drive again until third Sunday because the driver has 120 on-duty hours in 14 days.

It is important to understand that the cycle is a “sliding window” of any 14 consecutive days. Therefore, the driver must always check that the total on-duty time for the previous 13 days plus the on-duty time for the current day is less than or equal to 120 hours (i.e., Total on-duty hours for previous 13 days + Total on-duty hours for current day \leq 120 hours).

Example #4:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				Off-Duty	Off-Duty	Off-Duty
14 hours on-duty	16 hours on-duty	8 hours on-duty	7 hours on-duty	7 hours on-duty	10 hours on-duty	18 hours on-duty
24 hours off-duty	9 hours on-duty	7 hours on-duty	9 hours on-duty	4 hours on-duty	4 hours on-duty	4 hours on-duty
10 hours on-duty	11 hours on-duty	7 hours on-duty	15 hours on-duty	24 hours off-duty	18 hours on-duty	4 hours on-duty
				Start a new cycle – resume driving		
18 hours on-duty	24 hours off-duty	24 hours off-duty	24 hours off-duty			

In this example, the driver reaches 80 hours of on-duty time at the end of the 7th day (Saturday) and 18th day (third Wednesday). The driver must take 24 consecutive hours of off-duty time before the driver resumes driving.

In this example, there are nine different 14-day periods:

- Period 1 (Sunday – second Saturday) 117 total on-duty hours
- Period 2 (Monday – third Sunday) 113 total on-duty hours
- Period 3 (Tuesday – third Monday) 108 total on-duty hours
- Period 4 (Wednesday – third Tuesday) 107 total on-duty hours
- Period 5 (Thursday – third Wednesday) 115 total on-duty hours
- Period 6 (Friday – third Thursday) 108 total on-duty hours
- Period 7 (Saturday – third Friday) 116 total on-duty hours
- Period 8 (second Sunday – third Saturday) 102 total on-duty hours
- Period 9 (second Monday – fourth Sunday) 120 total on-duty hours



© Microsoft®.

The following table illustrates the sliding window for this example:

Day #	Total On-Duty for Day	Total On-Duty for 14 Days
1	14	
2	16	
3	8	
4	7	
5	7	
6	10	
7	18	
8	0	
9	9	
10	7	
11	9	
12	4	
13	4	
14	4	117
15	10	113
16	11	108
17	7	107
18	15	115
19	0	108
20	18	116
21	4	102
22	18	120

The driver reaches the Cycle 2 limit (i.e., 120 hours of on-duty time in any 14 consecutive days) at the end of the 22nd day (fourth Sunday). The driver decides to take 72 consecutive hours of off-duty time to reset the cycle. During the cycle reset, the accumulated on-duty hours are set back to zero hours. After the reset period, the driver starts a new cycle and resumes driving (i.e., on-duty time starts from zero).

Off-Duty Time

Some drivers don't accumulate enough on-duty hours in a 7-day or 14-day period to reach a cycle limit. For example, a driver who works less than 10 hours per day will not reach either a Cycle 1 or a Cycle 2 limit however, the driver still needs a period of off-duty time.

If a driver does not reach a Cycle 1 or Cycle 2 limit:

- No driving after 14 consecutive days (regardless of the number of accumulated on-duty hours in the cycle)



- After 14 consecutive days on-duty, a driver must take at least 24 consecutive hours of off-duty time before the driver resumes driving. This off-duty time can be a combination of off-duty time and time spent in a sleeper berth as long as the time is continuous.

This, however, does not mean that a driver must work for 14 days before taking at least 24 consecutive hours off-duty. A driver is free to take 24 consecutive hours off-duty at any time. As long as a driver has one 24-hour off-duty period in the preceding 14 days, the driver is complying with the Regulations.



Example #5:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
 24 hours off-duty	On-duty	On-duty	On-duty	On-duty	On-duty	On-duty
On-duty	On-duty	On-duty	On-duty	On-duty	On-duty	On-duty
On-duty		On-duty	On-duty	On-duty	On-duty	On-duty

In this example, the driver is on-duty for 14 days but does not reach either the Cycle 1 or Cycle 2 limit. The driver must take 24 consecutive hours of off-duty time before the driver resumes driving.



Cycle Switching

Based on work schedules, a motor carrier may decide that Cycle 1 works better than Cycle 2 (or vice versa). In these situations, the driver needs to end the current cycle by taking an extended period of off-duty time (cycle reset):

- To switch from Cycle 1 to Cycle 2, driver needs to take at least 36 consecutive hours of off-duty time
- To switch from Cycle 2 to Cycle 1, driver needs to take at least 72 consecutive hours of off-duty time

A driver can end the current cycle at any time after accumulating any number of hours in a cycle. A driver does not need to complete the current cycle before taking a cycle reset. The driver must record the cycle change in the daily log.

After taking the off-duty time (cycle reset), the driver can start a new cycle and resume driving (i.e., on-duty time starts from zero).



© Microsoft®.

Summary of Limits for North of 60

Daily Off-Duty Requirement

- At least 8 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours

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

No Sleeper Berth Used:

- No driving after 15 hours driving
- No driving after 18 hours on-duty
- No driving after 20 hours elapsed time (includes all time in work shift)

Single Driver Using Sleeper Berth:

- No driving after 15 hours driving on either side of each eligible sleeper berth period
- No driving after 18 hours on-duty on either side of each eligible sleeper berth period (excluding time in sleeper berth)
(Eligible sleeper berth period \geq 2 hours and total for 2 eligible sleeper berth periods \geq 8 hours)

Team Drivers Using Sleeper Berth:

- No driving after 15 hours driving on either side of each eligible sleeper berth period
- No driving after 18 hours on-duty on either side of each eligible sleeper berth period (excluding time in sleeper berth)
(Eligible sleeper berth period \geq 4 hours and total for 2 eligible sleeper berth periods \geq 8 hours)

Cycle Limits (cycle specified by carrier)

Cycle 1:

- No driving after 80 hours on-duty in any 7 consecutive days
- At least 36 consecutive hours off-duty (to reset cycle)

Cycle 2:

- No driving after 120 hours on-duty in any 14 consecutive days
- No driving after 80 hours on-duty at any time in the cycle without taking 24 consecutive hours off-duty
- At least 72 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

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) Answer the questions below using the daily logs.

Note: The hours 0:00 – 3:00 on Day #1 are part of 8 consecutive hours off-duty.

Day #1		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											7
Off-duty time in sleeper berth																											0
Driving time																											15.5
On-duty time other than driving time																											1.5
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #2		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10.5
Off-duty time in sleeper berth																											0
Driving time																											13.5
On-duty time other than driving time																											0
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #3		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											8.5
Off-duty time in sleeper berth																											0
Driving time																											13
On-duty time other than driving time																											2.5
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	


Commercial Vehicle Drivers Hours of Service

		HOUR AT WHICH DAY BEGINS (Midnight)																									
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																											8
Off-duty time in sleeper berth																											0
Driving time																											15
On-duty time other than driving time																											1

		HOUR AT WHICH DAY BEGINS (Midnight)																									
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																											8.5
Off-duty time in sleeper berth																											0
Driving time																											14.5
On-duty time other than driving time																											1

		HOUR AT WHICH DAY BEGINS (Midnight)																									
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																											6
Off-duty time in sleeper berth																											0
Driving time																											12
On-duty time other than driving time																											6



Commercial Vehicle Drivers Hours of Service

Day #7 HOUR AT WHICH DAY BEGINS (Midnight)																									Total Hours	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										24
Off-duty time in sleeper berth																										0
Driving time																										0
On-duty time other than driving time																										0

Day #8 HOUR AT WHICH DAY BEGINS (Midnight)																									Total Hours	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										6
Off-duty time in sleeper berth																										5
Driving time																										12
On-duty time other than driving time																										1

Day #9 HOUR AT WHICH DAY BEGINS (Midnight)																									Total Hours	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																										0
Off-duty time in sleeper berth																										8
Driving time																										14
On-duty time other than driving time																										2


Commercial Vehicle Drivers Hours of Service
Day #10 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										0
Off-duty time in sleeper berth																										8
Driving time																										16
On-duty time other than driving time																										0

Day #11 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										0
Off-duty time in sleeper berth																										10
Driving time																										12
On-duty time other than driving time																										2

Day #12 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										0
Off-duty time in sleeper berth																										10
Driving time																										8
On-duty time other than driving time																										6



Commercial Vehicle Drivers Hours of Service

Day #13 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										3
Off-duty time in sleeper berth																										5
Driving time																										13
On-duty time other than driving time																										3

Day #14 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										24
Off-duty time in sleeper berth																										0
Driving time																										0
On-duty time other than driving time																										0

Identify any daily off-duty violations.

Identify any work shift violations (i.e., driving, on-duty or elapsed time).

Identify any cycle violations if the driver is operating under Cycle 1.

Identify any cycle violations if the driver is operating under Cycle 2.

Answers to Module Self-Check Questions

- 1) Answer the questions below using the daily logs.

Note: The hours 0:00 – 3:00 on Day #1 are part of 8 consecutive hours off-duty.

Day #1		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											7
Off-duty time in sleeper berth																											0
Driving time																											15.5
On-duty time other than driving time																											1.5
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #2		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											10.5
Off-duty time in sleeper berth																											0
Driving time																											13.5
On-duty time other than driving time																											0
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Day #3		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											8.5
Off-duty time in sleeper berth																											0
Driving time																											13
On-duty time other than driving time																											2.5
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	


Commercial Vehicle Drivers Hours of Service

		HOUR AT WHICH DAY BEGINS (Midnight)																									
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																											8
Off-duty time in sleeper berth																											0
Driving time																											15
On-duty time other than driving time																											1

		HOUR AT WHICH DAY BEGINS (Midnight)																									
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																											8.5
Off-duty time in sleeper berth																											0
Driving time																											14.5
On-duty time other than driving time																											1

		HOUR AT WHICH DAY BEGINS (Midnight)																									
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																											6
Off-duty time in sleeper berth																											0
Driving time																											12
On-duty time other than driving time																											6


Commercial Vehicle Drivers Hours of Service

		HOUR AT WHICH DAY BEGINS (Midnight)																									
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																											24
Off-duty time in sleeper berth																											0
Driving time																											0
On-duty time other than driving time																											0
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

		HOUR AT WHICH DAY BEGINS (Midnight)																									
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																											6
Off-duty time in sleeper berth																											5
Driving time																											12
On-duty time other than driving time																											1
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

		HOUR AT WHICH DAY BEGINS (Midnight)																									
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																											0
Off-duty time in sleeper berth																											8
Driving time																											14
On-duty time other than driving time																											2
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	


Commercial Vehicle Drivers Hours of Service

Day #10		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											0
Off-duty time in sleeper berth																											8
Driving time																											16
On-duty time other than driving time																											0

Day #11		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											0
Off-duty time in sleeper berth																											10
Driving time																											12
On-duty time other than driving time																											2

Day #12		HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth																											0
Off-duty time in sleeper berth																											10
Driving time																											8
On-duty time other than driving time																											6



Commercial Vehicle Drivers Hours of Service

Day #13 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										3
Off-duty time in sleeper berth															J											5
Driving time																										13
On-duty time other than driving time																										3

Day #14 HOUR AT WHICH DAY BEGINS (Midnight)

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										24
Off-duty time in sleeper berth																										0
Driving time																										0
On-duty time other than driving time																										0

Identify any daily off-duty violations.

Daily Off-Duty Requirement

- At least 8 hours off-duty

Day #1	7 hours
Day #2	10.5 hours
Day #3	8.5 hours
Day #4	8 hours
Day #5	8.5 hours
Day #6	6 hours
Day #7	24 hours
Day #8	11 hours (6 + 5)
Day #9	8 hours
Day #10	8 hours
Day #11	10 hours (1 + 9)
Day #12	10 hours
Day #13	8 hours (3 + 5)
Day #14	24 hours

- **Driver in violation of off-duty requirement**
- **Driver did not take 8 hours off-duty on Day #1 and Day #6**

Identify any work shift violations (i.e., driving, on-duty or elapsed time).

Sleeper Berth Period	≥ 2 hours	This period + another period ≥ 8 hours	≤ 15 hours driving before and after sleeper berth period	No driving after 18 hours on-duty before and after sleeper berth period	Eligible Sleeper Berth Period
A	Yes (5)	Yes ($A + B = 8$)	Yes ($9 + 5$)	Yes ($10 + 5$)	Yes
B	Yes (3)	Yes ($B + C = 8$)	Yes ($5 + 7$)	Yes ($5 + 8$)	Yes
C	Yes (5)	Yes ($C + D = 8$)	Yes ($7 + 8$)	Yes ($8 + 9$)	Yes
D	Yes (3)	Yes ($D + E = 8$)	Yes ($8 + 6$)	Yes ($9 + 6$)	Yes
E	Yes (5)	Yes ($E + F = 9$)	Yes ($6 + 7$)	Yes ($6 + 8$)	Yes
F	Yes (4)	Yes ($F + G = 8$)	Yes ($7 + 5$)	Yes ($8 + 6$)	Yes
G	Yes (4)	Yes ($G + H = 11$)	Yes ($5 + 7$)	Yes ($6 + 7$)	Yes
H	Yes (7)	Yes ($H + I = 12$)	Yes ($7 + 8$)	Yes ($7 + 14^*$) *No driving after 18 th hour	Yes
I	Yes (5)	Yes ($I + J = 10$)	Yes ($8 + 4$)	Yes ($14 + 7^*$) *No driving after 18 th hour	Yes
J	Yes (5)	Yes ($I + J = 10$)	Yes ($4 + 9$)	Yes ($7 + 9$)	Yes



Work Shift	No driving after 15 hours driving in a work shift	No driving after 18 hours on-duty in a work shift	No driving after 20 hours elapsed time
1 (Day #1 3:00 – 21:00)	✗ 15.5 hours - Drove in violation 20:50 – 21:00 (0.5 hour)	✓ (17 hours)	✓ (18 hours)
2 (Day #2 5:00 – 20:50)	✓ (13.5 hours)	✓ (13.5 hours)	✓ (15.5 hours)
3 (Day #3 4:30 – 21:00)	✓ (13 hours)	✓ (15.5 hours)	✓ (16.5 hours)
4 (Day #4 5:00 – 22:00)	✓ (15 hours)	✓ (16 hours)	✓ (17 hours)
5 (Day #5 6:00 – 22:00)	✓ (14.5 hours)	✓ (15.5 hours)	✓ (16 hours)
6 (Day #6 6:00 – 24:00)	✓ (12 hours)	✓ (18 hours)	✓ (18 hours)
7 (Day #8 6:00 – Day #9 2:00)	✓ (14 hours) (9 + 5)	✓ (15 hours) (10 + 5)	Not applicable

Work Shift	No driving after 15 hours driving in a work shift	No driving after 18 hours on-duty in a work shift	No driving after 20 hours elapsed time
8 (Day #8 21:00 – Day #9 13:00)	✓ (12 hours) (5 + 7)	✓ (13 hours) (5 + 8)	Not applicable
9 (Day #9 5:00 – Day #10 3:00)	✓ (15 hours) (7 + 8)	✓ (17 hours) (8 + 9)	Not applicable
10 (Day #9 18:00 – Day #10 12:00)	✓ (14 hours) (8 + 6)	✓ (15 hours) (9 + 6)	Not applicable
11 (Day #10 6:00 – Day #11 1:00)	✓ (13 hours) (6 + 7)	✓ (14 hours) (6 + 8)	Not applicable
12 (Day #10 17:00 – Day #11 11:00)	✓ (12 hours) (7 + 5)	✓ (14 hours) (8 + 6)	Not applicable
13 (Day #11 5:00 – 22:00)	✓ (12 hours) (5 + 7)	✓ (13 hours) (6 + 7)	Not applicable



Work Shift	No driving after 15 hours driving in a work shift	No driving after 18 hours on-duty in a work shift	No driving after 20 hours elapsed time
14 (Day #11 15:00 – Day #12 19:00)	✓ (15 hours) (7 + 8)	✓ (21 hours*) (7 + 14) *No driving after 18 th hour	Not applicable
15 (Day #12 5:00 – Day #13 7:00)	✓ (12 hours) (8 + 4)	✓ (21 hours*) (14 + 7) *No driving after 18 th hour	Not applicable
16 (Day #13 0:00 – 21:00)	✓ (13 hours) (4 + 9)	✓ (16 hours) (7 + 9)	Not applicable

Identify any cycle violations if the driver is operating under Cycle 1.

Cycle Limits (cycle specified by carrier)

Cycle 1:

- No driving after 80 hours on-duty in any 7 consecutive days

Day #	Total On-Duty for Day	Total On-Duty for 7 Days
1	17	
2	13.5	
3	15.5	
4	16	
5	15.5	
6	18	
7	0	95.5 ✗
8	13	91.5 ✗
9	16	94 ✗
10	16	94.5 ✗
11	14	92.5 ✗
12	14	91 ✗
13	16	89 ✗
14	0	86 ✗

Driver reached 80 hours on-duty in 7 consecutive days during Day #6, Day #7, Day #8, Day #9, Day #10, Day #11, Day #12, Day #13 and Day #14

**Driver needed to stop driving after reaching 70 hours on-duty
Driver drove in violation on Day #6 (9.5 hours), Day #8 (12 hours),
Day #9 (14 hours), Day #10 (16 hours), Day #11 (12 hours), Day
#12 (8 hours) and Day #13 (13 hours) for a total of 84.5 hours**

- At least 36 consecutive hours off-duty (to reset cycle)
 - Not applicable in this example

Day Off:

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

Identify any cycle violations if the driver is operating under Cycle 2.

Cycle Limits (cycle specified by carrier)

Cycle 2:

- No driving after 120 hours on-duty in any 14 consecutive days

Day #	Total On-Duty for Day	Total On-Duty for 14 Days
1	17	
2	13.5	
3	15.5	
4	16	
5	15.5	
6	18	
7	0	
8	13	
9	16	
10	16	
11	14	
12	14	
13	16	
14	0	184.5 *

**Driver reached 120 hours in 14 consecutive days during Day #11
 Driver needed to stop driving after reaching 120 on-duty hours
 Driver drove in violation on Day #11 (2.5 hours), Day #12 (8 hours)
 and Day #13 (13 hours) for a total of 23.5 hours**

- No driving after 70 hours on-duty at any time in the cycle without taking 24 consecutive hours off-duty
**Driver reached 80 hours on-duty after 2.5 hours on-duty on the Day #6
 Driver needed to take 24 hours off-duty before resuming driving
 Driver drove in violation the Day #6 (part day), Day #8, Day #9, Day #10, Day #11, Day #12 and Day #13 for a total of 84.5 hours**
- At least 72 consecutive hours off-duty (to reset cycle)
- Not applicable in this example

Day Off:

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



Notes:



Module 17

Daily Logs



© Microsoft®.



© Microsoft®.

Things to think about ...

Commercial vehicle drivers must document their duty status times each day. One way of doing this is to fill out a daily log each day that accounts for all of the driver's on-duty and off-duty time for that day.

What is required in a daily log?

What are the rules regarding the possession, production and distribution of daily logs?

What happens if there is tampering to a daily log?

What will I learn in this module?

- Daily log requirements
- Possession of daily logs and documents
- Production of daily logs
- Distribution and keeping of daily logs
- Tampering with daily logs

What is required in a daily log?



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 80 Interpretation*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 81 Requirement to Fill Out a Daily Log*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 82 Content of Daily Logs*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Schedule 2 Duty Status*

A driver is a person who has operated, operates or intends to operate a commercial vehicle. All drivers must fill out a daily log each day that accounts for all of the driver's on-duty time and off-duty time for that day. The only drivers who do not need to fill out a daily log are those who qualify for the 160 kilometer radius exemption provided for in section 81 (2). See Module 18 for clarification. (Note: Oilfield drivers operating under permit do not qualify for this radius exemption.)

Drivers, who have been off duty for several days, may record their daily log information for multiple off-duty days on a single log book page (example attached) provided that:

- The log page is fully completed with all applicable/required information (e.g. driver name; addresses for home terminal and principle place of business; total hours for each duty status; total hours in the day;

cumulative cycle; start time of the day (if other than midnight); driver signature; etc.);

- The information on the log must be legible and accurate;
- The days referenced as off duty are consecutive dates;
 - The log page does not include information for a day that shows any duty status other than “off duty time other than time spent in a sleeper berth” (i.e. the days off can’t be shown in the remarks section of a log completed on the first day the driver is back on duty).

Example #1

MOTOR VEHICLE OPERATOR'S DAILY LOG		Date <u>JAN. 5 - 6, 2008</u>																							
Motor Carrier: <u>ABC Transportation Inc.</u>	Odometer Finish																								
Principal Place of Business: <u>1 Bay St Calgary, AB T8K 9X3</u>	Odometer Start																								
Home Terminal Address: <u>1 Bay St Calgary, AB T8K 9X3</u>	Total Distance Driven Today <u>0 km</u>																								
HOUR AT WHICH DAY BEGINS (Midnight)		Use Time Standard at Home Terminal																							
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																									<u>24</u>
Off-duty time in sleeper berth																									<u>0</u>
Driving time																									<u>0</u>
On-duty time other than driving time																									<u>0</u>
																									<u>24</u>
		Total <u>24</u>																							
REMARKS																									
DAILY DEFERRAL USED: Day 1 Day 2																									
Other Motor Carrier (Name & Address)												PERSONAL USE OF COMMERCIAL VEHICLE													
												Start Odometer	End Odometer												
Name of Co-Driver		<u>BILL Driver</u>																							
Printed Name of Driver																									
<u>BILL Driver</u>																									
Signature of Driver (Certified True & Correct)																									



As discussed in Module 4, drivers can get daily logs from motor carriers, truck stops, stationary stores or commercial printing companies. A driver must record time on the daily log using the local time at the driver's home terminal. If a driver crosses a time zone, the time must remain consistent with the time zone of the driver's home terminal.



© Microsoft®.

At the start of each day, a driver must record at least the following on the daily log:

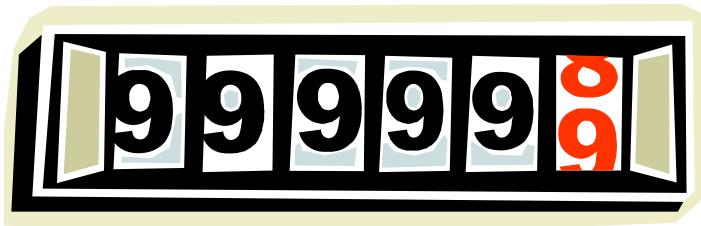
- Date and start time of the day (i.e., hour at which day begins if different from midnight). Start time means the start time of the day not the start time of the shift.
- Name of driver and, if driver is a member of a team of drivers, the names of the co-drivers
- Cycle that the driver is following (i.e., Cycle 1 or Cycle 2). The driver does not need to include recaps for the cycles (i.e., previous 6 or 13 days).
(Note: A driver operating under an oil well service vehicle permit does not need to record the cycle. Refer to Module 10 for further information regarding oil well service vehicle permits.)
- Commercial vehicle licence plates or unit numbers (at least of each power unit used during the day)
- Odometer reading of each commercial vehicle operated by the driver
- Names and addresses of the home terminal and principal place of business of every motor carrier for whom the driver will work during the day. A driver can abbreviate the names of provinces/territories, states and countries but cannot abbreviate the names of cities.
 - The home terminal is the location where a driver ordinarily reports for work. The motor carrier determines the site for the home terminal and it can include locations such as the driver's residence, a shipper's facility or a temporary work site.
 - The principal place of business is the location where the motor carrier keeps daily logs, supporting documents and other relevant records required by these Regulations.
- "Remarks" section of the daily log - if the driver was not required to keep a daily log before the current day (i.e., was using the radius exemption discussed in Module 18), the driver must record the number of hours of off-duty time and on-duty time for each day during the previous 14 days
- "Remarks" section of the daily log - if applicable, the driver must record the use of the off-duty time deferral and whether the driver is driving under Day 1 or Day 2 of the deferral (refer to Module 7 for further information regarding deferral of off-duty time)

During the day, a driver must record the following in the daily log:

- Hours for each duty status (Off-duty time, other than time spent in a sleeper berth; Off-duty time spent in a sleeper berth; Driving time; On-duty time, other than driving time) to at least the nearest 15-minute increment
- Location of the driver every time the duty status changes. The driver needs to record the name of the municipality, or record the location on a highway or in a legal sub-division, and the province or state. The driver can abbreviate the name of a province/state but not the name of a municipality. The legal sub-division is the #####W5 description of a location's section#, township#, meridian#, etc. The driver cannot use only a GPS location ID although a driver can add it as extra information to clarify a municipal or a highway location. The driver does not need to provide a description of his/her activities at the location (e.g. trip inspection) but the driver can add this extra information if desired.

At the end of each day, a driver must record the following:

- Total hours for each duty status
- Total distance driven by the driver that day excluding any distance driven for personal use (refer to Module 14 for further information regarding exemption for commercial vehicle used for personal use)
- Odometer reading at the end of the day
- Driver signature verifying the daily log's accuracy. A driver cannot use a rubber stamp signature on the daily log. The daily log must have the signature of the driver who prepared it.



© Microsoft®.

Summary of Daily Log Requirements

Time of Day	Daily Log Requirements
Start of Day	<ul style="list-style-type: none"> - Date and start time of the day (if other than midnight) - Driver name and co-driver name (if applicable) - Declaration of Cycle 1 or Cycle 2 - Licence (unit) numbers of power unit(s) - Odometer reading at start of day - Motor carrier name and principal place of business address - Home terminal address of motor carrier - “Remarks” section - Off-duty deferral used and if Day 1 or Day 2 (if applicable) - “Remarks” section - Total number of on-duty and off-duty hours on any day during the previous 14-day period when a log page was not required
During the day	<ul style="list-style-type: none"> - Hours for each duty status - Locations at each change of duty status (name of municipality or location on highway or in a legal subdivision and name of province / state) - Graph grid with a continuous line - Start and end odometer readings when commercial vehicle used for personal use - “Remarks” section – any extension to driving, on-duty or elapsed time (work shift) because of an emergency or adverse driving conditions (state reason)
At the end of the day	<ul style="list-style-type: none"> - Total hours for each duty status (24 hours total) - Odometer reading at end of day - Total distance driven excluding any distance driven for personal use - Driver signature

Daily Log Formats

A driver can use the Canadian bilingual, US or any other daily log as long as it includes at least the information listed on the previous page. Motor carriers may also use their own version of the daily log and the graph grid. For example, a carrier may choose to print a graph grid with a start hour other than midnight if the carrier routinely designates the start of the day as some time other than midnight (example: a noon start time for the day).

Example #2

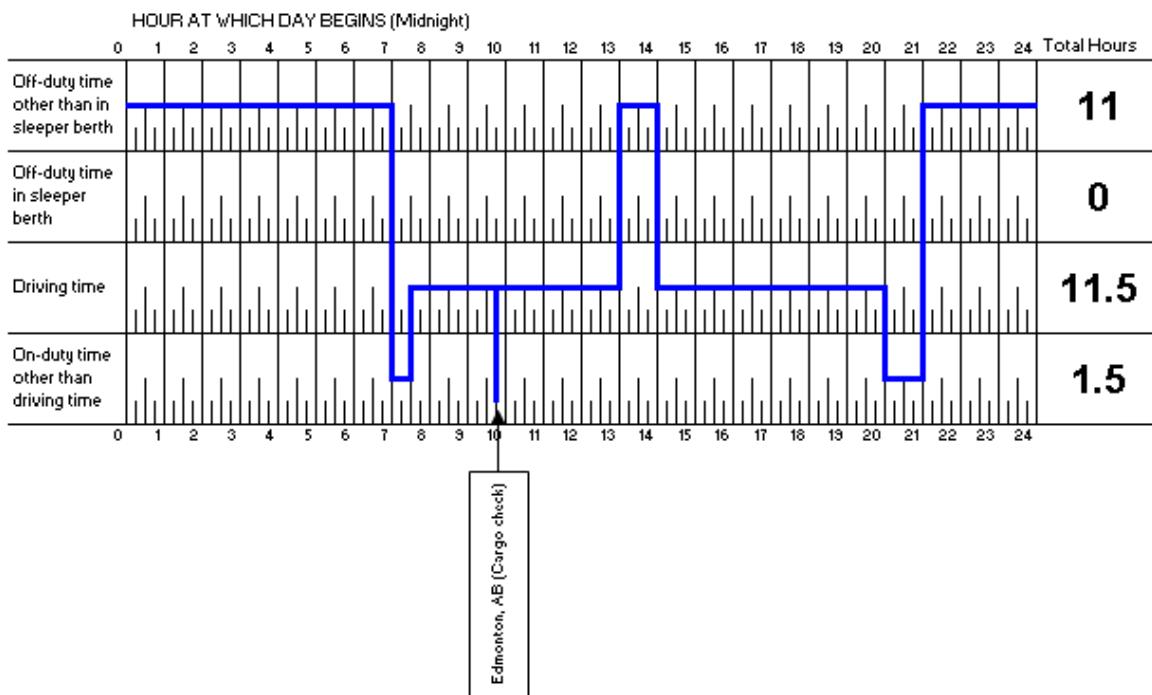
MOTOR VEHICLE OPERATOR'S DAILY LOG																									Date:
Motor Carrier: _____																									Odometer Finish
Principal Place of Business Address: _____										Vehicle Plate or Unit # (Show All Units) _____															Odometer Start
Home Terminal Address: _____										Cycle 1 (7 days)					Cycle 2 (14 days)					Total Distance Driven Today km/ml					
HOUR AT WHICH DAY BEGINS (Midnight) Use Time Standard at Home Terminal																									
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																									
Off-duty time in sleeper berth																									
Driving time																									
On-duty time other than driving time																									
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total
REMARKS _____																									
DAILY DEFERRAL USED: Day 1 Day 2																									
Other Motor Carrier (Name & Address) _____ _____															PERSONAL USE OF COMMERCIAL VEHICLE										
Start Odometer										End Odometer															
Name of Co-Driver _____																									
PREVIOUS DAYS' TIME RECORDS																									
Previous Day (first = 1)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	Printed Name of Driver _____										
Total Hours On-Duty																									
Total Hours Off-Duty															Signature of Driver (Certified True & Correct) _____										

Daily Log Entries

On most days, a driver's daily log entries may be similar to those identified in Module 4 (Driver Activities). However, a driver may need to record other activities in the daily log.

Some activities, such as a stop of less than 8 minutes, require the driver to "flag" the activity in the daily log. If a driver needs to "flag" an activity, the driver draws a line down from the activity to the Remarks section and enters the location information.

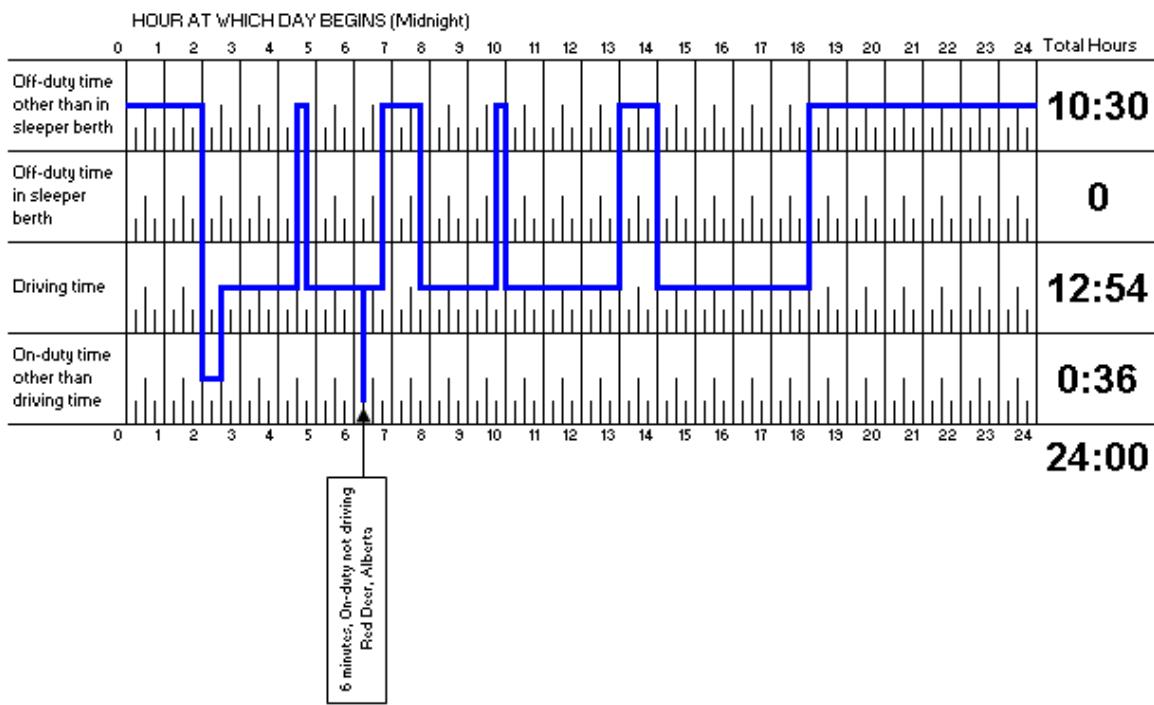
Example #3



Other activities that a driver may need to record in the daily log include the following:

Description of Activity	Daily Log Entry
A stop greater than 8 minutes	Record as 15 minutes and flag
A stop less than 8 minutes	Flag
Telephone calls to/from motor carrier or other short disruptions that momentarily interrupt a driver's off-duty period	Flag (i.e., calls don't interrupt off-duty period)
Customs inspections/clearance	<ul style="list-style-type: none"> - Driving time if the driver is not stopped for inspection (i.e., fast track) - On-duty time, not driving if the driver needs to wait for clearance by Customs or Immigration
Person attending driver training school	<ul style="list-style-type: none"> - On-duty time, not driving if in the classroom - Driving time if at the controls of a commercial vehicle - Off-duty when traveling between home and the training school
Driver trainer (regardless of whether trainer is paid for driving)	<ul style="list-style-type: none"> - On-duty time, not driving for all training time - Driving time if at the controls of a commercial vehicle
Driver jockeying commercial vehicles in the yard (private property but open to the public) on weekends	- Driving time (on-duty)
Driver not paid for work done for motor carrier (example: sweeping floors, washing dishes, etc.)	- On-duty time, not driving (no relationship between on-duty time and compensation)
Driver takes multiple days off-duty (i.e., vacation time)	- Record multiple days off on a single daily log <u>or</u> on individual logs
Oil well site driver/delivery driver has a number of periods of driving interrupted by short periods of on-duty time other than driving	<ul style="list-style-type: none"> - Combine periods of driving - Combine periods of on-duty time other than driving

Example #4

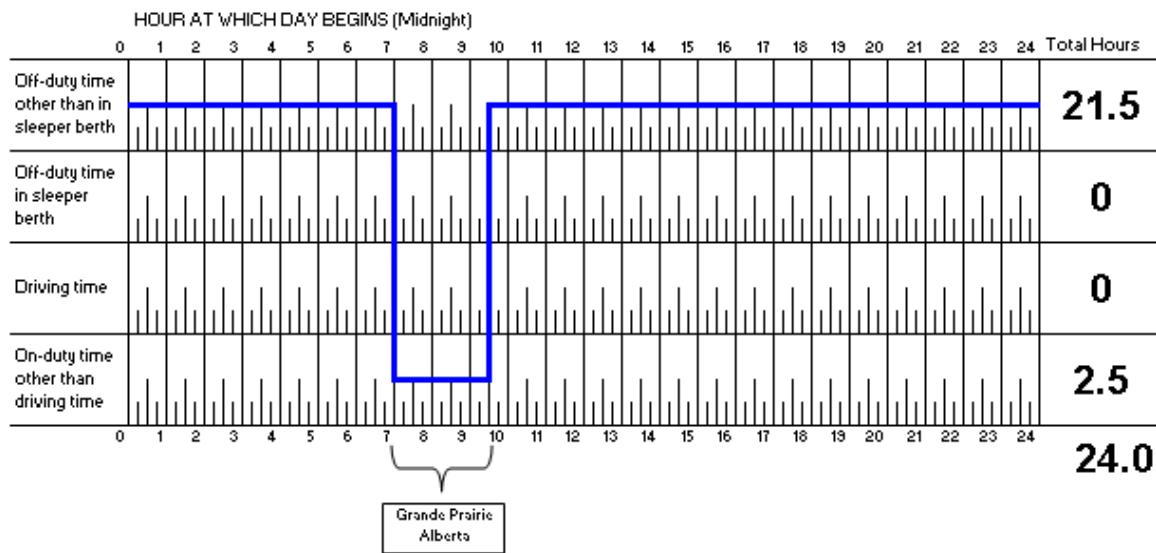


In this example, the driver stops for 6 minutes, so the driver flags the stop.

Note that although the driver had 10 hours and 30 minutes of off-duty time, the driver only receives credit for 10 hours of off-duty time. As discussed in Module 5 (Daily Limits), off-duty time must be in blocks greater than or equal to 30 minutes (i.e., ≥ 30 minutes) in order for it to count towards the off-duty requirement. This driver had two blocks of 15 minutes that are ineligible.

Also, note that the driver records the total hours using hours and minutes (i.e., 10:30 instead of 10.5). The hours and minutes format (10:30) is usually used when a carrier utilizes on-board recorders (discussed in Module 19), digital clocks, GPS, etc. Either format (10:30 or 10.5), including time increments of smaller than 15 minutes, is acceptable, as long as the total hours spent in each duty status equals 24.

Example #5



In this example, a driver (self-employed) works on the commercial vehicle on the weekend. The driver is not paid for performing maintenance activities on the commercial vehicle. However, there is no relationship between on-duty time and compensation. Therefore, the driver records the location of the activity and marks it as on-duty time in the daily log.

Note that if this driver is taking time off related to a cycle reset or is taking core off-duty time as part of the 10 hours off-duty in a day, then performing this on-duty activity (i.e., vehicle maintenance) will interrupt the consecutive hours of off-duty. This may make the off-duty period ineligible for a cycle reset or core off-duty time.

What are the rules regarding the possession of daily logs?



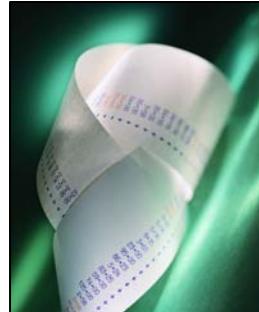
Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 84 Possession of Daily Logs and Supporting Documents by Drivers*

Drivers who need to fill out a daily log must possess the following before they start to drive:

- A copy of the daily logs for the preceding 14 days (Note: A driver driving under an oil well service permit must also possess copies of the logs related to the required 3 periods of 24 consecutive hours of off-duty time in any period of 24 days. Refer to Module 10 for further information regarding oil well service vehicle permits).
- The daily log for the current day, completed up to the time when the driver's last change of duty status occurred. For example, a driver starts the day at midnight, drives for 4 hours, and then stops for breakfast for 1 hour. Before starting to drive, the driver ensures that the daily log contains all of the "Start of Day" information specified on page 6 of this module. When the driver stops for breakfast, the driver records the driving time from midnight to 4:00. Before resuming driving (at 5:00), the driver records 1 hour of off-duty time.
- Any supporting documents or relevant records that the driver receives during the current trip. The current trip usually starts when the driver leaves the carrier's home terminal. Examples of supporting documents include receipts for meals, fuel, or repairs; bills of lading; violation tickets and roadside inspections.

If a driver drives through the midnight hour ("day" starts at midnight), the driver does not have to stop at midnight to total the daily log hours, record mileage and sign the daily log for that day. The driver can complete all of these activities at the first opportunity when the driver's duty status changes on the new "day."



What are the rules regarding the production of daily logs?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 98 Production of Daily Logs and Supporting Documents*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Schedule 3 Receipt*

At the request of an inspector, a driver must immediately produce at least the following:

- Daily logs and supporting documents and other relevant records for the current trip
- Daily logs for the preceding 14 days
- Any permit under which the driver is operating

If the commercial vehicle has an electronic recording device, the driver must retrieve the information stored by the device for each day that it recorded information. If an inspector cannot understand the information from the electronic recording device, the driver must provide the information in written form. We will discuss electronic recording devices in detail in Module 19.

If the inspector wants additional time to review the documents, the driver must give the inspector:

- A copy of each of the daily logs, supporting documents and other relevant records for the preceding 14 days, as well as any permit(s) under which the driver is operating
OR
- The originals if it is not possible to make copies

The inspector will give the driver a receipt for the copies of the daily logs, supporting documents and other relevant records.

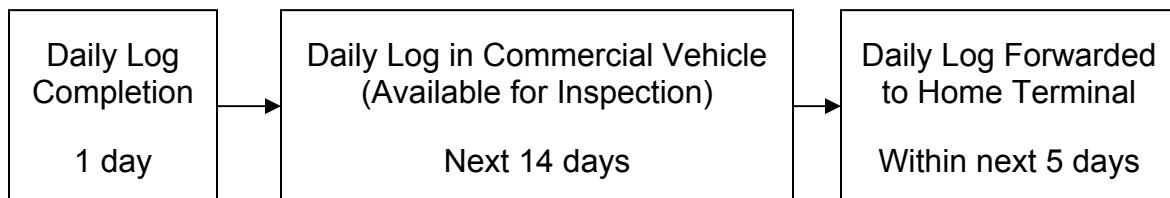
What are the rules regarding the distribution and keeping of daily logs?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 85 Distribution and Keeping of Daily Logs*

Within 20 days after completing a daily log, the driver must forward the original daily logs and supporting documents to the home terminal. Given that a driver must be able to immediately produce daily logs for the preceding 14 days at the request of an inspector, the timeline for a daily log is as follows:



When working for multiple carriers, a driver cannot retain separate daily logs for each carrier. If the driver works for more than one motor carrier, within 20 days after completing the daily log showing the combined off-duty and on-duty hours, the driver must:

- Forward the original of each log to the home terminal of the first motor carrier for whom the driver worked and a copy to the home terminal of each other motor carrier
- Forward the original supporting documents to the home terminal of the applicable motor carrier

The motor carrier will keep the daily logs and supporting documents in chronological order for each driver for a minimum of 6 months.



© Microsoft®.

What are the rules regarding the tampering with daily logs?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 86 Tampering*

It is a violation of the *Federal Commercial Vehicle Drivers Hours of Service Regulations* to tamper with the daily log. Tampering with the daily log includes any of the following activities:

- Driver keeps more than one daily log for any day
- Driver records inaccurate information in a daily log, whether it is handwritten or produced using an electronic device
- Driver falsifies, mutilates or defaces a daily log or supporting documents. If a daily log contains false information, an inspector can charge a driver with the violation even if the driver has not signed the daily log.

An inspector can also issue an out-of-service declaration for any of the violations listed above. We will discuss out-of-service declarations in detail in Module 20.

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) Indicate when a driver needs to record each piece of information on the daily log using one of the following letters:

S = Driver must record on the daily log at the start of each day

D = Driver must record on the daily log during each day

E = Driver must record on the daily log at the end of each day

Time of Day	Daily Log Requirement
	Date and start time of the day (if other than midnight)
	Driver name and co-driver name (if applicable)
	Declaration of Cycle 1 or Cycle 2
	Licence (unit) numbers
	Odometer reading at start of day
	Motor carrier name and principal place of business address
	Home terminal address of motor carrier
	“Remarks” section - Off-duty deferral used and if Day 1 or Day 2 (if applicable)
	“Remarks” section - Total number of on-duty and off-duty hours on any day during the previous 14-day period when a log page was not required
	Hours for each duty status
	Locations at each change of duty status (name of municipality or location on highway or in a legal sub-division and name of province/state)
	Start and end odometer readings when commercial vehicle used for personal use

	“Remarks” section – any extension to driving, on-duty or elapsed time (work shift) because of an emergency or adverse driving conditions
	Total hours for each duty status (24 hours total)
	Odometer reading at end of day
	Total distance driven excluding any distance driven for personal use
	Driver signature

- 2) Identify the items that a driver who needs to fill out a daily log must possess before driving.

- 3) Identify the items that a driver who needs to fill out a daily log must produce for an inspector.

- 4) Describe the items that a driver must forward to the home terminal and identify when the driver must forward these items.

- 5) Identify the daily log tampering violations.

Answers to Module Self-Check Questions

- 1) Indicate when a driver needs to record each piece of information on the daily log using one of the following letters:

S = Driver must record on the daily log at the start of each day

D = Driver must record on the daily log during each day

E = Driver must record on the daily log at the end of each day

Time of Day	Daily Log Requirement
S	Date and start time of the day (if other than midnight)
S	Driver name and co-driver name (if applicable)
S	Declaration of Cycle 1 or Cycle 2
S	Licence (unit) numbers
S	Odometer reading at start of day
S	Motor carrier name and principal place of business address
S	Home terminal address of motor carrier
S	“Remarks” section - Off-duty deferral used and if Day 1 or Day 2 (if applicable)
S	“Remarks” section - Total number of on-duty and off-duty hours on any day during the previous 14-day period when a log page was not required
D	Hours for each duty status
D	Locations at each change of duty status (name of municipality or location on highway or in a legal sub-division and name of province/state)
D	Start and end odometer readings when commercial vehicle used for personal use
D	“Remarks” section – any extension to driving, on-duty or elapsed time (work shift) because of an emergency or adverse driving conditions
E	Total hours for each duty status (24 hours total)

E	Odometer reading at end of day
E	Total distance driven excluding any distance driven for personal use
E	Driver signature

- 2) Identify the items that a driver who needs to fill out a daily log must possess before driving.
 - A copy of the daily logs for the preceding 14 days
 - The daily log for the current day, completed up to the time when the driver's last change of duty status occurred
 - Any supporting documents or relevant records that the driver receives during the current trip. Examples of supporting documents include receipts for meals, fuel, or repairs; bills of lading; tickets and inspections
- 3) Identify the items that a driver who needs to fill out a daily log must produce for an inspector.
 - Daily logs and supporting documents and other relevant records for the current trip
 - Daily logs for the preceding 14 days
 - Any permit under which the driver is operating
- 4) Describe the items that a driver must forward to the home terminal and identify when the driver must forward these items.
 - Within 20 days after completing a daily log, driver must forward original daily log and supporting documents to the home terminal

5) Identify the daily log tampering violations.

- Driver keeps more than one daily log for any day
- Driver records inaccurate information in a daily log, whether it is handwritten or produced using an electronic device
- Driver falsifies, mutilates or defaces a daily log or supporting documents.
- Inspector can issue an out-of-service declaration for any of the violations



Module 18

Radius Exemption – 160 Kilometres



© Microsoft®.



© Microsoft®.

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

<u>2007 Record of Duty Status</u>												Duty Status Codes	
												1 = Off-Duty	
												2 = Driving	
												3 = On-Duty, Not Driving	
Driver's Name: _____												Month: <u>February</u>	Year: <u>2007</u>
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	TOTAL: 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)

Commercial Vehicle Drivers Hours of Service

Example #3

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

Driver's Name:	Month: <u>February</u>	Year: <u>2007</u>
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: <u>February</u>	Year: <u>2007</u>									
Start time for the day: <u>Midnight</u>												
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	24:00	24.0
	Time Finished at	6:00	6:30	7:30	9:30	10:45	12:15	13:45	17:30	24:00	24.0	
	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)


Commercial Vehicle Drivers Hours of Service
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	1125 Main Street			8.00	0.50	0.50	Post Trip
Total Hours:						14.00	4.25	5.75	

Remarks:

Finish Mileage:
Personal Use of Commercial Motor Vehicle

End Odometer:			
---------------	--	--	--

Start Odometer:			
-----------------	--	--	--

Total Kilometers:			
-------------------	--	--	--

Start Mileage:
Total Mileage:

 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



Total On-Duty Hours
4 hours 15 minutes

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.



© Microsoft®.

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.



© Microsoft®.

Commercial Vehicle Drivers Hours of Service

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 Principal Place of Business: 789 - 10 Street NE, Calgary, AB Vehicle Plate or Unit #: (Show All Units) 123 & 456 Home Terminal Address: Same as above Cycle 1 (7 days) X Cycle 2 (14 days)																			Odometer Finish						
																			Odometer Start	120143					
																			Distance Travelled by Vehicle	km/ml					
HOUR AT WHICH DAY BEGINS (Midnight)																			Use Time Standard at Home Terminal	Total Distance Driven Today					
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																									
Off-duty time in sleeper berth																									
Driving time																									
On-duty time other than driving time																									
REMARKS																			Total _____						
DAILY DEFERRAL USED: Day 1 Day 2																									
Other Motor Carrier (Name & Address)																			PERSONAL USE OF COMMERCIAL VEHICLE						
_____ _____ _____																			Start Odometer	End Odometer					
Name of Co-driver _____																									
PREVIOUS DAYS' TIME RECORDS																			Printed Name of Driver _____						
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	10										
Total Hours Off-Duty		24	14	14	14	14	24	24	14	14	14	14	14	14	14										

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.

Commercial Vehicle Drivers Hours of Service

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: <u>Joe Smith</u>												Month: <u>February</u>												Year: <u>2007</u>
		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																									8.75	
Off-duty																									8.75	
Driving																									13.75	
On-duty - Not Driving																									1.5	
Remarks																									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: <u>Joe Smith</u>												Month: <u>February</u>												Year: <u>2007</u>
		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																									10	
Off-duty																									10	
Driving																									12.5	
On-duty - Not Driving																									1.5	
Remarks																									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: <u>Joe Smith</u>												Month: <u>February</u>												Year: <u>2007</u>
		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																									14	
Off-duty																									14	
Driving																									6	
On-duty - Not Driving																									4	
Remarks																									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



Module 19

Electronic Recording Devices



© Microsoft®.



© Microsoft®.

Things to think about ...

As an alternative to the daily log, some commercial vehicle drivers use an electronic recording device. This device is installed in a commercial vehicle and records each period of duty status for the driver. The Federal *Commercial Vehicle Drivers Hours of Service Regulations* allow drivers to use an electronic recording device if it meets specific conditions.

When can a driver use an electronic recording device?

What will I learn in this module?

- Electronic recording device conditions for use

When can a driver use an electronic recording device?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 1 Application*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 83 Use of Electronic Recording Devices*

An electronic recording device is an electric, electronic or telematic device that is installed in a commercial vehicle. The device accurately records each period of duty status for the driver.

A driver can use an electronic recording device if it meets the following conditions:

- The device records the time spent in each period of duty status.
- The device is capable of displaying the following:
 - Driving time and other on-duty time for each day
 - Total on-duty time remaining and total on-duty time accumulated in the cycle being used by the driver
 - Sequential changes in duty status and the time at which each change occurred
- Information contained in the device is the same information that a driver would record on a daily log in paper format.
- The device automatically records when it is disconnected and reconnected and keeps a record of the time and date of these occurrences.
- The driver signs each hard copy page of the daily log when generated from the information stored in the device to verify its accuracy.
- If requested by an inspector, the driver is able to prepare a handwritten daily log from the information stored in the device.

- If requested by an inspector, the driver can immediately provide information for the previous 14 days by producing it in one of the following ways:
 - On a digital display screen of the device
 - In handwritten form
 - On a printout or any other readable output
 - Any combination of the above
- The motor carrier provides blank daily log forms in the commercial vehicle for the driver's use.

The driver can use the electronic recording device, such as a laptop or handheld computer, as long as it meets these conditions. If the electronic recording device malfunctions, the driver needs to use a paper (hard copy) daily log.



© Microsoft®.

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 items that an electronic recording device must be capable of displaying.

- 2) Identify the number of previous days' records that a driver must be able to produce if requested by an inspector.

- 3) Identify the ways in which a driver can produce previous days' information for an officer.

Answers to Module Self-Check Questions

- 1) Identify the items that an electronic recording device must be capable of displaying.
 - Driving time and other on-duty time for each day
 - Total on-duty time remaining and total on-duty time accumulated in the cycle being used by the driver
 - Sequential changes in duty status and the time at which each change occurred
- 2) Identify the number of previous days' records that a driver must be able to produce if requested by an inspector.
 - Previous 14 days
- 3) Identify the ways in which a driver can produce previous days' information for an officer.
 - On a digital display screen of the device
 - In handwritten form
 - On a printout or any other readable output
 - Any combination of the above



Module 20

Out-of-Service Declarations



© Microsoft®.



© Microsoft®.

Things to think about ...

The Federal *Commercial Vehicle Drivers Hours of Service Regulations* are the rules that truck and bus drivers follow when driving a commercial vehicle in Canada. These rules include maximum allowable driving times and minimum required off-duty times. If a driver violates these rules, the driver can be subject to an out-of-service declaration.

What is an out-of-service declaration?

What happens if a driver is subject to an out-of-service declaration?

What will I learn in this module?

- Out-of-service declaration

What is an out-of-service declaration?



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 91 Out-of-Service Declarations*

A director or an inspector can issue an out-of-service declaration for any of the following violations to the Federal *Commercial Vehicle Drivers Hours of Service Regulations*:

- 1) Driver's faculties are impaired to the point where it is unsafe for the driver to drive or driving would risk the safety or health of the public (refer to Module 3 for further information regarding responsibilities).
- 2) Driver fails to comply with driving time or off-duty time requirements:
 - Daily limits (refer to Module 5 for daily limits and Module 7 for deferral of daily off-duty time)
 - Work shift limits (refer to Module 6 for work shift limits and Module 8 for the splitting of off-duty time using sleeper berths)
 - Cycle limits (refer to Module 9 for cycles)
 - Permit limits (refer to Modules 10 – 13 for special permits)
- 3) Driver is unable or refuses to produce his/her daily logbook. The driver must produce the current day and the previous 14 days log pages to an inspector (refer to Module 17 for daily logs).
A driver operating under the oil well service permit must be able to produce copies of the required 3 periods of 24 consecutive hours of off-duty time in any period of 24 days (refer to Module 10 for Oil Well Service Vehicle Permits).

- 4) There is evidence that the driver completed more than one daily log, entered inaccurate information in the daily log or falsified information in the daily log (Module 17).
- 5) Driver mutilates or defaces a daily log or a supporting document in such a way that the director or inspector cannot determine whether the driver has followed the driving time and off-duty requirements (Module 17).



© Microsoft®.

What happens if a driver is subject to an out-of-service declaration?

The director or inspector notifies the driver and carrier in writing of the reason that a driver is subject to an out-of-service declaration and the period during which it applies. Level 1 - 5 CVSA roadside inspection reports and TVR (written warnings) satisfy this requirement.

If a driver is subject to an out-of-service declaration, the driver cannot operate a commercial vehicle for a specific period of time. A driver can operate other motor vehicles, other than commercial vehicles, during the out-of-service period.

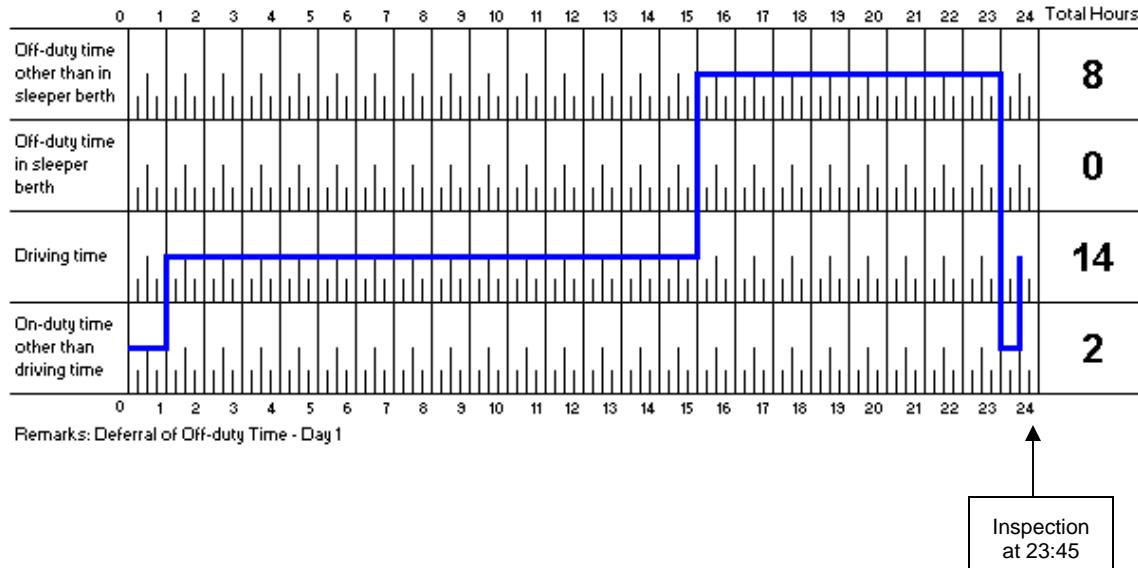
The duration of an out-of-service period depends upon the violation:

Violation #	Description	Out-of-Service Period
1	Driver's faculties are impaired to the point where it is unsafe for the driver to drive or driving would risk the safety or health of the public	10 consecutive hours (from time of check)
2a	Driver fails to comply with driving time requirements	10 consecutive hours if driver exceeds the driving time limit
2b	Driver fails to meet an off-duty time requirement	For the number of hours needed to correct the failure, if the driver fails to meet an off-duty time requirement
3	Driver is unable or refuses to produce his/her daily logbook	72 consecutive hours (from time of check)
4	There is evidence that the driver completed more than one daily log, entered inaccurate information in the daily log or falsified information in the daily log	72 consecutive hours (from time of check)
5	Driver mutilates or defaces a daily log or a supporting document in such a way that the director or inspector cannot determine whether the driver has followed the driving time and off-duty requirements	72 consecutive hours (from time of check)

For violations #3, #4, and #5, the out-of-service period may extend beyond 72 hours, for whatever period is necessary, until the driver has corrected the daily log or provided the proper records to the director or inspector.

Example #1:

A driver takes 8 consecutive hours off-duty before starting the day. During the day, the driver drives for 14 hours and then takes 8 consecutive hours off-duty. The driver decides to defer 2 hours of off-duty time to the next day. An inspector stops the driver and reviews the following daily log:

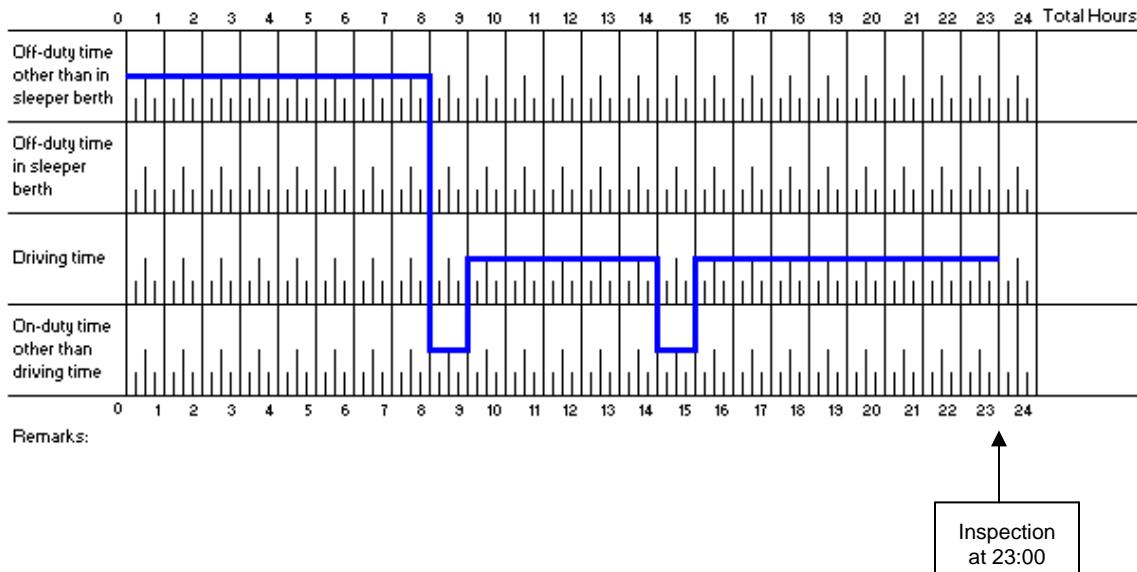


The inspector determines the following:

- Driver is not eligible for the deferral of off-duty time because the driver failed to take 8 consecutive hours off-duty time after 13 hours of driving
 - Drive after 13 hours driving time on Day 1
The 13th hour was reached at 14:00 on Day 1
Driver drove in violation from 14:00 – 15:00 for a total of 1 hour in violation
- Driver exceeded driving time limit so driver is declared out-of-service and must take a minimum of 10 consecutive hours off-duty

Example #2:

A driver takes 8 consecutive hours off-duty and then is driving or performing other on-duty activities for the next 15 hours. An inspector stops the driver and reviews the following daily log:



The inspector determines the following:

- Driver drove after 14 hours on-duty in a day
 - Drive after 14 hours on-duty in a day
The 14th hour was reached at 22:00
Driver drove in violation from 22:00 – 23:00 for a total of 1 hour in violation
- Driver exceeded on-duty time limit so driver is declared out-of-service and must take 10 consecutive hours off-duty. Driver is eligible to resume driving at 9:00 on the next day.

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 out-of-service periods for the following 5 violations.

Violation	Description	Out-of-Service Period
1	Driver's faculties are impaired to the point where it is unsafe for the driver to drive or driving would risk the safety or health of the public	
2a	Driver fails to comply within driving time requirements	
2b	Driver fails to meet an off-duty time requirements	
3	Driver is unable or refuses to produce his/her daily logbook	
4	Evidence that the driver completed more than one daily log, entered inaccurate information in the daily log or falsified information in the daily log	
5	Driver mutilates or defaces a daily log or a supporting document in such a way that the director or inspector cannot determine whether the driver has followed the driving time and off-duty requirements	

Answers to Module Self-Check Questions

- 1) Identify the out-of-service periods for the following 5 violations.

Violation	Description	Out-of-Service Period
1	Driver's faculties are impaired to the point where it is unsafe for the driver to drive or driving would risk the safety or health of the public	10 consecutive hours (from time of check)
2a	Driver fails to comply within driving time requirements	10 consecutive hours if driver exceeds the driving time limit
2b	Driver fails to meet an off-duty time requirements	For the number of hours needed to correct the failure, if the driver fails to meet an off-duty time requirement
3	Driver is unable or refuses to produce his/her daily logbook	72 consecutive hours (from time of check)
4	Evidence that the driver completed more than one daily log, entered inaccurate information in the daily log or falsified information in the daily log	72 consecutive hours (from time of check)
5	Driver mutilates or defaces a daily log or a supporting document in such a way that the director or inspector cannot determine whether the driver has followed the driving time and off-duty requirements	72 consecutive hours (from time of check)



Notes:



Module 21

Inspections and Authority



© Microsoft®.



© Microsoft®.

Things to think about ...

In order to ensure that drivers are following the rules specified in the *Federal Commercial Vehicle Drivers Hours of Service Regulations*, inspectors have the authority to enter a commercial vehicle or a motor carrier's home terminal or principal place of business to conduct an inspection.

Who is an inspector?

What authorities does an inspector have?

What documents does a motor carrier need to make available for inspection?

What will I learn in this module?

- Inspectors
- Inspector authority
- Documents required for inspection

Who is an inspector?



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 96 Proof of Authority*

Two groups of officers are “inspectors” under the *Federal Commercial Vehicle Drivers Hours of Service Regulations*:

- Peace officers
- Any other person designated by a director. In Alberta, the provincial director has designated Commercial Vehicle Enforcement Officers, Carrier Services Investigators and Vehicle Safety Investigators as inspectors. Therefore, in addition to enforcing Alberta legislation, these officers and investigators enforce the *Federal Commercial Vehicle Drivers Hours of Service Regulations*.



© Microsoft®.

What authorities does an inspector have?



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 97 Authority to Enter Premises for an Inspection*

Inspectors have the following authorities:

- During business hours, an inspector can enter a motor carrier's home terminal or principal place of business to inspect daily logs, supporting documents and other relevant records. Some examples of supporting documents include:
 - Fuel, toll and ferry receipts
 - Accommodation and meal receipts
 - Shipping documents, manifests, trip envelopes, bills of lading
 - Any enforcement documents (violation reports, notice and orders, CVSA reports)
- At any time, an inspector can stop and enter a commercial vehicle to inspect daily logs and supporting documents (refer to Module 17).
- At any time, an inspector can stop a commercial vehicle and enter its sleeper berth to verify that the sleeper berth meets sleeper berth requirements (refer to Module 8 for sleeper berth requirements).
- No person can obstruct or hinder, or knowingly make any false or misleading statements whether orally or in writing to a director or inspector under these Regulations.

What documents does a motor carrier need to make available for inspection?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 99 Production of Daily Logs and Supporting Documents*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Schedule 3 Receipt*

At the request of an inspector, during business hours and at a place specified by an inspector, a motor carrier must immediately make available for inspection the following:

- Daily logs, supporting documents and other relevant records.

Supporting documents for drivers are different from supporting documents for motor carriers. For drivers, supporting documents are all the documents in their possession such as receipts and bills of lading. Refer to Module 17 for supporting documents that a driver must make available for inspection.

For motor carriers, supporting documents include all business documents and records (handwritten or electronic) maintained by the motor carrier. These documents help to verify information on the driver's daily log and / or record of duty status. If a motor carrier maintains these records at locations other than the principal place of business, the motor carrier must forward them immediately to the principal place of business upon request of an inspector. A list of supporting documents is on the page 6.

- Any permit under which the driver is currently operating or, if the inspection involves a prior period, any permit under which the driver was operating

The inspector will do the following:

- Immediately return the permit if it is a current permit and provide a receipt for any expired permit as well as for the daily logs, supporting documents and other relevant records. The format of the receipt may vary. A sample receipt is on page 7.
- Return expired permits, daily logs, supporting documents and other relevant records within 14 days after receiving them

Examples of Supporting Documents for a Motor Carrier

Bills of lading	Lessor settlement sheets
Carrier profiles	Over / short and damage reports
Freight bills	Agricultural inspection reports
Dispatch records	CVSA reports
Driver call-in records	Accident reports
Gate record receipts	Telephone billing statements
Weight/Scale tickets	Credit card receipts
Fuel receipts	Driver fax reports
Fuel billing statements	On-board computer reports
Toll receipts	Border crossing reports
International registration plan receipts	Custom declarations
International fuel tax agreement receipts	Traffic citations
Trip permits	Overweight / oversize reports and citations
Port of entry receipts	Electronic records stored in computers by a consulting company or service provider
Cash advance receipts	Other documents directly related to the motor carrier's operation which are retained by the motor carrier in connection with the operation of its transportation business
Delivery receipts	
Lumber receipts	
Interchange and inspection reports	

SAMPLE RECEIPT

It is hereby acknowledged that, pursuant to subsection 98(4) or paragraph 99(2)(a) of the *Commercial Vehicle Drivers Hours of Service Regulations*, the following daily logs, supporting documents and other records were provided by

(Name of person)
at
(Number, street, municipality, location, province of motor carrier)
on
(Day, month, year)
namely
(Description of daily logs, supporting documents and records received)
Dated at
(Municipality, location)
on
(Day, month, year)

Inspector's signature

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) Describe the authorities that an inspector has to enter a motor carrier's home terminal or principal place of business.

- 2) Describe the authorities that an inspector has to stop and enter a commercial vehicle.

- 3) Identify the documents that a motor carrier needs to make available for an inspection.

Answers to Module Self-Check Questions

- 1) Describe the authorities that an inspector has to enter a motor carrier's home terminal or principal place of business.
 - During business hours, an inspector can enter a motor carrier's home terminal or principal place of business (other than living quarters) to inspect daily logs, supporting documents and other relevant records
 - No person can obstruct or hinder, or knowingly make any false or misleading statements whether orally or in writing to a director or inspector under these Regulations
- 2) Describe the authorities that an inspector has to stop and enter a commercial vehicle.
 - At any time, an inspector can stop and enter a commercial vehicle, except for its sleeper berth, to inspect daily logs and supporting documents
 - At any time, an inspector can stop a commercial vehicle and enter its sleeper berth to verify that the sleeper berth meets sleeper berth requirements (refer to Module 8 for sleeper berth requirements)
 - No person can obstruct or hinder, or knowingly make any false or misleading statements whether orally or in writing to a director or inspector under these Regulations
- 3) Identify the documents that a motor carrier needs to make available for an inspection.
 - Daily logs, supporting documents and other relevant records
 - Any permit under which the driver is / was operating



Notes:



Module 22

Detecting Falsified Logs



© Microsoft®.



© Microsoft®.

Things to think about ...

In the previous modules, we identified the importance of daily logs. The logs provide a record of driver activities and are critical for determining whether drivers are operating in compliance with the Federal *Commercial Vehicle Drivers Hours of Service Regulations*.

However, because of the limits and requirements in the Regulations, some drivers may attempt to sidestep the Regulations to gain more time behind the wheel. Drivers may falsify the daily log by driving while recording off-duty or sleeper berth time, or failing to accurately record on-duty or driving time. However, it is the inspector's job to scrutinize daily logs and ensure that fatigued drivers are not jeopardizing highway safety.

How can inspectors detect falsified logbooks?

What will I learn in this module?

- Detecting falsified logbooks

Why do drivers falsify their logbooks?

Statistics indicate that many drivers falsify their daily logs for the following reasons:

- **Money**
Money is a major motivator as long as the penalties for falsification are less than the financial gains.
 - 1) Drivers are usually paid by the mile. Therefore, the more kilometres driven in a given day, the more money the driver makes.
 - 2) The driver may not be paid for loading or unloading time. However, these hours count towards the driver's on-duty and work shift limits that can affect the amount of money that a driver can earn.
 - 3) Payments of vehicles and insurance premiums must be paid. A truck that is sitting idle is not making any money.
 - 4) Financial rewards for a driver who falsifies a log can reach as high as \$500 per week. Some employers will give unofficial, undocumented approval for higher productivity or for good service to a client.
- **Family**
Family situations that want or need attention create a great deal of pressure on a driver to spend more time at home. Many times drivers stay at home until the last possible minute before beginning their trip. To make up for lost time, they may exceed Regulation limits.

Holidays are also important to drivers and their families so a driver may try to extend "on duty" time so that the driver can make it home for the holidays.
- **Shipper**
A shipper maximizes profits by getting the product from the loading dock to the customer in the shortest amount of time. There is always some pressure from the shipper that is passed on to the carrier and then to the driver.

The shipper can also add extra pressure when the shipper does not plan far enough into the future and the product must make it to market right away.

- **Carrier**

The carrier's dispatcher sometimes makes unreasonable demands on the driver. When the driver picks up the load, the dispatcher may ask if the driver can deliver the load within a certain period of time. The dispatcher should ask the driver if the driver has driving hours available to make the delivery legally in that time frame however, that inquiry rarely occurs.

- **The Body Clock**

As discussed in Module 1, each individual has his / her own biological clock with its own rest requirements. A driver may feel rested and start driving before the driver has had sufficient off-duty time. However, chronically fatigued drivers make poor decisions about the extent of their fatigue and downplay the risk.



© Microsoft®.

How do drivers falsify daily logs?

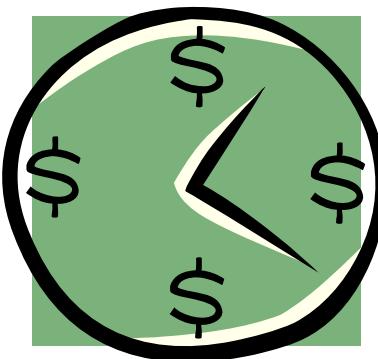
Drivers usually falsify their daily logs using one of the following methods:

- Compression
- Dropped Trip
- Ghost Driver
- Failing to Record On-Duty Time
- Driving While Recording Off-Duty or Sleeper Berth Time

Compression

A driver who claims to have driven a distance in less time than it would normally take to drive that distance is compressing time. A driver who claims to have driven fewer miles than the actual mileage from one point to another is compressing distance. Both are compression falsifications.

For example, the distance from Winnipeg, MB to Edmonton, AB is 1,315 kilometres. The trip should take a driver approximately 12.1 hours. If the driver's daily log shows that distance was driven in 10 hours, the driver is compressing time. If the driver claims that the distance from Toronto to Edmonton is only 1,000 kilometres, then the driver is compressing distance.

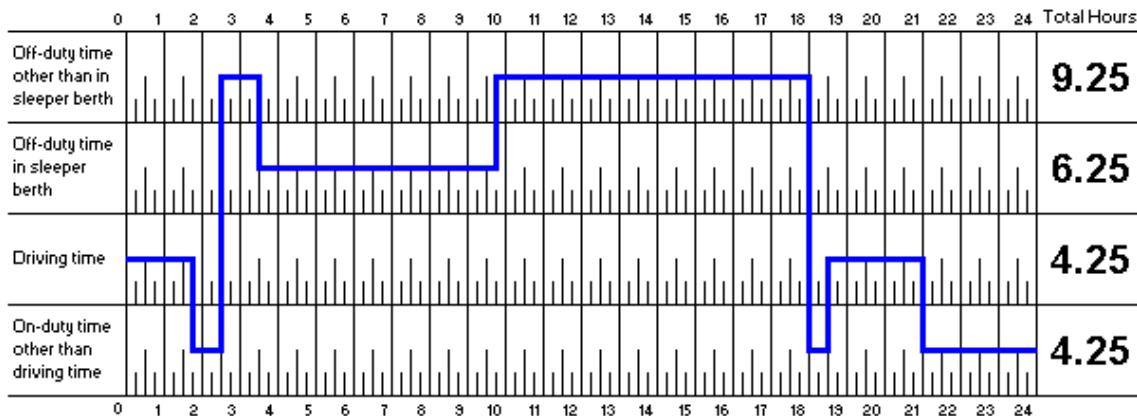


© Microsoft®.

Dropped Trip

When a driver fails to show a delivery or pick up that is off the main route of the remainder of the trip, the driver has dropped a trip. A dropped trip also occurs when a driver fails to log a trip by showing off-duty status for the duration of the trip.

Example #1:



This driver appears to have been off-duty from 2:30 am – 6:00 pm. However, at 9:00 pm he stops at a Vehicle Inspection Station. An inspector discovers two shipping documents that indicate that the driver was making deliveries during the time the driver was “off-duty”. This is an example of a dropped trip.

Ghost Driver

A ghost driver is a co-driver who does not exist. The lead driver's and ghost driver's logbooks together make a valid trip, but the only real driver shows himself or herself in the sleeper berth when the “ghost” co-driver is driving.

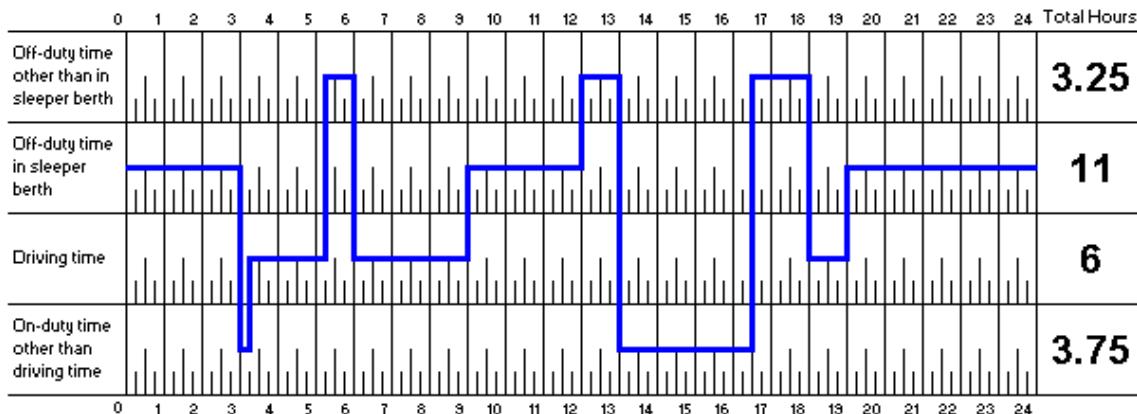
If an officer stops a commercial vehicle and there is no evidence of a co-driver, it is most likely that the lead driver drove during the sleeper berth time and only took short naps. Unless a co-driver can be found, the officer has a good case for a ghost driver falsification.



Failing to Record On-Duty Time

A driver may fail to record on-duty time, other than driving time or may shorten the amount of driving time. Fuel stops, time spent loading or unloading, and time spent at roadside inspections are a few of the activities a driver may use to shorten on-duty time to almost nothing.

Example #2:



Remarks:

- 12:00 AM Sleeper berth
- 3:00 AM On-duty: Lethbridge, AB load
- 3:15 AM Driving
- 5:15 AM Off-duty: Calgary, AB flat tire repair
- 6:00 AM Driving
- 9:00 AM Sleeper Berth: Edmonton, AB
- 12:00 PM Off-duty: Edmonton, AB fuel
- 1:00 PM On-duty
- 4:30 PM Off-duty: Valleyview, AB Roadside inspection, fix OOS items
- 6:00 PM Driving
- 7:00 PM Sleeper Berth: Grande Prairie, AB

The driver failed to record the following properly:

- Disabled vehicle and repair – recorded as off-duty but should be on-duty time, other than driving time
- Fuel stop – recorded as off-duty but should be on-duty time, other than driving time
- Roadside inspection and out-of-service (OOS) repairs – recorded as off-duty but should be on-duty time, other than driving time



Driving While Recording Off-Duty or Sleeper Berth Time

This type of falsification typically occurs during a two- or four-hour increment of sleeper berth or off-duty time in which the driver is actually driving.



© Microsoft®.

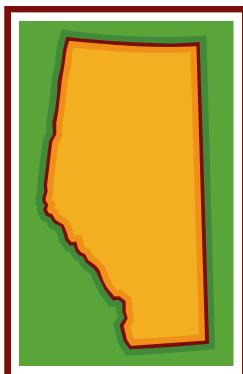
A driver may also “back up” the daily log. In this situation, the driver stays at home a day longer than the driver should before starting a trip. The driver then “backs up” the log to show that the trip was started a day sooner. This is a variation of driving during off-duty time.



How should an inspector conduct a driver interview?

The first step in detecting a falsified logbook is to conduct a driver interview. When an inspector begins to interview a driver, two important considerations are the following:

- Know the territory
- Use a systematic interview procedure



© Microsoft®.

Know the Territory

Knowing the territory allows the inspector to ask the driver friendly, but pointed questions and helps the inspector evaluate the time and distances recorded in the logbook.

An inspector needs to know the following about the territory:

- How long does it take to drive to an inspection location from the various urban areas that the driver would pass through to get there?
- Approximately how many kilometres is it from these cities?
- What are the road surfaces like and what is likely to be the driver's average speed?
- What is the weather like on the route the driver drove?
- Where are the logical places for refueling, stopping to eat, toll stations, etc.?

- At what places along the way might a driver indicate a multi-day layover? Are there places where drivers would not stay?
- Where do the trucks that come through the area usually load and unload?

For example, an inspector doing driver inspections in Alberta might want to know the following about the territory:

- What is the mileage from Grande Prairie, AB, to Calgary, AB, to Lethbridge, AB, etc.?
- If a driver is driving from Medicine Hat to Calgary, what route option did a driver choose? Did the driver use the Lethbridge route and reach Calgary from the south, or did the driver go straight up on the Trans-Canada Highway, and reach Calgary from the east?
- Is there anything to do in Camrose, AB for a two-day weekend? Although Camrose has places to stay, would a driver actually spend a weekend there?
- If a driver refueled at Road King, is it the Road King in Edmonton or Calgary? Is it possible for the driver to make the drive from the fuel stops to the inspector's location in the time shown on the daily log?

The PC Miler program, available to all inspectors, can assist in determining the answers to the above questions.

Systematic Interview Procedure

Using a systematic procedure when doing a driver interview produces good results most of the time. Some of the advantages of using a systematic interview procedure are the following:

- It prevents the person from overlooking small, but important, details
- It supports the enforcement action and stands up better in court
- It helps both drivers and carriers to know what to expect when drivers are stopped (Drivers will be less likely to question your requests)
- It ensures that each driver interview is performed thoroughly

There are six steps in the Systematic Interview Procedure for interviewing a driver.

Step	Procedure
1) Greet the driver	<ul style="list-style-type: none"> - How you greet the driver sets the tone for the interview. If you are abrasive or rude to the driver, you will receive no help from the driver. - Be yourself, "Hi, how's it going today?" - Remember that body language conveys a significant part of the message. If you approach a driver in a stiff, stern manner with your hands on a baton or the spray, expect the driver to be edgy and wary. You are there to assist the driver. If you take a strict enforcement approach, the driver will not assist you during the interview.
2) Engage in small talk and establish rapport	<ul style="list-style-type: none"> - Start small talk while initially checking the driver's documents. This helps to relax the driver and can lead to more details about the trip. Any type of question that will get the driver chatting as to his / her previous whereabouts is valuable. - Ask questions such as the following: <ul style="list-style-type: none"> • So, how was your weekend? Did you go anywhere? • Been working hard? • So, how were the roads on your last trip? I understand there is some construction.
3) Listen to what the driver says	<ul style="list-style-type: none"> - Be a willing and open listener. Patience pays big dividends. Wait for an answer after you ask a question. Don't cheat yourself out of valuable information by interrupting with another question. - Take an extended pause to obtain more information. Many people will provide more information if they think it is expected. Remember, the more the driver talks, the more information you will obtain. - Take notes about significant details



Step	Procedure
4) Do a visual inspection of the cab	<ul style="list-style-type: none">- While establishing rapport and making small talk, visually inspect the cab looking for things such as:<ul style="list-style-type: none">• Co-driver or another person on board• Trip envelope in sight• Evidence of a briefcase, loose receipts, a trash bag, etc.• Evidence of alcoholic beverages or drug paraphernalia• Evidence of an on-board recording device• General condition of the cab- Begin to ask probing questions such as:<ul style="list-style-type: none">• When did you last...get fuel...eat...stop for a rest?• Where are you coming from?• Where are you going?• Where did you load?• What time did you come through?
5) Obtain the basic documents	<ul style="list-style-type: none">- Maintain a casual attitude and pleasant environment as you obtain documents and begin to review them. Collect as many of the documents listed below as possible:<ul style="list-style-type: none">• Trip envelope• Fuel receipts• Motel or lodging receipts• Meal receipts or cash register receipts for snacks, cigarettes, etc.• Shipping papers• Weight or scale tickets• Freight bills and bills of lading• Trip permits• Delivery receipts• Anything else that has time, date and location- Keep all documents together. Log the details in your mind (or on a notepad).



Step	Procedure
6) Obtain the logbook	<p>- You must have the logbook if you are going to check the existence of a false log. What if the driver states that there is no logbook? The driver may give you one of several reasons for not having a logbook:</p> <ol style="list-style-type: none">1) The driver is not required to keep a logbook because the driver meets all of the requirements for the 160-kilometre radius exemption (refer to Module 18). You can determine if the driver meets the exemption by asking a few straightforward questions such as:<ul style="list-style-type: none">• “How does the company keep track of your time?” The driver should mention a record of duty status or some other systematic timekeeping method.• “What time did you report to work and what time will you be released from work?” The driver must return to the home terminal each day to start a minimum of 8 consecutive hours of off-duty time.If the driver does not meet all the exemption criteria, a driver must complete a daily log for that day (refer to Module 18).2) The driver mailed the logbook to the carrier and has not started the new logbook today. Remember that drivers must have copies of the previous 14 days of daily logs in their possession.3) The driver left the logbook at the last truck stop. This is a common excuse.4) The driver lost the logbook. This excuse is usually an indication that the driver has not kept the logbook current or that the driver is currently in violation of a daily, work shift or cycle limit.

How can an inspector detect a falsified logbook?

Once the inspector obtains the logbook from the driver, the inspector needs to examine the logbook for the following indicators:

- Physical Indicators
- Obvious Indicators

Physical Indicator	Potential Falsification
Examine the condition of the logbook	Is the logbook new? Does it look like the driver uses it on a regular daily basis? A new logbook, especially in the middle of the month, might indicate that the driver may be fabricating information.
Inspect for missing pages	Missing pages may indicate that the driver does not want the inspector to see previous hours of service violations.
Check for loose pages in the logbook	The loose pages may be an attempt to replace pages that could indicate an hours of service violation, either current or previous.
Check for originals in the logbook	The driver is required to possess a copy of the daily logs for the preceding 14 days. The driver must return the original daily logs to the carrier within 20 days. Most drivers submit these records weekly in order to get paid. If the driver possesses records dating from before this time, it may indicate an attempt to cover trips that the driver did not complete legally. After reaching the destination, the driver might go back and make the logbook look good (i.e., cover up previous violations). This technique is a way to bank hours and use them strategically when needed.

Obvious Indicator	Potential Falsification
Check for currency	<ul style="list-style-type: none"> See if the driver has kept the logbook current to the last change of duty status. Sometimes a driver may attempt to “bank” hours by not keeping the logbook current. If no one checks, a driver can drop a trip or compress a trip in time / distance. Typically, the driver who attempts to “bank” hours will be at least 24 hours behind. This does not mean that every log that is not current to the last change of duty status is an indication of “banking” or other falsification, but it should be viewed by the inspector as an indication of the need to look further.
Check entries for reasonableness	<ul style="list-style-type: none"> Has the driver properly logged fuel stops as on-duty, other than driving time? How frequently does the driver log fuel stops? How much time does a driver log for a fuel stop? (Check the fuel tanks. A truck should travel about 1,000 kilometres between fuel stops.) Has the driver logged loading and unloading time correctly as on-duty, other than driving time? Is the amount of time allocated reasonable for the type of load the truck is carrying? <ul style="list-style-type: none"> - Tarping a B-train, depending on the weather conditions: 2 - 4 hours - Loading a car carrier with 8 cars: 1 - 2 hours - Unloading a chip truck: 0.5 - 1.5 hours Does the logbook show the driver in the sleeper berth for long periods of time? Would anyone spend this much time in a sleeper berth? Does the logbook show that the driver spent a long period of time-off duty in a remote, out-of-the-way location? Would any driver spend this much time at this location? Has the driver shown excessive days off-duty? Assuming this driver is employed full time, could a driver afford to have this much time off and still make a living driving a truck? <p>If any answer seems unreasonable or suspicious, further investigation may reveal a falsified logbook.</p>



Obvious Indicator	Potential Falsification
Look for obvious violations of the Hours of Service rules	<ul style="list-style-type: none">A driver may not conceal all hours of service violations. A trained and / or experienced person can easily detect violations of the daily, work shift, and cycle rules.
Observe time and distance	<ul style="list-style-type: none">If an inspector knows the territory, the inspector can look at a log and determine fairly accurately the amount of time it would take to travel from a recent location to an inspection site. Knowing the distance across a bordering province is also helpful.If an entry raises suspicion, make a note of it. Later, after checking other supporting documentation, the inspector may want to check the mileage shown in the log against the miles documented in an Atlas, PC Miler, or other computerized maps.
Compare driver and co-driver logs	<ul style="list-style-type: none">Review the logbook of any co-driver, if present. Compare the logs for times and locations. One driver's off-duty documentation while the vehicle is in-transit could be an attempt to hide hours of service.Compare the co-driver's log with the lead driver's log for discrepancies, such as the following:<ul style="list-style-type: none">Accuracy according to the lead driver's logCoinciding sleeper-berth times. Two drivers would rarely share the sleeper berth (Check for sleeper berth bunks).Discrepancies between actual occurrences versus log entries. For example, was the co-driver in the passenger seat at the time of the stop but logging sleeper-berth time?Discrepancies between the logs. For example, if, during loading and unloading times logged by both drivers, the logs indicate that the two drivers were off-duty at the same time, who signed off on the merchandise count?

What supporting documentation can an inspector use to verify a logbook?

In addition to the logbook and information gathered from the driver interview, an inspector needs to review supporting documentation to determine if the driver is maintaining the logbook accurately (refer to Module 21 regarding inspections and authority).

This part of the inspection is pure detective work. The inspector needs to be satisfied that the driver and the truck were where the logbook says they were. Useful documentation includes:

- Trip envelope
- Fuel receipts
- Shipping papers
- Meal receipts
- Toll receipts
- Warning notices
- Violation tickets
- Special permits
- Weight tickets
- Driver / vehicle inspection reports
- Tach card
- Other time-dated materials



© Microsoft®.

Trip Envelope

The trip envelope is usually a large yellow or white envelope, sometimes with information written on the outside. The trip envelope contains receipts relating to the driver's current trip. One of the easiest methods for obtaining the trip envelope is to ask the driver:

- “Where did you last stop for fuel?”
- “Do you have a copy of the fuel receipt?”
- When the driver reaches into the trip envelope to retrieve this information simply ask:

“Is that your trip envelope?” “Why don’t you just let me see that?”

All the pertinent information for this trip should now be at your disposal. Once you have the trip envelope, review the outside for the following:

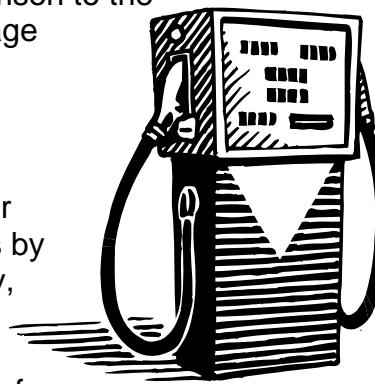
- Trip start date
- City and Province / State where the driver fueled
- Date of fueling
- Pickup and delivery dates
- Distance traveled in each province or state
- Miscellaneous expenditures (i.e., motel, meals, repair, wash-out)
- Bill of lading numbers, compared to the number of deliveries recorded
- Co-driver noted

Fuel Receipts

The trip envelope will include fuel receipts showing locations and, possibly, dates and times (note that time information is not on all fuel receipts). Compare the fuel receipts with the log for the following:

- Date and time of fueling
- City and province where fueling took place
- Signature of the driver or a co-driver. If the driver's log shows that there is a co-driver, the co-driver's signature should be on some of the documents.
- How often the driver fuels the truck, in comparison to the kilometres shown on the log. Most units average 1,000 kilometres with full fuel tanks.
- Fuel mileage

The driver's log must show fueling time as on-duty, other than driving time. Some drivers will falsify their logbooks by recording fueling time as off-duty time instead of on-duty, other than driving time. By doing this, the driver saves at least 15 minutes of on-duty time. Over a period of 7 days, many hours can be "saved," but this is a violation of the Regulations.



© Microsoft®.

Shipping Papers and Bills of Lading

Shipping documents are extremely helpful when checking a logbook. If the bill of lading shows that a driver picked up a load on a specific day however, the logbook shows that the driver was off-duty, this is evidence of a falsified log. A logbook that indicates the driver is two days into a current trip before picking up the first load is also probably false.

Many bills of lading for produce have dates and times stamped on them, revealing the time the loading was completed. Time-sensitive loads may also be indicated in some manner. Hours of service violations are common with time-sensitive loads.



© Microsoft®.

Compare the bill of lading or shipping paper with the log. Note the following:

- Date(s) of loading and unloading
- Loading and unloading times, in and out
- Type of commodity (some freight requires more time than others to load or unload). Check that the driver recorded the time as on-duty, other than driving. If a helper loaded or unloaded the freight, ask for a lumper receipt.
- “Time-sensitive” load. The driver is required to deliver this load on time.

Meal Receipts

Most drivers whose trips involve more than one day will have to stop for meals. They may possess receipts for these meals. Meal receipts may be in the trip envelope or you may notice them in the driver's wallet when you ask for the operator's license. These receipts may list times, dates and locations - information that can be helpful in determining the accuracy of the log.



© Microsoft®.

Toll Receipts

Toll receipts may also include time, date and location information. If you obtain a toll receipt that lists a time and date but no location, question the driver about the location. Consulting other sources that identify the location of toll stations, such as a motor carrier road atlas, may be helpful. B.C. has the Coquihalla toll road and Nova Scotia, Ontario and Quebec also have toll roads. Also, be aware that not all toll receipts contain accurate time and date information.

Warning and Violation Tickets

An inspector can usually find the time and date of a violation notice or a warning on the form, making it an excellent source of log verification. However, violations received within the last day or two prior to the inspection are generally too recent to have been entered into the enforcement agency's computer system. Therefore, you will have to ask the driver for the information regarding the violation.

Special Permits

Some carriers instruct drivers to keep all permits and licences in their permit books so that they are available at the scales. These permit books often contain a wealth of both recent and obsolete records. Trip reports and overweight permits, for example, usually have a date, location and time on them.

Compare permits with the logbook to obtain the following information:

- Date and time the permit was purchased
- Period of time for which the permit is valid
- Location where the permit was purchased
- Special notations on the permit

Weight Tickets

Since most carriers hold drivers responsible for overweight tickets, drivers are encouraged to check the axle weights and redistribute the load whenever it is overweight. Truck stop and feed mill scales usually provide a receipt with a time and date stamp. A driver should record at least 15 minutes of on-duty, other than driving time for this activity.



© Microsoft®.

Driver / Vehicle Inspection Reports

Since drivers generally view multiple inspections as lost time, they may tell you that they just had an inspection in the previous jurisdiction or at a weigh scale. CVSA decals are a good indication of an inspection, but unfortunately, not all inspections result in a sticker.

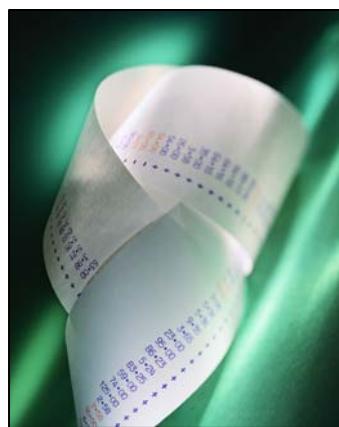
Review inspection reports to obtain the following information:

- Date and time of inspection
- Inspection location
- Whether the driver was put “out-of-service”
- Violations discovered and repair time required

The log should show the inspection as well as any repair time as on-duty time, other than driving time.

Other Timed and Dated Materials

Cash register receipts from hardware stores and convenience stores have the time and date printed on them. Most of the times and dates on these receipts are accurate, but occasionally errors occur. During the inspection, be alert for receipts that the driver needs for reimbursement. The driver may carry these receipts or they may be in the truck.



© Microsoft®.

What outside resources can an inspector use to verify a logbook?

After examining and comparing the supporting documents with the driver's logbook, an inspector may want to verify the entries in the logbook with sources other than the driver. The inspector can phone the people and places where the driver has been in contact.

Company / Dispatcher

If you phone a company or dispatcher, identify yourself and your agency. The amount and content of information you volunteer from this point on will depend on the person you have called.

- If a driver's log shows consecutive days off-duty, inquire when the driver was dispatched. Dispatchers usually have a dispatch log to reference this information. Inquire about one specific day rather than all the days shown as off-duty.
- If a driver's logbook shows a co-driver, ask the dispatcher the name of the co-driver.
- Ask the company or dispatcher to fax the documents (such as a dispatch record). The Regulations specify that a motor carrier must immediately make available for inspection any supporting documents or relevant records, so most dispatchers will cooperate.

Some companies and dispatchers may be reluctant to give you any information if you advise them that you suspect a falsified log. When talking to a company or dispatcher, it is best to keep your remarks brief such as the following:

Hello, my name is _____ (your name) _____

Where was your driver on _____ (a specific date) _____?

Was he / she driving solo or as part of a team?

Who is / was the co-driver?

Do you keep a dispatch record?

Would it be possible for you to fax it to me?

Shipper

Personnel at the loading dock or a security guard shack may be able to answer some or all of your questions.

- Inquire about the date and time the freight was loaded. You may also ask if the driver was in attendance while it was being loaded (on duty, other than driving time).
- Ask for the unit number of the vehicle on which the shipment was loaded. It may also be beneficial to know the amount of product that was loaded so you can estimate how long it took.
- Ask about the driver's arrival and departure times. Some companies keep written records of this, while others may only be able to give you a mental recollection of times. Although it may not be totally accurate, even a mental recollection will give you a reasonable time frame for the driver's activities.
- Ask if the shipper can fax written records, if they are available.

Shippers are usually co-operative in answering an inspector's questions. There is seldom a need to elaborate on the reason for the call. The call is similar to the call placed to a carrier:

Hello, my name is _____ (your name) _____.

What day was this load/truck loaded / unloaded?

Do you recall or know what time the truck was loaded / unloaded?

Did the driver help to load / unload the truck?

Was the driver in attendance while the truck was being loaded or unloaded?

What is the plate or unit number of the vehicle onto / from which the shipment was loaded / unloaded?

Do you know what time the driver arrived at (departed from) your facility?

Are there any written records for any of the information you've given me?

Would it be possible for you to fax those to me?

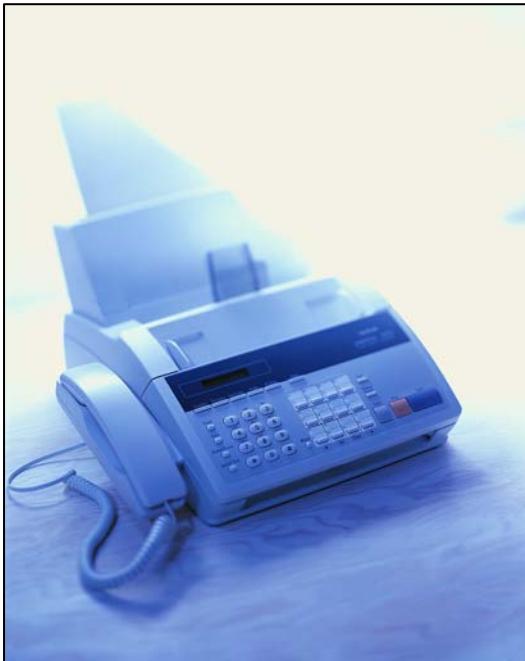


Port of Entry or Other Law Enforcement Agencies

These agencies may be able to give you information such as times and dates of observation, locations, weighting information, trip permits, and inspections. If you are calling a port of entry or other law enforcement agency, you may want to elaborate on the purpose of the call. Most agencies are willing to give you as much information as they can.

If you know from the evidence, such as a ticket or inspection report, that the driver had contact with a specific officer, you may wish to contact that particular officer so you can discuss specific information on the document.

It is always helpful when any of the sources can fax documents to you. If, however, you do not have access to a fax machine or the agency is unable or unwilling to fax the documents, take written notes of your telephone conversation. Include the name of the person you talked to, the person's business telephone number, the date and time of your call, and the information that person provided.



© Microsoft®.

How should an inspector confront a driver who has falsified a logbook?

If an inspector detects a falsified logbook, the inspector must confront the driver. However, confronting a driver with a false logbook can be difficult. However, if you established good rapport with the driver and your approach is straightforward, the inspection can result in a satisfactory conclusion.

If you conclude that the driver falsified the logbook:

- Make a direct statement to the driver about your suspicions.
- List the evidence and ask for an explanation. Point out discrepancies between the timed / dated documents and receipts, and the logbook entries. Confront the driver about mileage and time traveled if this is an area of concern. Question more closely about off-duty times that appear inaccurate.
- Try to keep the interview as friendly for as long as possible, focusing the discussion on the discrepancies in the documents. Avoid putting the driver on the defensive. Avoid personal accusations such as "You're a liar!" or "You falsified this log!" Stick to the discrepancies in the documentation such as "The receipts say this . . . and your log says this."
- Some inspectors use the following techniques effectively:

"Buddy, help me out here, please. I'm having a hard time following your trip from your book. Am I right in thinking you drove six hours then took a three-hour rest break, then drove six more hours?"

"Am I correct here? Maybe you can help me with this. You see we have a receipt from the Quickee Mart with a time stamp of 9 a.m. yet, in your log, you show a sleeper berth in another town at that time. Help me figure this out will you?"

In the face of this evidence, most drivers will admit to the falsification. If the driver is co-operative, the inspector can get the correct story, check for duplicate logbooks, compare duplicate log pages, etc. If the driver is not co-operative, the inspector may never know the "truth."

It is important to note that any evidence gathered in a "confession" without the driver being read his / her Charter of Rights and warning would be subject to a voir dire at trial. The voir dire determines if a charter violation has occurred and the admissibility of this evidence.

In either situation, an inspector can place a driver out-of-service or prohibit a driver from driving for a falsified log. If a driver does not produce a valid log, the driver cannot drive until the driver produces a valid log. Also, note that an inspector can charge a driver for a falsified log, even if the log is not signed by the driver. In Module 23, we examine Enforcement Action for falsified logs and other Regulation violations.



© Microsoft®.

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) While doing commercial vehicle inspections at Red Deer, AB, at 23:30 on August 9, an officer stops a vehicle being operated by driver Dan Green. Mr. Green's logbook is not current. His last entry was yesterday, August 8, at 11:45 in Fort Macleod, AB. Mr. Green's home terminal is in Lethbridge, AB so he uses Alberta local time for all entries in his daily log.

Officer: "Where did you put fuel on last?"

Dan: "Fort McMurray."

Officer: "Do you have a copy of the fuel receipt?"

Dan reaches into a manila envelope to retrieve the fuel receipt.

Officer: "Is that your trip packet?"

Dan: "Yes."

Officer: "Would it be OK if I took a look through the packet?"

The officer removes the packet from the vehicle and determines that there is no cash in the envelope.

After noting the last entry in the logbook, the officer returns the log to the driver with instructions to make it current to the time of this stop. The driver then returns to his vehicle to make his log current. He returns in about 15 minutes with the updated logbook displayed on the following pages.

In the trip packet, the officer finds two documents: a shipping order and a meal receipt.

Review the following daily logs and determine if Mr. Green has falsified his logbook. Describe the process you used to make your determination.



Commercial Vehicle Drivers Hours of Service

If you determine that Mr. Green has falsified his logbook, identify the methods that he used to falsify his log.

August 8, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										12.75
On-duty time other than driving time																										1.25
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Remarks:

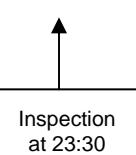
12:00 AM Off-Duty: Cranbrook, BC
 8:00 AM On-Duty: Load
 8:30 AM Driving
 11:45 AM Off-Duty: Fort Macleod, AB
 12:45 PM Driving
 2:15 PM On-Duty: Calgary, AB fuel
 2:30 PM Drive
 4:00 PM Off-Duty: Red Deer, AB
 4:30 PM Drive
 9:00 PM Off-Duty: Breynt, AB
 9:30 PM Drive
 11:30 PM On-Duty: Fort McMurray, AB

August 9, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

Remarks:

12:00 AM Off-Duty: Fort McMurray, AB
 8:00 AM On-Duty: Load and fuel
 9:00 AM Drive
 2:00 PM On-Duty: Edmonton Unload
 3:00 PM Off-Duty
 9:00 PM On-Duty: Load
 10:00 PM Drive



ABC Family Restaurant
Highway #16
Lloydminster, AB

Food	\$8.75
GST (6 %)	<u>\$0.53</u>
Total	\$9.28

THANK YOU

08/09/07 18:30

Smith Brothers Lumber Ltd.
Box 456
Edmonton, AB
780-456-7890

INVOICE #GVH9758

DATE: August 9, 2007

Sold to:

Wilson Lumber
345 – 9 Street North
Lloydminster, AB

Quantity	Description	Weight	Cost
2 lifts	2 x 4 x 8 studs		
2 lifts	2 x 4 x 12		
2 lifts	2 x 10 x 16		
2 lifts	4 x 4 x 10		
3 lifts	1 x 12 x 14		

Gross weight	39420	15:30 07-08-09
Tare weight	11760	
Payload	27660	

Shipper

A Sun

Driver

B Green

Answers to Module Self-Check Questions

- 1) While doing commercial vehicle inspections at Red Deer, AB, at 23:30 on August 9, an officer stops a vehicle being operated by driver Dan Green. Mr. Green's logbook is not current. His last entry was yesterday, August 8, at 11:45 in Fort Macleod, AB. Mr. Green's home terminal is in Lethbridge, AB so he uses Alberta local time for all entries in his daily log.

Officer: "Where did you put fuel on last?"

Dan: "Fort McMurray."

Officer: "Do you have a copy of the fuel receipt?"

Dan reaches into a manila envelope to retrieve the fuel receipt.

Officer: "Is that your trip packet?"

Dan: "Yes."

Officer: "Would it be OK if I took a look through the packet?"

The officer removes the packet from the vehicle and determines that there is no cash in the envelope.

After noting the last entry in the logbook, the officer returns the log to the driver with instructions to make it current to the time of this stop. The driver then returns to his vehicle to make his log current. He returns in about 15 minutes with the updated logbook displayed on the following pages.

In the trip packet, the officer finds two documents, a shipping order and a meal receipt.

Commercial Vehicle Drivers Hours of Service

August 8, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										10
Off-duty time in sleeper berth																										0
Driving time																										12.75
On-duty time other than driving time																										1.25

Remarks:

12:00 AM Off-Duty: Cranbrook, BC
 8:00 AM On-Duty: Load
 8:30 AM Driving
 11:45 AM Off-Duty: Fort Macleod, AB
 12:45 PM Driving
 2:15 PM On-Duty: Calgary, AB fuel
 2:30 PM Drive
 4:00 PM Off-Duty: Red Deer, AB
 4:30 PM Drive
 9:00 PM Off-Duty: Breynat, AB
 9:30 PM Drive
 11:30 PM On-Duty: Fort McMurray, AB

August 9, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										

Remarks:

12:00 AM Off-Duty: Fort McMurray, AB
 8:00 AM On-Duty: Load and fuel
 9:00 AM Drive
 2:00 PM On-Duty: Edmonton Unload
 3:00 PM Off-Duty
 9:00 PM On-Duty: Load
 10:00 PM Drive

Inspection at 23:30

ABC Family Restaurant
Highway #16
Lloydminster, AB

Food	\$8.75
GST (6 %)	<u>\$0.53</u>
Total	\$9.28

THANK YOU

08/09/07 18:30

Smith Brothers Lumber Ltd.
Box 456
Edmonton, AB
780-456-7890

INVOICE #GVH9758

DATE: August 9, 2007

Sold to:

Wilson Lumber
345 – 9 Street North
Lloydminster, AB

Quantity	Description	Weight	Cost
2 lifts	2 x 4 x 8 studs		
2 lifts	2 x 4 x 12		
2 lifts	2 x 10 x 16		
2 lifts	4 x 4 x 10		
3 lifts	1 x 12 x 14		

Gross weight	39420	15:30 07-08-09
Tare weight	11760	
Payload	27660	

Shipper

A Sun

Driver

B Green

Review the following daily logs and determine if Mr. Green has falsified his logbook. Describe the process you used to make your determination.

- Mr. Green has falsified his logbook
- Meal receipt dated August 9, 2007 and Shipping Order dated August 9, 2007 indicate that Mr. Green made a delivery to Lloydminster
- Logbook shows that Mr. Green was off-duty from 3:00 – 9:00 pm on August 9, 2007 and does not show any trip to Lloydminster

If you determine that Mr. Green has falsified his logbook, identify the methods that he used to falsify his log.

- Dropped trip
- Driving during off-duty time



Module 23

Enforcement Action



© Microsoft®.



© Microsoft®.

Things to think about ...

Inspectors need to ensure that commercial vehicle drivers are operating in compliance with the Federal *Commercial Vehicle Drivers Hours of Service Regulations*. Inspectors can use a five-step guide to check for compliance with the Regulations. If an inspector finds that a driver is not operating in compliance with the Regulations, the inspector can proceed with enforcement action.

How can an inspector check for compliance?

What happens if a driver is not in compliance?

What will I learn in this module?

- Compliance checks
- Enforcement action



How can an inspector check for compliance with the Regulations?

An inspector can use the following five-step guide to check for compliance with the Regulations:

- 1) Ensure the Log Is Current to the Last Change of Duty Status
- 2) Ensure the Logbook Is True and Accurate
- 3) Check the Day
- 4) Check the Work Shift
- 5) Check the Cycle



© Microsoft®.

Step 1 - Ensure the Log Is Current to the Last Change of Duty Status

When an inspector obtains a logbook from a driver, the inspector should follow these steps:

- Note the time the driver was stopped
- Note the time and date of the last entry in the logbook. The inspector should make a copy of the logbook (if possible) before allowing the driver to update the logbook from the last change of duty status to the time when the driver was stopped.
- If the driver claims to be a 160-kilometre radius exemption driver, check to ensure all criteria required for this exemption are properly met (refer to Module 18)
- Be aware that times recorded in the logbook reflect the local time at the driver's home terminal
- Check logbook "form and manner" (i.e., check to see that the driver has recorded everything that is required in a daily log). Refer to pages 5 – 6 for a Daily Log Checklist and Module 17 for the time of day that a driver needs to record the entries (i.e., start of day, during the day, or end of day)
- Ensure the full 24 hours are recorded for each day
- Check that the driver possesses a daily log for the current day plus copies of the daily logs for the previous 14 days (refer to Module 17)
- Check that the driver has supporting documentation for the current trip

Daily Log Inspection Checklist	
Item	Requirements
Current	Record is current to the last change of duty status (refer to Module 4)
Handwriting	Handwritten entries are legible and in the driver's own handwriting
Date	Month, day, and year for the beginning of each 24-hour period
Start time	Hour at which the day begins, if different from midnight
Cycle	Cycle that the driver is following (i.e., Cycle 1 or Cycle 2) Note: Drivers operating under an oil well service vehicle permit do not need to record the cycle (refer to Module 10)
Odometer	Odometer reading of each commercial power unit operated by the driver at the start and end of each day
Distance Driven	Total distance driven within a 24-hour period (excluding any distance driven for personal use) for completed days
Vehicle Identification	Unit number(s) and / or license plate numbers for each truck or tractor driven during a 24-hour period
Carrier Identification	Name(s) and address(es) of the home terminal and principal place of business of every motor carrier(s) for whom the driver will work during the day
Driver Identification	Name of the driver maintaining the log is legible on the daily log
Co-driver Identification	If applicable, the name of the co-driver is on the log
Driver's Signature	Driver must sign the daily log to certify that it is accurate
Duty status hours	Off-duty time, other than time spent in a sleeper berth; Off-duty time spent in a sleeper berth; Driving time; On-duty time, other than driving time recorded to the nearest 15-minute increment
Time Base	Covers a full 24-hour period based on the local time of the driver's home terminal

Daily Log Inspection Checklist	
Item	Requirements
Total Hours	Total hours in each duty status recorded to the right of the graph grid and the total equals 24 hours
Remarks	Municipality or location on a highway or in a legal sub-division and the province or state for each change in duty status Emergency or adverse driving conditions that may account for an extension of the daily limits (refer to Module 14). If the driver was not required to keep a daily log before the current day (i.e., was using the radius exemption), the remarks include the total number of hours of off-duty time and of on-duty time for each day during the previous 14 days If applicable, the remarks include use of the off-duty time deferral and whether the driver is driving under Day 1 or Day 2 of the deferral

Step 2 - Ensure the Logbook Is True and Accurate

An inspector should check for evidence of a falsified logbook by reviewing the following (refer to Module 22):

- Review bills of lading, fuel receipts, trip permits, toll receipts, custom documents, violation notices, inspection reports, payroll records, meal receipts, and then compare dates, times, and locations with those in the logbook
- Check distance traveled against driving time. Consider whether the driver has been operating on primary highways, off-road work, etc.
- Question the driver about any discrepancies between the logbook and the supporting documents. Determine if the logbook is accurate.
- If the discrepancy can't be resolved, determine if the driver produced a false logbook or an inaccurate logbook. A false logbook is one where the driver seeks gain (i.e., financial, etc.) whereas an inaccurate logbook is one where the driver simply made a mistake.
- If the inspector determines the logbook is false, a violation has occurred and the driver can be placed out-of-service (refer to Enforcement Action later in this module). Request that the driver produce a true and accurate logbook (i.e., complete a new logbook so that the logbook matches the supporting documents).
- If the driver continues to produce a false logbook on subsequent demands, the driver will not be permitted to drive. The driver will be placed out-of-service regardless of whether the driver eventually produces a true and accurate logbook (refer to Enforcement Action later in this module).
- Once the driver produces a true and accurate logbook, continue with steps 3 - 5 and determine if the driver has exceeded any of the daily, work shift or cycle limits

Step 3 – Check the Day

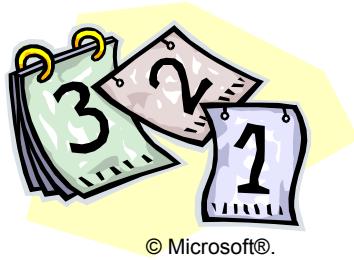
In Step 3, the inspector must determine if the driver is operating within the daily limits and requirements (refer to Module 5):

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours (i.e., core rest period)
 - 2 additional hours off-duty (blocks \geq 30 minutes) that are not part of 8 consecutive hours

However, if the driver indicated on the log that he / she used the deferral of off-duty time option (refer to Module 7), the inspector must determine if the driver is operating within the following limits and requirements:

- Total driving time in 2 days \leq 26 hours
- Total off-duty time in 2 days \geq 20 hours
- At least 8 consecutive hours off-duty in Day 1 and 10 consecutive hours plus 2 additional hours off-duty in Day 2

The inspector must check each day of the driver's daily log to determine if there are any daily limit or requirement violations. If there is a violation, the inspector may proceed with enforcement action (refer to Enforcement Action later in this module).



© Microsoft®.

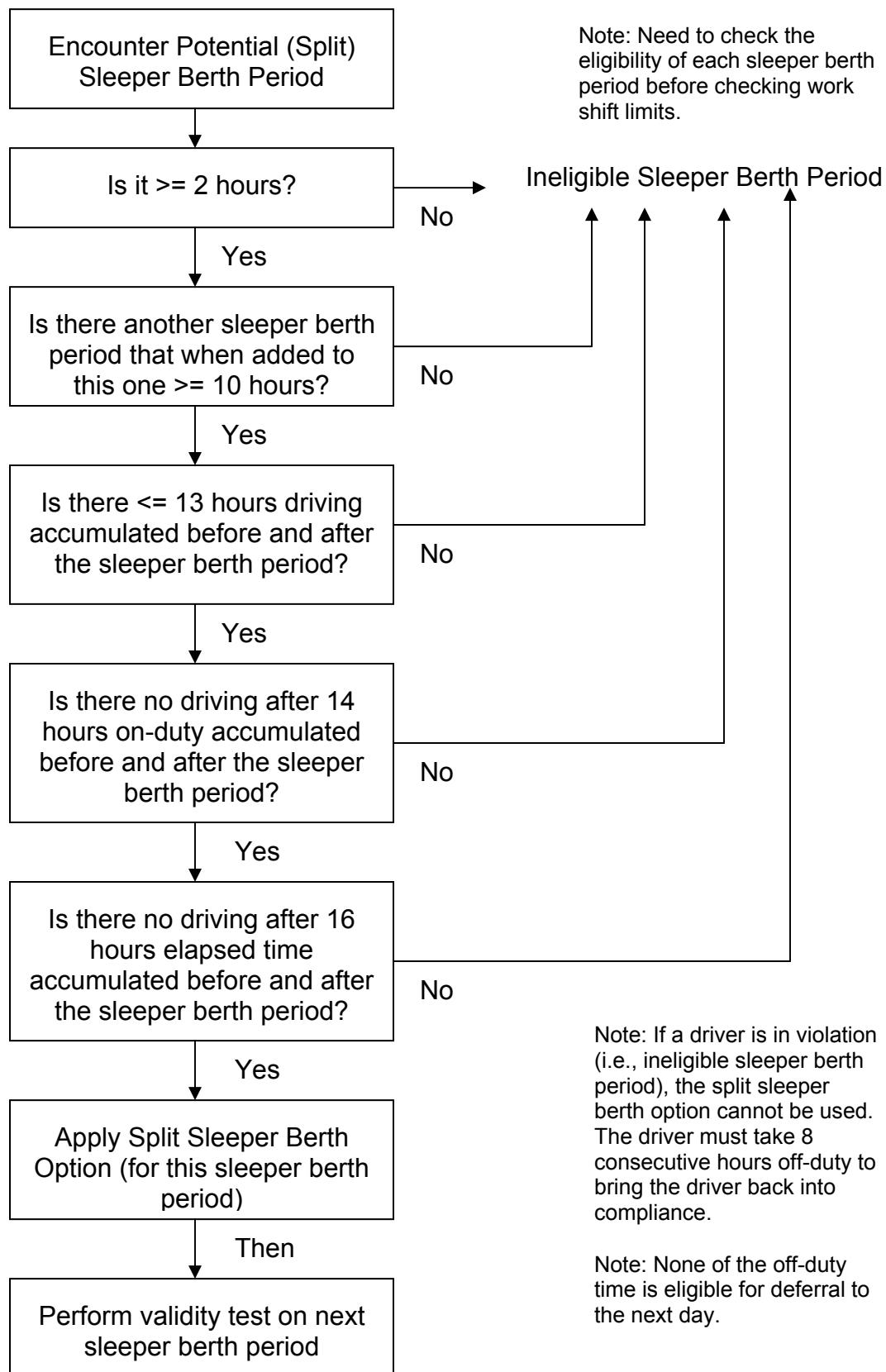
Step 4 – Check the Work Shift

In Step 4, the inspector needs to check for compliance with work shift limits and requirements:

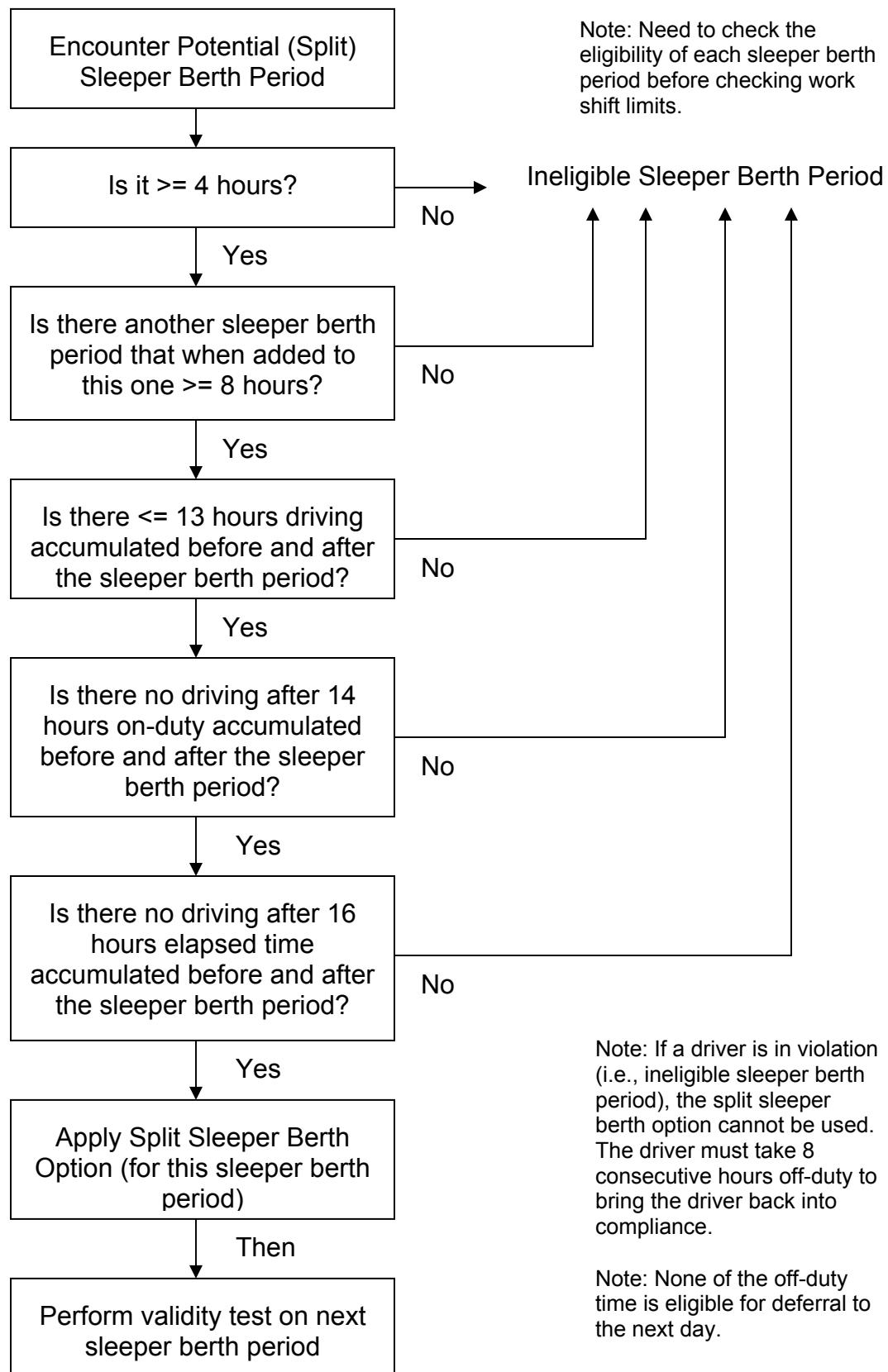
Type	Work Shift Limits and Requirements
No sleeper berth (refer to Module 6)	<input checked="" type="checkbox"/> No driving after 13 hours driving in a work shift <input checked="" type="checkbox"/> No driving after 14 hours on-duty in a work shift <input checked="" type="checkbox"/> No driving after 16 hours elapsed time (includes all time in work shift)
Single driver using a sleeper berth (refer to Module 8) * Single Driver Sleeper Berth Reference Guide is on page 10	<input checked="" type="checkbox"/> No driving after 13 hours driving on either side of each eligible sleeper berth period <input checked="" type="checkbox"/> No driving after 14 hours on-duty on either side of each eligible sleeper berth period <input checked="" type="checkbox"/> No driving after 16 hours elapsed time on either side of each eligible sleeper berth period (excluding time in eligible sleeper berth period) (Eligible sleeper berth period \geq 2 hours and total for 2 eligible sleeper berth periods \geq 10 hours)
Team drivers using a sleeper berth (refer to Module 8) * Team Drivers Sleeper Berth Reference Guide is on page 11	<input checked="" type="checkbox"/> No driving after 13 hours driving on either side of each eligible sleeper berth period <input checked="" type="checkbox"/> No driving after 14 hours on-duty on either side of each eligible sleeper berth period <input checked="" type="checkbox"/> No driving after 16 hours elapsed time on either side of each eligible sleeper berth period (excluding time in eligible sleeper berth period) (Eligible sleeper berth period \geq 4 hours and total for 2 eligible sleeper berth periods \geq 8 hours. Require 2 additional hours of off-duty time.)

An inspector must check every work shift in the driver's daily log to determine if there are any work shift or core rest violations (refer to Core Rest Options on page 12). If there is a violation, the inspector may proceed with enforcement action (refer to Enforcement Action later in this module).

Single Driver Sleeper Berth Reference Guide



Team Drivers Sleeper Berth Reference Guide



Core Rest Options		
Type	Option	Description
Single Driver – No Sleeper Berth	1	8 consecutive and uninterrupted hours off-duty
Single Driver – Sleeper Berth	1	10 consecutive and uninterrupted hours off-duty in the sleeper berth
	2	Two separate eligible sleeper berth periods that total 10 hours, with each period in the sleeper berth a minimum of 2 hours duration
Team Drivers – Sleeper Berth	1	8 consecutive and uninterrupted hours off-duty in the sleeper berth
	2	Two separate eligible sleeper berth periods that total 8 hours, with each period in the sleeper berth a minimum of 4 hours duration

Step 5 – Check the Cycle

In addition to the daily and work shift rules, the inspector needs to check for compliance with the cumulative cycle limits and requirements. A driver can operate under one of two cycles (refer to Module 9):

- Cycle 1 - limit of 70 hours on-duty time over a period of 7 consecutive days
- Cycle 2 - limit of 120 hours of on-duty time over a period of 14 consecutive days (with at least 24 consecutive hours off-duty time before reaching 70 hours of on-duty time)
- Day Off Regardless of Cycle – 24 consecutive hours off-duty in preceding 14 days

An inspector must check the driver's daily log to determine if there are any cycle violations. An inspector can use the following job aids to check for cycle violations:

- Cycle 1 Check or Job Aid on pages 14 – 16
- Cycle 2 Check or Job Aid on pages 17 – 20

If there is a violation, the inspector should check to see if the driver is operating under a special permit (refer to Modules 10 - 13 for further information regarding special permits). If so, the inspector needs to check for compliance with the terms and conditions of the permit.

If there is a violation and the driver is not operating under a special permit, the inspector may proceed with enforcement action (refer to Enforcement Action later in this module).

Cycle 1 Check (70 hours in 7 days)

If a driver is operating under Cycle 1, an inspector can check for compliance using the following:

Step	Task	Example	
1	On a sheet of paper, write the current date and the previous six days.	3/15 3/16 3/17 3/18 3/19 3/20 3/21	
2	List the sum of the driving hours AND on-duty hours for each day. Calculate the total hours.	3/15 6 hours 3/16 14 hours 3/17 12 hours 3/18 11 hours 3/19 13 hours 3/20 9 hours 3/21 <u>12.5 hours</u> TOTAL 77.5 hours	
3	If the total is less than or equal to 70 hours, there is no violation. If the total is greater than 70 hours, there may be a violation. In any case, the driver may not drive again until the total is under 70 hours.	77.5 minus 70 hours equals 7.5 hours	
4	To determine if there is a violation, subtract 70 from the total. In the driver's daily logs, count back (driving and on-duty hours only) the number of hours to determine the point where the driver reached the 70 th hour. Any driving time from that point forward is a violation.	Check driver's daily log on 3/21 Driver reached 70 th hour at 5 th hour (driving and on-duty hours only) Any driving time from that point forward is a violation.	

If a driver exceeds the Cycle 1 limit, the driver must stop driving immediately. An inspector can determine the date and time that a driver can drive again by using the following calculations:

- 1) List the next calendar day on your paper.
- 2) Subtract the top number of hours from the total hours.
- 3) If the total hours are less than 70 hours, the driver may drive on that day. If not, continue, until the number is less than 70. Once the number is less than 70, the driver may drive only the number of hours that will bring the total back up to 70.

Date	On-Duty	Total Hours Accumulated
3/15	6 hours	
3/16	14 hours	
3/17	12 hours	
3/18	11 hours	
3/19	13 hours	
3/20	9 hours	
3/21	12.5 hours	3/15 to 3/21 = 77.5 hours (over 70-hour limit)
3/22	0 hours	3/16 to 3/22 = 71.5 hours (over 70-hour limit so driver is not eligible to drive)
3/23		3/17 to 3/23 = 57.5 hours so driver is eligible to drive a maximum of 12.5 hours (starting at 00:01 on 3/23) (i.e., 57.5 hours + 12.5 hours = 70 hours)

Once the driver has completed the minimum time required for off-duty or off-duty time in a sleeper berth, the driver may drive again.

The driver also has the option to take 36 consecutive hours of off-duty time to reset the cycle. In some cases, this reset period may be less than the number of hours that a driver has to wait until the driver is under the 70-hour limit. After the reset period, the driver starts a new cycle and resumes driving (i.e., on-duty time starts from zero).

The inspector may also use the following job aid:

Number of days in Cycle	Calendar date	Total on-duty hours	Total hours accumulated
7			
6			
5			
4			
3			
2			
1			

Total Hours _____

Hours Over _____

Date eligible to drive _____
for _____ hours

Cycle 2 Check (120 hours in 14 days)

If a driver is operating under Cycle 2, an inspector can check for compliance using the following:

Step	Task	Example			
1	On a sheet of paper, write the current date and the previous thirteen days.	3/15	3/22		
		3/16	3/23		
		3/17	3/24		
		3/18	3/25		
		3/19	3/26		
		3/20	3/27		
		3/21	3/28		
2	List the sum of the driving hours AND on-duty hours for each day. Calculate the total hours.	3/15 3/16 3/17 3/18 3/19 3/20 3/21	6 hours 9 hours 11 hours 12.5 hours 13 hours 12 hours 6.5 hours	3/22 3/23 3/24 3/25 3/26 3/27 3/28	0 hours 13 hours 12 hours 9 hours 5 hours 13 hours <u>8 hours</u> TOTAL 130 hours
3	If the total is less than or equal to 120 hours, there is no violation. If the total is greater than 120 hours, there may be a violation. In any case, the driver may not drive again until the total is under 120 hours.	130 minus 120 hours equals 10 hours			
4	To determine if there is a violation, subtract 120 from the total. In the driver's daily logs, count back (driving and on-duty hours only) the number of hours to determine the point where the driver reached the 120 th hour. Any driving time from that point forward is a violation .	Check driver's daily log on 3/27 and 3/28 Driver reached 120 th hour at 11 th hour (driving and on-duty hours only) Any driving time from that point forward is a violation.			

Step	Task	Example			
5	<p>In addition, the inspector must check the off-duty requirement for Cycle 2.</p> <p>Add the daily on-duty hours until the total equals 70 hours.</p> <p>If the driver took at least 24 consecutive hours off-duty time before reaching 70 hours of on-duty time, there is no violation.</p> <p>If the driver did not take at least 24 consecutive hours off-duty time after reaching 70 hours of on-duty time, there is a violation.</p>	3/15	6 hours	3/22	0 hours

Note: The driver cannot exceed 70 hours at any time without taking 24 consecutive hours of off-duty time. For example, if a Cycle 2 driver took 24 hours off after 15 hours on-duty, the driver would have to take another 24 hours off-duty before exceeding the 85th hour on-duty.



© Microsoft®.

If a driver exceeds the Cycle 2 limit, the driver must stop driving immediately. An inspector can determine the date and time that a driver can drive again by using the following calculations:

- 1) List the next calendar day on your paper.
- 2) Subtract the top number of hours from the total hours.
- 3) If the total hours are less than 120 hours, the driver may drive on that day. If not, continue, until the number is less than 120. Once the number is less than 120, the driver may drive only the number of hours that will bring the total back up to 120.

Date	On-duty	Total Hours Accumulated
3/15	6 hours	
3/16	9 hours	
3/17	11 hours	
3/18	12.5 hours	
3/19	13 hours	
3/20	12 hours	
3/21	6.5 hours	
3/22	0 hours	
3/23	13 hours	
3/24	12 hours	
3/25	9 hours	
3/26	5 hours	
3/27	13 hours	
3/28	8 hours	3/15 to 3/28 = 130 hours (over 120-hour limit)
3/29	0 hours	3/16 to 3/29 = 124 hours (over 120-hour limit so driver is not eligible to drive)
3/30		3/27 to 3/30 = 115 hours so driver is eligible to drive a maximum of 5 hours (starting at 00:01 on 3/30) (i.e., 115 hours + 5 hours = 120 hours)

Once the driver has completed the minimum time required for off-duty or off-duty time in a sleeper berth, the driver may drive again.

The driver also has the option to take 72 consecutive hours of off-duty time to reset the cycle. In some cases, this reset period may be less than the number of hours that a driver has to wait until the driver is under the 120-hour limit. After the reset period, the driver starts a new cycle and resumes driving (i.e., on-duty time starts from zero).

The inspector may also use the following job aid:

Number of days in Cycle	Calendar date	Total on-duty hours	Total hours accumulated
14			
13			
12			
11			
10			
9			
8			
7			
6			
5			
4			
3			
2			
1			

Check for 70th Hour Qualification
 Check for 24 consecutive hours off-duty in preceding 14 days

Total Hours _____

Hours Over _____

Date eligible to drive _____
 for _____ hours

What enforcement action is available to an inspector?

If an inspector determines that a driver is operating in violation of the Federal *Commercial Vehicle Drivers Hours of Service Regulations*, the inspector has the discretion to choose the level of enforcement action. Depending on the situation and agency policies, the inspector can choose one of the following enforcement actions:

- Issue a verbal warning to the commercial vehicle driver explaining the violation(s)
- Issue a written warning (Commercial Vehicle Inspection Report) to the commercial vehicle driver outlining the violation(s). This report can also serve as an out-of-service declaration (refer to Module 20).

The main purpose of issuing an out-of-service declaration is to remove fatigued drivers from the highway. When a driver has not had the required off-duty time or has exceeded maximum driving times, the driver is a safety risk, and the inspector has the authority and responsibility to remove the driver from the highway before a collision occurs.

An inspector can use the following wording for an out-of-service declaration:

On (date) (time), (driver name) employed by (name of company) is hereby placed out-of-service in accordance with section 91 of the Commercial Vehicle Drivers Hours of Service Regulation, SOR/2005-313. (driver name) is not permitted to operate a commercial vehicle until (time) (date) in accordance with this out-of-service declaration and Regulation.

A driver cannot drive a commercial vehicle while subject to an out-of-service declaration. The length of time that a driver is out-of-service varies depending on the violation (refer to Out-of-Service Summary on page 23). The driver can resume driving when the driver is no longer in violation of the Federal *Commercial Vehicle Drivers Hours of Service Regulations* or related legislation.

It is important to note that an inspector can only issue an out-of-service declaration for a current violation. If an inspector identifies a past violation, the inspector can lay a charge but not place the driver out-of-service.

- Issue an appearance notice to the driver and then complete a long-form information formally charging the driver with the violation(s). The inspector needs to have the long-form information reviewed and sworn by a Justice of the Peace. Sample appearance notice and sample long-form information follow on pages 24 - 27. The driver will appear in Provincial Court and a judge will determine the penalty for the violation(s).



© Microsoft®.

Out-of-Service Summary

Violation	Section	Out-of-Service
Drive a commercial vehicle when driver's faculties are impaired to the point where it is unsafe for the driver to drive	Sec. 4(a)	10 consecutive hours
Drive a commercial vehicle when driving jeopardizes the safety or health of the public, driver or employees of the motor carrier	Sec. 4(b)	10 consecutive hours
Drive a commercial vehicle after accumulating 13 hours of driving time in a day	Sec. 12(1)	10 consecutive hours
Drive a commercial vehicle after accumulating 14 hours of on-duty time in a day	Sec. 12(2)	10 consecutive hours
Drive a commercial vehicle after 16 hours of time have elapsed between the conclusion of the most recent period of 8 or more consecutive hours of off-duty time and the beginning of the next period of 8 or more consecutive hours off-duty time	Sec. 13(3)	Number of hours needed to correct the failure
Fail to take at least 10 hours of off-duty time in a day	Sec. 14(1)	Number of hours needed to correct the failure
Drive after accumulating 70 hours of on-duty time during any period of 7 days (Cycle 1)	Sec. 26	Number of hours needed to correct the failure
Drive after accumulating 120 hours of on-duty time during any period of 14 days (Cycle 2)	Sec. 27(a)	Number of hours needed to correct the failure
Drive after accumulating 70 hours of on-duty time without having taken at least 24 consecutive hours of off-duty time	Sec. 27(b)	Number of hours needed to correct the failure
Keep more than one daily log in respect of any day	Sec. 86(1)	72 consecutive hours
Enter inaccurate information in a daily log or falsify, mutilate or deface a daily log or supporting documents	Sec. 86(2)	72 consecutive hours
Fail to immediately produce for inspection daily logs, supporting documents and other relevant records for current trip and preceding 14 days	Sec. 98(1)	72 consecutive hours

Commercial Vehicle Drivers Hours of Service



CANADA
PROVINCE OF ALBERTA
PROVINCE D'ALBERTA

Appearance Notice Citation à comparaître

c 609551

issued by a Peace Officer to a person
not yet charged with an offence

délivrée par un agent de la paix à une personne
qui n'est pas encore inculpée d'infraction

Form 8
Criminal Code
Sections 496
and 497

Formulaire 9
Code criminel
Articles 496
et 497

To: Name _____ À: Nom _____	(Last) (nom de famille)	(First) (prénom)	(Middle) (autre prénom)
Address Adresse _____ (Street) (rue)	(Municipality or Post Office) (municipalité ou bureau de poste)	(Province) (Postal Code) (Code postal)	
(Occupation) (profession ou occupation)		(Date of Birth) (date de naissance)	

YOU ARE ALLEGED TO HAVE COMMITTED
IL EST ALLEGÉ QUE VOUS AVEZ COMMIS

1. You are required to attend court on _____
Vous êtes requis d'être présent au tribunal le _____
at the Provincial Court of Alberta at _____
à la cour provinciale de l'Alberta à _____
(Court Room # _____), at the _____
salle d'audience n° _____, at the _____
the court, in order to be dealt with according to law.
exigences du tribunal, afin d'être traité selon la loi.
- Year ended _____ at _____ o'clock in the _____ noon,
year ended _____ at _____ o'clock in the _____ noon,
Year ended _____ at _____ o'clock in the _____ noon,
Year ended _____ at _____ o'clock in the _____ noon,
- II. In the Province of Alberta, and to attend thereafter as required by
la province d'Alberta, et d'être présent par la suite selon les
2. You are also required to appear on _____
Vous êtes en outre requis de comparaître le _____
at _____ (Police Station) (Poste de police)
a _____ (Address) (adresse)
for the purposes of the Identification of Criminals Act. (Ignore, if not listed in)
You are warned that failure to appear at the time and place stated, if any, for the purposes of the
Identification of Criminals Act or to attend Court in accordance with this appearance notice is an
offence under subsection 145(5) of the Criminal Code.
Subsections 145(5) and (6) of the Criminal Code state as follows:
(a) Every person who has been summoned for an appearance notice or promise to appear, given a reasonable time and place entered into before an officer in charge or another peace officer, that has been committed by a
justice under section 508 and who fails, without lawful excuse, the duty of which as to the
person, appear at the time and place stated therein, if any, for the purposes of the
Identification of Criminals Act, or to attend court in accordance therewith, is guilty of
(a) an indictable offence and liable to imprisonment for a term not exceeding two years; or
(b) an offence punishable on summary conviction.
(b) For the purposes of subsection (5), it is not a lawful excuse that an appearance notice or promise
to appear or recognition notice states defectively the address of the alleged offence.
Section 502 of the Criminal Code states as follows:
"502. Where an accused who is required by an appearance notice or promise to appear or by
a recognition entered into before an officer in charge or another peace officer to appear at a
time and place stated therein for the purposes of the identification of Criminals Act does not
appear at that time and place, a justice may, where the appearance notice, promise to appear
or recognition has been committed by a justice under section 505, issue a warrant for the arrest
of the accused for the offence with which he accused is charged."
- pour l'application de la Loi sur l'identification des criminels. (Ne pas tenir compte de
ce qui n'est pas rempli)
Vous êtes averti que l'absence d'être présent au tribunal en conformité de la présente citation à
comparaître constitue une infraction en vertu du paragraphe 145 (5) du Code criminel.
Les paragraphes 145 (5) et (6) du Code criminel s'énoncent comme suit:
- "(a) Est commis:
a) soit un acte criminel et possible d'un emprisonnement maximal de deux ans;
b) soit une infraction punissable sur déclaration de culpabilité par procédure
summaire.
c) lorsque ce nombrément désigné dans une citation à comparaître ou une promesse de
comparaître ou dans un engagement contracté devant un fonctionnaire responsable, ou un
autre agent de la paix et qui a été confirmé par un juge de paix en vertu de l'article 508 et
est, sans excuse légitime, dont la preuve est incertaine, de comparaître aux lieux et date
indiqués pour l'application de la Loi sur l'identification des criminels ou d'être présent au
tribunal en conformité avec cette mention.
(b) Pour l'application du paragraphe (5), le fait d'avoir émis une citation à comparaître, une promesse de
comparaître ou un engagement indoué dans manière imprudente l'essentiel de
l'information fournie, ne constitue pas une excuse légitime."
L'article 502 du Code criminel s'énonce comme suit:
"502. Lorsqu'un prévenu à qui une citation à comparaître, une promesse de comparaître ou un engagement contracté devant un fonctionnaire responsable ou un autre agent de la paix enjoint de comparaître aux temps et lieux y indiqués, pour l'application de la Loi sur l'identification des criminels, ne comparaît pas aux temps et lieux ainsi fixés, un juge de paix, lorsque la citation à comparaître, la promesse de comparaître ou l'engagement a été confirmé par un juge de paix en vertu de l'article 508, délivrer un mandat pour l'arrestation du prévenu, pour l'infraction dont il est inculpé."

Signature of Accused Signature du prévenu

Issued at _____ M.
Délivrée à _____ heures

Confirmed by _____ Confirme par _____

on _____ year ended _____
in _____ Alberta.

Signature of Peace Officer Signature de l'agent de la paix
Force and Detachment Corps et détachement

Justice Juge de paix

Date

J 415 Rev Oct 88

Court / Tribunal

Commercial Vehicle Drivers Hours of Service



**Information
On Behalf of Her Majesty The Queen
Dénonciation
Au nom de Sa Majesté la Reine**

Docket No. № de rôle

Police File No. № du dossier de police

CASE FILE #:
CF- - - -NLF-

Adulte Adolescent

Form 2
Criminal Code
Sections 506 and 788
788

Formule 2
Code criminel
Articles 506 et
788

Insert full name,
residence, and
occupation of
informant

Insérer le nom
complet,
le domicile et la
profession ou
l'occupation du
dénonciateur

THIS IS THE INFORMATION OF

, a member

of Commercial Vehicle Enforcement, Alberta Infrastructure and Transportation
de

hereinafter called the Informant.

THE INFORMANT SAYS THAT he has reasonable grounds to believe and does believe that

LES PRÉSENTES CONSTITUENT LA DÉNONCIATION DE

ci-après appelé le dénonciateur

LE DÉNONCIATEUR DÉCLARE QU' il a des motifs raisonnables de croire et qui croit que

For
Administrative
purposes only.
Does not form
part of the
charge.
Espace réservé
à l'
administration.
Ne fait pas
partie de
l'accusation.

Name in
full
/le nom complet
born on _____
né(e) /le _____ year année month mois day jour de
address
Occupation
at or near

Male Female
Homm Femm

State the offence
Indiquer l'infraction

On or about the _____ day of

Address

addressée

A.D. 20____

in the Province of Alberta,

DID UNLAWFULLY drive a commercial vehicle after accumulating 13 hours of driving time in a day, contrary to Section 12(1) of the Commercial Vehicle Drivers Hours of Service Regulations, 2005 SOR/2005-313, thereby committing an offence contrary to Section 18 of the Motor Vehicle Transport Act 1987, R.S. c29.

Sworn before me this

on

/le _____, (year) (année),

at _____, Alberta.

â

Justice of the Peace Juge de paix

Signature of Informant Signature du dénonciateur

ADJUDICATION AND DISPOSITION BELOW

DÉCISION CI - DESSOUS

Driver's Licence No.	Nº du permis de conduire	Year Année	Province
MVID / NSC/DOT #:			

Commercial Vehicle Drivers Hours of Service



Information On Behalf of Her Majesty The Queen Dénonciation *Au nom de Sa Majesté la Reine*

Docket No. № de rôle

Police File No. № du dossier de police

CASE FILE #: CF- - - -NLF-

Adult Adolescent

Form 2
Criminal Code
Sections 506 and 708
Formula 2
Code criminel
Articles 506 et
708

Insert full name,
residence, and
occupation of
informant

Insérer le nom
complet
le domicile et la
profession ou
l'occupation du
dénonciateur

THIS IS THE INFORMATION OF
, a member

LES PRÉSENTES CONSTITUENT LA DÉNONCIATION DE

of Commercial Vehicle Enforcement, Alberta Infrastructure and Transportation

de hereinafter called the Informant.

THE INFORMANT SAYS THAT he has reasonable grounds to believe and does believe that

ci-après appelé le dénonciateur
LE DÉNONCIATEUR DÉCLARE QU'il a des motifs raisonnables de croire et qu'il croit que

Name in full
le nom complet
born on
né(e) le year année month mois day jour de

Occupation
A.D. 20
at or near

address
adresse

Male Female

Homm Femme

For
Administrative
purposes only.
Does not form
part of the
charge.
Usage réservé
à
l'administration.
Ne fait pas
partie de
l'accusation.

State the offence
Indiquer l'infraction

On or about the day of
in the Province of Alberta,

DID UNLAWFULLY drive a commercial vehicle after accumulating 14 hours of on-duty time in a day, contrary to Section 12(2) of the Commercial Vehicle Drivers Hours of Service Regulations, 2005 SOR/2005-313, thereby committing an offence contrary to Section 18 of the Motor Vehicle Transport Act 1987, R.S. c29.

Sworn before me this

on

le _____ (year) (année),

at _____, Alberta.

à _____

Justice of the Peace Juge de paix

Signature of Informant Signature du dénonciateur

ADJUDICATION AND DISPOSITION BELOW

DECISION CI - DESSOUS

Driver's Licence No.
MVID / NSC/DOT #

Nº du permis de conduire Year Année Province

Commercial Vehicle Drivers Hours of Service



**Information
On Behalf of Her Majesty The Queen
Dénonciation
Au nom de Sa Majesté la Reine**

Docket No. № de rôle

Police File No. № du dossier de police

CASE FILE #:
CF- - - -NLF-

Adulte Adolescent

Form 2
Criminal Code
Sections 506 and 788
Formulaire 2
Code criminel
Articles 506 et
788

Insert full name,
residence and
occupation of
informant

Insérer le nom
complet,
le domicile et la
profession ou
l'occupation du
dénonciateur.

THIS IS THE INFORMATION OF
, a member

LES PRÉSENTES CONSTITUENT LA DÉNONCIATION DE

of **Commercial Vehicle Enforcement, Alberta Infrastructure and Transportation**
de

hereinafter called the Informant

THE INFORMANT SAYS THAT he has reasonable
grounds to believe and does believe that

ci-après appelé le dénonciateur.

LE DÉNONCIATEUR DÉCLARE QU'il a des motifs
raisonnables de croire et qu'il croit que

For
Administrative
purposes only.
Does not form
part of the
charge.
Espace réservé
à l'administration
Ne fait pas
partie de
l'accusation.

State the offence
Indiquer l'infraction

Name in full
le nom complet
born on
né(e) le year année month mois day jour de

Occupation

Male Female

Homm Femme

On or about the day of

A.D. 20 at or near

in the Province of Alberta,

DID UNLAWFULLY drive a commercial vehicle after 16 hours of time having elapsed between
the conclusion of the most recent period of 8 or more consecutive hours of off-duty time and the
beginning of the next period of 8 or more consecutive hours off-duty time, contrary to Section
13(3) of the Commercial Vehicle Drivers Hours of Service Regulations, 2005 SOR/2005-313,
thereby committing an offence contrary to Section 18 of the Motor Vehicle Transport Act 1987,
R.S. c29.

Sworn before me this

on

the _____, (year) (année),

at _____, Alberta.

à _____

Justice of the Peace Juge de paix

Signature of Informant Signature du dénonciateur

ADJUDICATION AND DISPOSITION BELOW

DÉCISION CI - DESSOUS

Driver's Licence No. № du permis de conduire Year Année Province
MVID / NSC/DOT #: _____ | _____

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) Review the following daily logs that an inspector obtained from a driver. Use the 5-step guide to check for compliance.

Step 1 - Ensure the Log Is Current to the Last Change of Duty Status

The inspector stops this driver in Cold Lake, AB on June 11 at 23:30. The driver tells the inspector that the driver just finished a rest in the sleeper berth and has just started driving. Is the logbook up-to-date and when was the last change of duty status?

Step 2 - Ensure the Logbook Is True and Accurate

For the purposes of this Self-Check Exercise, assume the inspector interviewed the driver and reviewed the logbook and supporting documentation, and determined that log is true and accurate.

Step 3 – Check the Day

Review the daily logs and identify any daily limit or requirement violations. If there are any violations, identify how many hours the driver drove in violation.

Step 4 – Check the Work Shift

Review the daily logs and identify any work shift violations. If there are any violations, identify how many hours the driver drove in violation.

Step 5 – Check the Cycle

Review the daily logs and identify any cycle violations. If there are any violations, identify how many hours the driver drove in violation. Also, if the driver exceeded the cycle limit, determine when the driver may resume driving.

Identify the Enforcement Actions that are available to the inspector for the violations.

Commercial Vehicle Drivers Hours of Service

June 5, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										9
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										2
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

June 6, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										9
Off-duty time in sleeper berth																										0
Driving time																										11.5
On-duty time other than driving time																										3.5
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

June 7, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										2
Driving time																										13
On-duty time other than driving time																										1
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	



Commercial Vehicle Drivers Hours of Service

June 8, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										1
Off-duty time in sleeper berth																										12
Driving time																										11
On-duty time other than driving time																										0

June 9, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										0
Off-duty time in sleeper berth																										10
Driving time																										11.5
On-duty time other than driving time																										2.5



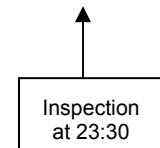
Commercial Vehicle Drivers Hours of Service

June 10, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth															11											2
Off-duty time in sleeper berth														5	11											10
Driving time																14										11
On-duty time other than driving time																13	14									1

June 11, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																5	11									
Driving time																	13	14								
On-duty time other than driving time																	11	12	13	14						



Answers to Module Self-Check Questions

- 1) Review the following daily logs that an inspector obtained from a driver. Use the 5-step guide to check for compliance.

Step 1 - Ensure the Log Is Current to the Last Change of Duty Status

The inspector stops this driver in Cold Lake, AB on June 11 at 23:30. The driver tells the inspector that the driver just finished a rest in the sleeper berth and has just started driving. Is the logbook up-to-date and when was the last change of duty status?

- The logbook is up-to-date
- The last change of duty status was at 23:00

Step 2 - Ensure the Logbook Is True and Accurate

For the purposes of this Self-Check Exercise, assume the inspector interviewed the driver and reviewed the logbook and supporting documentation, and determined that log is true and accurate.

Step 3 – Check the Day

Review the daily logs and identify any daily limit or requirement violations. If there are any violations, identify how many hours the driver drove in violation.

Date	No driving after 13 hours driving	No driving after 14 hours on-duty	At least 10 hours off-duty - 8 hours core rest - 2 additional hours (blocks ≥ 30 minutes) not part of core rest
June 5	✓ (13 hours)	✗ 15 hours - Drove in violation 22:30 – 23:30 (1 hour)	✗ 9 hours - Did not take 2 additional hours (only took 1)
June 6	✓ (11.5 hours)	✗ 15 hours - Drove in violation 23:00 – 24:00 (1 hour)	✗ 9 hours - Did not take 2 additional hours (only took 1)
June 7	✓ (13 hours)	✓ (14 hours)	✓ (10 hours = 8 + 2 sleeper berth)
June 8	✓ (11 hours)	✓ (11 hours)	✓ (13 hours = 12 sleeper berth + 1)
June 9	✓ (11.5 hours)	✓ (14 hours)	✓ (10 hours sleeper berth)
June 10	✓ (11 hours)	✓ (12 hours)	✓ (12 hours = 10 hours sleeper berth + 2)
June 11	✓ (11 hours)_	✓ (13 hours)	✓ (11 hours sleeper berth)

Step 4 – Check the Work Shift

Review the daily logs and identify any work shift violations. If there are any violations, identify how many hours the driver drove in violation.

Sleeper Berth Period	≥ 2 hours	This period + another period ≥ 10 hours	≤ 13 hours driving before and after sleeper berth period	No driving after 14 hours on-duty before and after sleeper berth period	No driving after 16 hours elapsed time before and after the sleeper berth period	Eligible Sleeper Berth Period
A	Yes (2)	Yes ($A + B = 10$)	Yes ($6.5 + 6.5$)	Yes ($7 + 7$)	Yes ($7 + 7$)	Yes
B	Yes (8)	Yes ($B + C = 12$)	Yes ($6.5 + 6$)	Yes ($7 + 6$)	Yes ($7 + 7$)	Yes
C	Yes (4)	Yes ($B + C = 12$)	Yes ($6 + 7$)	Yes ($6 + 7.5$)	Yes ($7 + 7.5$)	Yes
D	Yes (6)	Yes ($D + E = 10$)	No ($7 + 6.5$)			No
E	Yes (4)	Yes ($D + E = 10$)	No ($6.5 + 8$)			No
F	Period F is 8 consecutive hours off-duty (6 hours in the sleeper berth followed by 2 hours off-duty). This off-duty qualifies as a core rest period so brings the driver back into compliance.					
G	Yes (4)	Yes ($G + H = 10$)	Yes ($6 + 5$)	Yes ($7 + 5$)	Yes ($9 + 5$)	Yes
H	Yes (6)	Yes ($G + H = 10$)	Yes ($5 + 6$)	Yes ($5 + 8$)	Yes ($5 + 8$)	Yes



Commercial Vehicle Drivers Hours of Service

Work Shift	No driving after 13 hours driving in a work shift	No driving after 14 hours on-duty in a work shift	No driving after 16 hours elapsed time
1 (June 5 8:00 – 23:30)	✓ (13 hours)	✗ 15 hours - Drove in violation 22:30 – 23:30 (1 hour)	✓ (15.5 hours)
2 (June 6 8:00 – 24:00)	✓ (11.5 hours)	✗ 15 hours - Drove in violation 23:00 – 24:00 (1 hour)	✓ (16 hours)
3 (June 7 8:00 – 24:00)	✓ (13 hours) (6.5 + 6.5)	✓ (14 hours) (7 + 7)	✓ (14 hours) (7 + 7)
4 (June 7 17:00 – June 8 15:00)	✓ (12.5 hours) (6.5 + 6)	✓ (13 hours) (7 + 6)	✓ (14 hours) (7 + 7)
5 (June 8 8:00 – June 9 2:30)	✓ (13 hours) (6 + 7)	✓ (13.5 hours) (6 + 7.5)	✓ (14.5 hours) (7 + 7.5)

Work Shift	No driving after 13 hours driving in a work shift	No driving after 14 hours on-duty in a work shift	No driving after 16 hours elapsed time
6 (June 8 19:00 – June 10 5:00) (*Note: Periods D & E are not eligible sleeper berth periods)	<p style="color: red;">✗ Reached 13th hour June 9 at 14:30</p> <p>- Drove in violation a total of 8.5 hours June 9 14:30 - 15:00 (0.5 hour)</p> <p style="text-align: center;">+</p> <p style="color: red;">June 9 21:00 – 24:00 (3 hours)</p> <p style="text-align: center;">+</p> <p style="color: red;">June 10 0:00 – 5:00 (5 hours)</p>	<p style="color: red;">✗ Reached 14th hour June 9 at 15:00</p> <p>- Drove in violation a total of 8 hours June 9 21:00 – 24:00 (3 hours)</p> <p style="text-align: center;">+</p> <p style="color: red;">June 10 0:00 – 5:00 (5 hours)</p>	<p style="color: red;">✗ Reached 16th hour June 9 at 11:00</p> <p>- Drove in violation a total of 12 hours June 9 11:00 – 15:00 (4 hours)</p> <p style="text-align: center;">+</p> <p style="color: red;">June 10 21:00 – 24:00 (3 hours)</p> <p style="text-align: center;">+</p> <p style="color: red;">June 10 0:00 – 5:00 (5 hours)</p>
7 (June 11 0:00 – 19:00)	✓ (11 hours) (5 + 6)	✓ (13 hours) (5 + 8)	✓ (13 hours) (5 + 8)

Step 5 – Check the Cycle

Review the daily logs and identify any cycle violations. If there are any violations, identify how many hours the driver drove in violation. Also, if the driver exceeded the cycle limit, determine when the driver may resume driving.

Number of days in Cycle	Calendar date	Total on-duty hours	Total hours accumulated
7	June 5	15	
6	June 6	15	
5	June 7	14	
4	June 8	11	
3	June 9	14	
2	June 10	12	
1	June 11	13.5	94.5
	June 12	0	79.5
	June 13	*5.5 eligible	70

Total Hours 94.5

Hours Over 24.5

Date eligible to drive June 13 (at 00:01)

for 5.5 hours

- Driver reached 70th hour on June 10 at 1:00
Driver drove in violation for a total of 21.5 hours
June 10 1:00 – 5:00 (4 hours)
June 10 14:00 – 20:00 (6 hours)
June 11 0:00 – 5:00 (5 hours)
June 11 13:00 – 19:00 (6 hours)
June 11 23:00 – 23:30 (0.5 hour)
- Driver may resume driving on June 13 (at 00:01) for 5.5 hours

Identify the Enforcement Actions that are available to the inspector for the violations.

- Issue a verbal warning to the commercial vehicle driver explaining the violation(s)
- Issue a written warning (Commercial Vehicle Inspection Report) to the commercial vehicle driver outlining the violation(s). This report can also serve as an out-of-service declaration.
Because the driver drove after accumulating 70 hours of on-duty time during any period of 7 days, the inspector can place the driver out-of-service for the number of hours needed to correct the failure (i.e., 24 consecutive hours on June 12). The driver is out-of-service at the time of the stop and is not eligible to drive again until June 13 (at 00:01).
The driver is eligible to drive for 5.5 hours on June 13.
- Issue an appearance notice to the driver and then complete a long-form information formally charging the driver with the violation(s). The inspector will need to have the long-form information reviewed and sworn by a Justice of the Peace. The driver will appear in Provincial Court and a judge will determine the penalty for the violation(s).



Commercial Vehicle Drivers Hours of Service

June 5, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										9
Off-duty time in sleeper berth																										0
Driving time																										13
On-duty time other than driving time																										2
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

June 6, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										9
Off-duty time in sleeper berth																										0
Driving time																										11.5
On-duty time other than driving time																										3.5
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

June 7, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										8
Off-duty time in sleeper berth																										2
Driving time																										13
On-duty time other than driving time																										1
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	

A



Commercial Vehicle Drivers Hours of Service

June 8, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										1
Off-duty time in sleeper berth																										12
Driving time																										11
On-duty time other than driving time																										0

June 9, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										0
Off-duty time in sleeper berth																										10
Driving time																										11.5
On-duty time other than driving time																										2.5



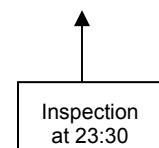
Commercial Vehicle Drivers Hours of Service

June 10, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										2
Off-duty time in sleeper berth																										10
Driving time																										11
On-duty time other than driving time																										1

June 11, 2007

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Hours
Off-duty time other than in sleeper berth																										
Off-duty time in sleeper berth																										
Driving time																										
On-duty time other than driving time																										





Module 24

Daily Log Audits



© Microsoft®.



© Microsoft®.

Things to think about ...

Motor carriers and Carrier Services' Investigators are responsible for ensuring that drivers operate in compliance with the Federal *Commercial Vehicle Drivers Hours of Service Regulations*.

Motor carriers must monitor each driver to ensure compliance with the Regulations. If a motor carrier fails to prevent a driver violation, the motor carrier can be held liable for the actions of the driver.

Carrier Services' Investigators monitor driver compliance by conducting daily log audits. If an investigator finds a violation, an investigator can lay a charge or an administrative penalty can be levied against the motor carrier.

What are the motor carrier's responsibilities?

What is a daily log audit?

What will I learn in this module?

- Motor carrier responsibilities
- Daily log audits

What are the motor carrier's responsibilities?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 85 Distribution and Keeping of Daily Logs*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 87 Monitoring by Motor Carriers*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 99 Production of Daily Logs and Supporting Documents*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Schedule 3 Receipt*

Motor carriers are responsible for the following with respect to daily logs:

- Distribute and keep daily logs
- Prevent daily log tampering
- Monitor driver compliance with the Regulations
- Produce daily logs and supporting documents for inspection

Distribute and Keep Daily Logs

The Federal *Commercial Vehicle Drivers Hours of Service Regulations* specify that a motor carrier must do the following:

- Deposit the daily logs and supporting documents at its principal place of business within 30 days after receiving them from the driver
- Keep the daily logs and supporting documents in chronological order for each driver for a minimum of 6 months

Prevent Daily Log Tampering

Motor carriers must ensure that there is no tampering to daily logs. This means that no one can alter a daily log. If a motor carrier employee (i.e., Safety Officer) finds an error on a daily log and wants to “correct” a log, the officer must copy the log and edit the copy. The employee cannot alter the original record because it is a legal document. This also applies to electronic or scanned logs.



© Microsoft®.

Monitor Driver Compliance with the Regulations

Motor carriers are liable for the actions of their employees even if the carrier contends that it did not require or permit the violations to occur. Neither intent to commit, nor actual knowledge of a violation is a necessary element of liability. Carriers “permit” violations of the Regulations by their employees if they fail to have management systems in place that effectively prevent such violations.

One of the most effective ways to monitor driver compliance is for the motor carrier to conduct an internal daily log audit. This daily log audit needs to include the following:

- Verify that all drivers have a record for all calendar days (Note: see Module 17 regarding the option for recording multiple days off-duty on a single log)
- Check all drivers to ensure that drivers apply the Regulations to all roads, both public and private (forestry roads), as well as waterways (ferries) in Canada
- Check all drivers for all form and manner compliance (i.e. name, date, etc.)
- Check all drivers in detail at least once a year for fatigue-related violations (i.e., driving over hours, two logs for 1 day, false logs, etc.)



- Have written policies in their Safety program that address the following:
 - Use independent (i.e., that the driver does not create or can modify) supporting documents to verify logs (e.g. fuel receipts, tach cards, bills of lading with shipping times, etc.)
 - Check new drivers / dispatchers / safety staff more frequently until carrier is satisfied that they understand the rules
 - Check drivers / dispatchers / safety staff with previously identified problems more frequently until carrier believes they now are following the rules
 - Check a random percentage of all drivers / dispatchers / safety staff at least monthly (e.g. 10% of drivers monthly will ensure all drivers are selected at least yearly)
 - Record dates on which non-compliance occurred and record date that the motor carrier issued a notice of non-compliance
 - Identify who is responsible for performing these checks, preparing the summary reports, taking actions, etc. and ensure that these employees have the necessary skills and knowledge
 - Address all identified deficiencies with individual staff, taking appropriate actions (e.g. re-training or discipline) and documenting the actions taken in the staff's file
 - Prepare a summary report at least monthly of the findings of this internal audit, the corrective actions taken; provide this report at least to carrier's senior management; and retain all such reports for at least 6 months (longer is recommended)

It is the motor carrier's responsibility to ensure that the all drivers, including new drivers, comply with the Regulations. If the motor carrier cannot obtain copies of the daily logs from the previous carrier, at the very least, the motor carrier should obtain a signed statement from the driver that specifies the total on-duty and off-duty hours for the previous 14 days.

Produce Daily Logs and Supporting Documents for Inspection

At the request of and at a location specified by an investigator, a motor carrier must immediately make available for inspection the following:

- Daily logs, supporting documents and other relevant records. A list of supporting documents is on page 7.

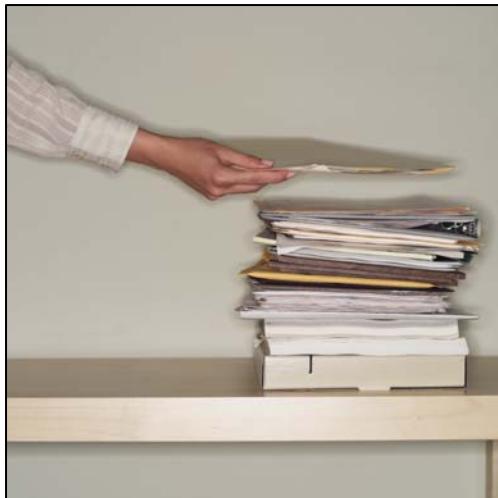
A duty status record for a radius exemption driver (refer to Module 18) is a relevant record. An investigator / inspector can request that the record be sent or faxed immediately to a Vehicle Inspection Station, government office, etc. during a carrier's normal business hours (i.e., some carriers may operate hours other than 9:00 am – 5:00 pm).

- Any permit under which the driver is operating or has been operating

The investigator will do the following:

- Immediately return the permit if it is still a current permit. The investigator can make a copy of the permit, if required.
- Give the carrier a receipt for any expired permit as well as the daily logs, supporting documents and other relevant records. A sample receipt is on page 8.
- Return the expired permits, daily logs, supporting documents and other relevant records within 14 days after receiving them

As discussed in Module 21, investigators have the legal authority to enter a motor carrier's premises to inspect daily logs, supporting documents and other relevant records. No carrier staff can obstruct or hinder, or knowingly make any false or misleading statements whether orally or in writing to an investigator.



© Microsoft®.

Examples of Supporting Documents for a Motor Carrier

Bills of lading	Lessor settlement sheets
Carrier profiles	Over/short and damage reports
Freight bills	Agricultural inspection reports
Dispatch records	CVSA reports
Driver call-in records	Accident reports
Gate record receipts	Telephone billing statements
Weight/Scale tickets	Credit card receipts
Fuel receipts	Driver fax reports
Fuel billing statements	On-board computer reports
Toll receipts	Border crossing reports
International registration plan receipts	Custom declarations
International fuel tax agreement receipts	Traffic citations
Trip permits	Overweight/oversize reports and citations
Port of entry receipts	Electronic records stored in computers by a consulting company or service provider
Cash advance receipts	Other documents directly related to the motor carrier's operation which are retained by the motor carrier in connection with the operation of its transportation business
Delivery receipts	
Lumber receipts	
Interchange and inspection reports	

SAMPLE RECEIPT

It is hereby acknowledged that, pursuant to subsection 98(4) or paragraph 99(2)(a) of the *Commercial Vehicle Drivers Hours of Service Regulations*, the following daily logs, supporting documents and other records were provided by

(Name of person)	
At	
(Number, street, municipality, location, province of motor carrier)	
On	
(Day, month, year)	
Namely	
(Description of daily logs, supporting documents and records received)	
Dated at	
(Municipality, location)	
On	
(Day, month, year)	

Inspector's signature

What is a daily log audit?

A daily log audit is a process for testing the accuracy and completeness of information contained in a driver's daily logs. Carrier Services Investigators conduct daily log audits and issue reports on the results of the audit.



© Microsoft®.

When conducting a daily log audit, a Carrier Services investigator does the following:

- Consults with the Manager of Investigations prior to audit start
- Recognizes that the audit is not a one- or two-day process. A properly completed audit of a medium size motor carrier can take up to 39 hours and this may occur over several weeks.
- Confirms the motor carrier's full legal name, motor vehicle identification (MVID) and National Safety Code (NSC) identification details
- Gathers all available data on carrier history

- Establishes a game plan prior to meeting with the carrier, including:
 - To whom does the investigator need to talk?
 - What documents are available?
 - What is the carrier's administrative process?
- Provides the motor carrier with a detailed description of the audit process:
 - Pick sample
 - Obtain driver, vehicle and carrier information
 - Review logs
 - Obtain additional supporting documents
 - Interview staff
 - Review documents
 - Prepare reports
 - Review reports with motor carrier
 - Request carrier response and future commitment
 - Submit final report to supervisor
- Ensures that the carrier understands that charges may be laid or an Administrative Penalty may be levied as a result of the audit. The investigator is up front and honest with the carrier.
- Follows the established document sampling procedures
- Does not take a sample that will require the use of the carrier's current accounting records as this may disrupt the carrier's business too much
- Does not demand records and supporting documents to which the investigator has no right. The investigator only needs one or two types of documents (e.g. fuel statements and bills of lading). An investigator can use other types of supporting documents during a re-audit.
- Obtains the MVID and Operator's licence of all drivers sampled and checks the operator's licence status.

- Copies two sets of the daily logs, one clean copy initialed and dated for court purposes and the second for notes, to accompany the investigator's final report and audit report for carrier's review.
- Tests to see if logbook entries look reasonable
 - Does the driver show pre-trip and post-trip inspections?
 - Does the driver show loading and unloading times? Load security checks?
 - Are most of the log entries recorded on the hour?
 - Are there excessive sleeper berth times?
 - Does the vehicle driven actually have a sleeper berth?
 - Did the driver do any on-duty function on off-duty days such as fueling, loading / unloading, etc.?
 - Are there excessive periods of off-duty time?
 - Did the driver make an unaccounted trip?
 - Is the driver working for more than one carrier (e.g. more common for bus drivers)?
 - Is there a co-driver? If so, do the driver's logs match the co-driver's logs?
 - Does the previous day's ending odometer reading (or mileage) match with the current day's starting odometer reading?
- Completes the "Driver's Hours of Service Worksheets" (Complete Hours of Service in the Audit section of the ARC Program), one for each driver reviewed. The investigator submits these worksheets with the Audit report (Complete Audit Report in ARC Program).

The ARC (Assessment of Regulatory Compliance) Program is an audit program that investigators use to ensure that commercial truck and bus carriers are operating in compliance with current legislation. Investigators use ARC to conduct NSC (National Safety Code) Audits and Hours of Service Investigations:

- A NSC Audit is quantifiable, satisfies a national NSC Standard #15, meets the definition of an audit (systematic approach to gather information), and includes Hours of Service daily log audits (i.e., Hours of Service is only one part of a NSC audit).

- An Hours of Service Investigation involves the collection of data in response to complaints, poor safety performance, etc. Rather than conducting a complete NSC Audit, an investigator can conduct an Hours of Service Investigation using ARC as one tool in the investigative process. The investigation is not as restrictive as an audit and the investigator has the flexibility to identify other compliance issues, the cause of non-compliance, etc. that an audit does not allow.
- Identifies on the worksheet, all hours worked and violations identified
- Uses the same violation guidelines contained in the ARC Audit Manual
- Calculates all the daily, work shift and cycle violations
- Checks off form and manner violations by exception (i.e., marks those items missing on each daily log)
- If the investigator finds a work shift violation, the investigator notes the shift start and end times adjacent to the dates involved
- When preparing to complete the worksheets, the investigator arranges and identifies daily logs and supporting documents alphabetically by driver. The investigator keeps the information organized.



© Microsoft®.

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 number of days that a motor carrier has to deposit daily logs and supporting documents at its principal place of business after receiving them from a driver.

- 2) Identify the number of months that a motor carrier must keep daily logs and supporting documents.

- 3) Identify how a motor carrier can prevent tampering to daily logs.

- 4) Identify strategies that a motor carrier can use to monitor driver compliance with the Regulations.

- 5) Identify the documents that a motor carrier must make available for inspection.

- 6) Identify what an investigator will do when given documents for inspection.

- 7) Describe a daily log audit. and identify some of the activities that an investigator will perform during a daily log audit.

- 8) In the following list, place a check mark beside the activities that an investigator will perform during a daily log audit.

- Consults with the Manager of Investigations prior to audit start
- Recognizes that the audit is not a one- or two-day process
- Confirms the motor carrier's full legal name, motor vehicle identification (MVID) and National Safety Code (NSC) identification details
- Gathers all available data on carrier history
- Establishes a game plan prior to meeting with the carrier
- Provides the motor carrier with a detailed description of the audit process
- Ensures that the carrier understands that charges may be laid or an Administrative Penalty may be levied as a result of the audit
- Follows the established sampling procedures

- Does not take a sample that will require the use of the carrier's current accounting records as this may disrupt the carrier's business too much
- Does not demand records and supporting documents to which the investigator has no right
- Obtains the MVID and Operator's licence of all drivers sampled and checks the operator's licence status
- Copies two sets of the daily logs, one clean copy initialed and dated for court purposes and the second for notes, to accompany the investigator's report and spreadsheet and for carrier review
- Tests to see if logbook entries look reasonable
- Completes the "Driver's Hours of Service Worksheets" (Complete Hours of Service in the Audit section of the ARC Program), one for each driver reviewed. The investigator submits these worksheets with the Audit report (Complete Audit Report in ARC Program)
- Identifies on the worksheet, all hours worked and violations identified
- Uses the same violation guidelines contained in the ARC Audit Manual
- Calculates all the daily, work shift and cycle violations
- Checks off form and manner violations by exception (i.e., marks those items missing on each daily log)
- If the investigator finds a work shift violation, the investigator notes the shift start and end times adjacent to the dates involved
- When preparing to complete the worksheets, the investigator arranges and identifies daily logs and supporting documents alphabetically by driver

Answers to Module Self-Check Questions

- 1) Identify the number of days that a motor carrier has to deposit daily logs and supporting documents at its principal place of business after receiving them from a driver.
 - Motor carrier has 30 days to deposit daily logs and supporting documents at its principal place of business after receiving them
- 2) Identify the number of months that a motor carrier must keep daily logs and supporting documents.
 - Motor carrier must keep daily logs and supporting documents in chronological order for each driver for a minimum of 6 months
- 3) Identify how a motor carrier can prevent tampering to daily logs.
 - No one can alter a daily log, electronic log or scanned log
 - If a motor carrier employee (i.e., Safety Officer) finds an error on a daily log, the officer must copy the log and edit the copy (cannot alter the original record because it is a legal document)
- 4) Identify strategies that a motor carrier can use to monitor driver compliance with the Regulations.
 - Verify that all drivers have a record for all calendar days
 - Check all drivers to ensure that drivers apply the Regulations to all roads, both public and private (forestry roads), as well as waterways (ferries) in Canada
 - Check all drivers for all form and manner compliance (i.e. name, date, etc.)
 - Check all drivers in detail at least once a year for fatigue-related violations (i.e., driving or hours, two logs for 1 day, false logs, etc.)
 - Have written policies in their Safety program that address the following:
 - Use independent (i.e., that the driver does not create or can modify) supporting documents to verify logs (e.g.. fuel receipts, tach cards, bills of lading with shipping times, etc.)
 - Check new drivers / dispatchers / safety staff more frequently until carrier is satisfied that they understand the rules

- Check drivers / dispatchers / safety staff with previous identified problems more frequently until carrier believes they now are following the rules
 - Check a random percentage of all drivers / dispatchers/ safety staff at least monthly (e.g. 10% of drivers monthly will ensure all drivers are selected at least yearly)
 - Record dates on which non-compliance occurred and record date that the motor carrier issued a notice of non-compliance
 - Identify who is responsible for performing these checks, preparing the summary reports, taking actions, etc. and ensure that these employees have the necessary skills and knowledge
 - Address all identified deficiencies with individual staff, taking appropriate actions (e.g. re-training or discipline) and documenting the actions taken in the staff's file
 - Prepare a summary report at least monthly of the findings of this internal audit, the corrective actions taken; provide this report at least to carrier's senior management; and retain all such reports for at least 6 months (longer is recommended)
- 5) Identify the documents that a motor carrier must make available for inspection.
- Daily logs, supporting documents and other relevant records
 - Any permit under which the driver is operating or has been operating
- 6) Identify what an investigator will do when given documents for inspection.
- Immediately return the permit if it is still a current permit
 - Give the carrier a receipt for any expired permit as well as the daily logs, supporting documents and other relevant records
 - Return the expired permits, daily logs, supporting documents and other relevant records within 14 days after receiving them
- 7) Describe a daily log audit.
- Daily log audit is a process for testing the accuracy and completeness of information contained in a driver's daily logs

- 8) In the following list, place a check mark beside the activities that an investigator will perform during a daily log audit.
- Consults with the Manager of Investigations prior to audit start
 - Recognizes that the audit is not a one- or two-day process
 - Confirms the motor carrier's full legal name, motor vehicle identification (MVID) and National Safety Code (NSC) identification details
 - Gathers all available data on carrier history
 - Establishes a game plan prior to meeting with the carrier
 - Provides the motor carrier with a detailed description of the audit process
 - Ensures that the carrier understands that charges may be laid or an Administrative Penalty may be levied as a result of the audit
 - Follows the established sampling procedures
 - Does not take a sample that will require the use of the carrier's current accounting records as this may disrupt the carrier's business too much
 - Does not demand records and supporting documents to which the investigator has no right
 - Obtains the MVID and Operator's licence of all drivers sampled and checks the operator's licence status
 - Copies two sets of the daily logs, one clean copy initialed and dated for court purposes and the second for notes, to accompany the investigator's report and spreadsheet and for carrier review
 - Tests to see if logbook entries look reasonable
 - Completes the "Driver's Hours of Service Worksheets" (Complete Hours of Service in the Audit section of the ARC Program), one for each driver reviewed. The investigator submits these worksheets with the Audit report (Complete Audit Report in ARC Program)

- Identifies on the worksheet, all hours worked and violations identified
- Uses the same violation guidelines contained in the ARC Audit Manual
- Calculates all the daily, work shift and cycle violations
- Checks off form and manner violations by exception (i.e., marks those items missing on each daily log)
- If the investigator finds a work shift violation, the investigator notes the shift start and end times adjacent to the dates involved
- When preparing to complete the worksheets, the investigator arranges and identifies daily logs and supporting documents alphabetically by driver



Notes: