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Upcoming Webcasts

- [The FMCSA's Regulatory Agenda: A 2020 review and 2021 preview](#)
Tuesday, January 26, 2021 1:00 PM CT

This Week's Topic

Short-haul driver can't make it back?

When a property-carrying driver who normally uses the 150 air-mile logging exemption at [§395.1\(e\)\(1\)](#) unexpectedly can't make it back to the work reporting location or is not released for a 10-hour break within 14 hours, the driver must do the following.

Stop driving

Once the driver reaches the 14-hour limit, the driver must stop driving commercial vehicles and take a 10-hour break, unless the driver can use:

- The adverse driving conditions exemption at [§395.1\(b\)\(2\)](#), or
- The 16-hour short haul exemption at [§395.1\(o\)](#).

To use the adverse driving conditions exemption, the driver must have been delayed by a road, weather, or traffic condition that could not have been known at the time of dispatch and at the beginning of the driver's day. If such a condition existed, the driver can drive up to the 16th hour.

To use the 16-hour short haul exemption at [§395.1\(o\)](#), the driver must have:

- Returned to the work reporting location the last five workdays, and
- Not used the exemption in the previous six days, or since the driver's last restart if the driver had a restart in the previous six days.

Complete a log

Any driver that fails to meet the terms of the 150 air-mile exemption will need to complete a log for the day (the full 24-hour period). If the driver has already had to log 8 days out of the last 30 days, the driver will need to use an [ELD](#) for the day. If the driver has only completed a log 7 or fewer days out of the last 29 days, the driver can use a paper log. The driver must then carry the paper log for the next seven days and present it during any roadside inspections.

If the driver is using an exemption that allows driving after exceeding the 14-hour limit, the driver will need to note on the log which exemption he or she is using. If the driver is using the adverse driving conditions exemption, the driver should also note the details of the adverse condition encountered (such as "delayed for one hour due to an accident that closed I-80 eastbound at Buckhorn, PA at 9:00 a.m.").

Take the 30-minute break from driving, if required

If the driver accumulated 8 hours of driving without an interruption in driving of 30 minutes or more, the driver will need to stop driving for 30 minutes. The driver can be on duty during the break from driving. Sometimes a driver does not take the break at the appropriate time due to believing he/she would be able to use the 150 air-mile exemption for the day. Where this is the case, as soon as the driver realizes the exemption no longer applies, he or she must stop as soon as safely possible and take the 30-minute break from driving. The driver is then to note on the log why the break was late.

Ultimately, failing to qualify for the 150 air-mile exemption is not the end of the world, as long as you and the driver understand what must happen once it becomes clear that the exemption won't apply.

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Alerts & Reminders

Alerts:

Employees and Drivers - Harry McPherson - TWIC Cert. Expires 02/03/2021

Unresolved Alerts

Employees and Drivers - Jacob Kranmas - Medical Exam Cert. Expires 09/20/2020

Reminders:

No reminders posted this week.

Postings:


Service Alerts:

Service Past Due

No service past due alerts this week.

Service Coming Due

No service coming due alerts this week.

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This Week's News

TRANSPORTATION

Jan 19 - CDC webpage provides COVID-19 building ventilation strategies [more...](#)

Jan 18 - The FFCRA might be reinstated and expanded [more...](#)

Jan 18 - COVID-19 legislation could impact labor law posters [more...](#)

Jan 14 - OSHA raises penalties for 2021 [more...](#)

Jan 14 - Employee's FMLA claim was too late [more...](#)

Jan 13 - FMCSA proposes to change CMV driver vision requirements [more...](#)

Jan 12 - OSHA offers tips for safely using dry ice to store, transport COVID-19 vaccines [more...](#)

Jan 12 - FMCSA fines to include Clearinghouse violations [more...](#)

Jan 12 - EEOC issues proposed wellness rules [more...](#)



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