



U.S. Department of Transportation Federal Motor Carrier Safety Administration

Home > Rules & Regulations > 391.2

Overview

Federal Regulations

All

- Driver
- Vehicle
- Company
- FMCSA Hazmat
- Regulatory Guidance

Rulemakings and Notices

- Final Rules
- Interim Final Rules
- Proposed Rules
- Notices

Topics of Interest

- Hours of Service (HOS)
- Hours of Service (HOS)
- Listening Sessions
- Hazardous Materials
- Intermodal Equipment Providers (IEP)
- New Entrant Safety Assurance
- Medical Program
- Medical Expert Panels
- NAFTA Rules
- Drug & Alcohol Testing

Part 391.2: General exemptions.

Search for

Examples: *Medical Form, 391.53, 391*

- All Regulations
- Part 391

< 391.1

General

§391.2 General exemptions.

(a) **Farm custom operation.** The rules in this part do not apply to a driver who drives a motor vehicle controlled and operated by a person engaged in custom-harvesting of commercial motor vehicle is used to—

- (a)(1) Transport farm machinery, supplies, or both, to or from a farm for custom-harvesting
- (a)(2) Transport custom-harvested crops to storage or market.

(b) **Apiarian industries.** The rules in this part do not apply to a driver who is operating a motor vehicle controlled and operated by a beekeeper engaged in the seasonal transportation of bees.

(c) **Certain farm vehicle drivers.** The rules in this part do not apply to a farm vehicle driver who drives an articulated (combination) commercial motor vehicle as defined in §391.53. Farm vehicle drivers of articulated commercial motor vehicles see §391.67.)

Medical Card

- (h)(2)(ii) After being on duty for 20 hours or more following 8 consecutive hours off duty;
- (h)(2)(iii) After having been on duty for 70 hours in any period of 7 consecutive days in which the driver drives does not operate every day in the week; or
- (h)(2)(iv) After having been on duty for 80 hours in any period of 8 consecutive days in which the driver drives operates every day in the week.
- (h)(3) A driver who is driving a commercial motor vehicle in the State of Alaska and under the same conditions (as defined in §395.2) may drive and be permitted or required to drive a commercial motor vehicle for the amount of time needed to complete the run.
 - (h)(3)(i) After a property-carrying commercial motor vehicle driver completes the run, 10 consecutive hours before he/she drives again; and
 - (h)(3)(ii) After a passenger-carrying commercial motor vehicle driver completes the run, 10 consecutive hours before he/she drives again.
- (i) **State of Hawaii.** The rules in §395.8 do not apply to a driver who drives a commercial motor vehicle in the State of Hawaii, if the motor carrier who employs the driver maintains and retains for a period of 90 days records showing—
 - (i)(1) The total number of hours the driver is on duty each day; and
 - (i)(2) The time at which the driver reports for, and is released from, duty each day.
- (j) **Travel time.** (1) When a property-carrying commercial motor vehicle driver at the direction of the carrier is traveling, but not driving or assuming any other responsibility to the carrier, such time must be counted as off-duty unless the driver is afforded at least 10 consecutive hours off duty when arriving at destination, in which case such time may be considered off duty for the entire period.
 - (j)(2) When a passenger-carrying commercial motor vehicle driver at the direction of the carrier is traveling, but not driving or assuming any other responsibility to the carrier, such time must be counted as off-duty unless the driver is afforded at least 8 consecutive hours off duty when arriving at destination, in which case such time may be considered off duty for the entire period.
- (k) **Agricultural operations.** The provisions of this part shall not apply to drivers transporting farm supplies for agricultural purposes in a State if such transportation:
 - (k)(1) Is limited to an area within a 100 air-mile radius from the source of the commercial motor vehicle farm supplies, and
 - (k)(2) Is conducted (except in the case of livestock feed transporters) during the planting season in such State, as determined by the State.
- (l) **Ground water well drilling operations.** In the instance of a driver of a commercial motor vehicle engaged in the transportation and operations of a ground water well drilling rig, any period of 24 or more successive hours of off-duty time beginning at the beginning of any off-duty period of 24 or more successive hours.
- (m) **Construction materials and equipment.** In the instance of a driver of a commercial motor vehicle primarily engaged in the transportation of construction materials and equipment, any period of 24 or more successive hours of off-duty time beginning at the beginning of any off-duty period of 24 or more successive hours.
- (n) **Utility service vehicles.** The provisions of this part shall not apply to a driver of a commercial motor vehicle operating a utility service vehicle as defined in §395.2.
- (o) **Property-carrying driver.** A property-carrying driver is exempt from the requirements of this part if—
 - (o)(1) The driver has returned to the driver's normal work reporting location and the driver has worked that location for the previous five duty tours the driver has worked;

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