

# Electronic Logging Devices

## Hours of Service (**HOS**), and Agricultural Exemptions

### **Below is a list of Hours of Service and Agricultural Exemptions.**

- 49 CFR 395.1(k) provides exceptions from the HOS rules, during planting and harvesting periods as determined by the State, for the transportation of agricultural commodities (including livestock, bees and other commodities) within a 150-air mile radius from the source of the commodities. The same provision applies to the delivery of supplies and equipment for agricultural use from a wholesale or retail distribution point.
- The HOS regulations do not apply to the transportation of agricultural commodities operating completely within the 150-air mile radius by for hire or private carriers. Therefore, work and driving hours are not limited and the driver is also not required to use an Electronic Logging Device (ELD). In an operation where drivers share vehicle(s) equipped with ELDs, a driver that is always exempt can use an “Exempt Driver” account.
- Once a driver operates beyond the 150-air mile radius, the HOS regulations apply. Therefore, starting at the time and location where the transporter goes past the 150-air mile radius, the driver must maintain logs using an ELD, unless the driver or the vehicle meets one of the limited ELD exemptions. The driver must work and drive within the limitations of the HOS rules when operating beyond the 150-air mile radius. Time spent working within the 150 air-mile radius does not count toward the driver’s daily and weekly limits.
- When operating within the 150 air-mile radius the driver should not log into the ELD. Upon exiting that radius, the driver should then log into the ELD, and annotate that any unassigned miles accumulated prior to that point were exempt miles.
- Drivers transporting agricultural commodities are not required to use an ELD if the vehicle was manufactured before the model year 2000, provided they prepare paper logs, or if they do not operate outside of the 150 air-mile radius for more than 8 days during any 30-day period, provided they prepare paper logs on the days when they are not exempt from the HOS rules.
- Covered farm vehicles, as defined in 49 CFR 390.5, are exempted from the HOS regulations per 49 CFR 395.1(s). Carriers operating under this exemption are also not required to have an ELD. This only applies to private transportation of agricultural commodities, including livestock by the owner or operator of a farm or ranch, or their family members or employees.

