

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, horses, fish used for food, and other commodities that meet the definition of “agricultural commodity” under § 395.2) within a 150 air-mile radius from the source of the commodities. The exception also applies to the transport of farm supplies for agricultural purposes shipped from either a wholesale or retail distribution point to the location the supplies will be used or from a wholesale distribution point to a retailer.
- 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) or keep paper logs. In an operation where a driver uses a vehicle equipped with an ELD, a driver that is exempt can use an “Exempt Driver” account or annotate the time as exempt ag operation.
- 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 can either identify the movement of the commercial motor vehicle as authorized personal use on the ELD or refrain from logging into the ELD.
 - » If the driver logs into the ELD and identifies the movement as authorized personal use then driver must also make an annotation on the ELD explaining that the movement is exempt per the agriculture exemption. Upon exiting the 150-air mile radius the driver must then identify the movement of the vehicle as on duty driving.
 - » If the driver does not log into the ELD while operating within the 150 air-mile radius then upon exiting the 150 air-mile radius, the driver must then log into the ELD, identify the



movement as on duty driving, and make an annotation on the ELD explaining that the 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 § 390.5T, 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, bees, horses, fish used for food, and other commodities that meet the definition of “agricultural commodity” under § 395.2), machinery and supplies, to or from a farm or ranch by the owner or operator of a farm or ranch, or their family members or employees.

