

9. FAQs

On Duty / Off Duty

Q: What conditions have to be met in order for me to log “off duty” during my work day?

A: You must be relieved of all duty and responsibility for the care and custody of the vehicle, its accessories, and any cargo or passengers it may be carrying, and during the stop (and for the length of the stop) you must be free to pursue activities of your own choosing.

Q: If I’m being paid, doesn’t that make me “on duty”?

A: Not always. You can be paid and remain off duty as long as you are relieved of all duties and responsibilities.

Q: If I drive a pickup truck or car for my employer, is that “driving” time?

A: If the pickup or car is not a CMV, then the time should be recorded as “on duty / not driving.”

Q: I drive CMVs for two organizations, one of which is exempt from the hours-of-service rules (school bus). How should I record this “exempt” driving time?

A: The time must be recorded as “driving” if the vehicle is a CMV.

Q: Do I have to be provided with a bed or other resting facility in order to log off duty?

A: No. You can be off duty even if you do not have access to a resting place.

Q: Does time spent sitting in a parked CMV always count as off duty?

A: No. If you are not relieved of duty and/or not able to rest, then you are still on duty. If you are truly “off duty” and choose to rest in the vehicle, that time can be recorded as off duty.

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Q: If my vehicle breaks down and I'm picked up at the scene and brought back to the terminal, how should that travel time be recorded?

A: If you are dispatched on another run or if you were driving the vehicle back to the terminal, the travel time is “on duty / not driving.” If you are sent home and you get 10 hours off (or 8 for passenger-vehicle drivers), then it’s “off duty.”

Q: How should I record time spent sitting in the driver's seat of my CMV but operating controls that perform an auxiliary, non-driving function like lifting a loaded container or compacting waste?

A: If you are able to simultaneously perform the driving and auxiliary function (for example, one hand on the steering wheel and one hand on a control mechanism), then the time spent performing the auxiliary function has to be recorded as “driving” time. If you are unable to simultaneously perform the driving and auxiliary functions, then performing the auxiliary function can be recorded as “on duty / not driving.”

Q: If I'm constantly interrupted by phone calls or other communications during my off-duty or sleeper-berth break, does that affect my duty status?

A: If you are required to repeatedly respond to satellite or similar communications (either verbally or in writing) during your rest period, then you are on duty. “Repeatedly” in this case means a pattern or series of interruptions that prevent you from obtaining restorative sleep during your off-duty or sleeper-berth period.

Q: Does a brief telephone call from my employer during my off-duty time change my status to “on duty”?

A: No, you can remain “off duty” despite the momentary interruption of your rest break.