Hours of Service Maximum Driving Time

**§395.3 Maximum driving time for property-carrying vehicles.**

## Guidance Q&A

***Question 5:*** May a driver domiciled in the United States comply with the Canadian hours of service regulations while driving in Canada? If so, would the driving and on-duty time accumulated in Canada be counted toward compliance with one or more of the limits imposed by Part 395 when the driver re-enters the United States?

***Guidance:*** A driver domiciled in the United States may comply with the Canadian hours of service regulations while driving in Canada. Upon re-entering the United States, however, the driver is subject to all of the requirements of Part 395, including the 11- and 14-hour rules (for drivers of property-carrying vehicles) or the 10- and 15-hour rules (for drivers of passenger-carrying vehicles), and the 60-or 70-hour rules applicable to the previous 7 or 8 consecutive days.

In other words, a driver who takes full advantage of Canadian law may have to stop driving for a time immediately after returning to the U.S. in order to restore compliance with Part 395. Despite its possible effect on decisions a U.S. driver must make while in Canada, this interpretation does not involve an exercise of extraterritorial jurisdiction.