**Editorial Category:** Hours of Service

**Editorial Type:** Significant Regulatory Guidance

**Unique Identifier:** FMCSA-HOS-395.3-Q06

**Mode:** Trucking

**Topic:** General

**Subject:** Regulations

**Keywords:**  hours, service, 60-hour, 70-hour, maximum, driving, time, property, 395, 395.3

**Tags:** 395.3, Hours of Service, Driving Time

**Regulatory Topic:** Hours of Service Maximum Driving Time

**Word.docx (***395.3-Q06***)**

**Description**

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

## Guidance Q&A

***Question 6:*** If a motor carrier operates under the 70-hour/8-day rule, does any aspect of the 60-hour rule apply to its operations? If a motor carrier operates under the60-hour/7-day rule, does any part of the 70-hour rule apply to its operations?

***Guidance:*** If a motor carrier operates 7 days per week and chooses to require all of its drivers to comply with the 70-hour/8-day rule, the 60-hour/7-day rule would not be applicable to these drivers. If this carrier chooses to assign some or all of its drivers to the 60-hour/7-day rule, the 70-hour rule would not be applicable to these drivers. Conversely, if a motor carrier *does not* operate 7 days per week, it *must* operate under the 60-hour/7-day rule and the 70-hour rule would not apply to its operations.

***Contact Info***

FMCSA Office of Policy, 202-366-2551

#### **Effective Date**

May 4, 1997

**Issued Date**

April 4, 1997

|  |  |  |
| --- | --- | --- |
| Program Review | MCP |  |
| Legal Review | Valerie Beck | 2/20/20 |
|  |  |  |
| Modified from original guidance | No |  |
| Other information |  |  |
|  |  |  |