Agricultural Commodity guidance

**The “Agricultural Commodity” Exception in 49 CFR 395.1(k)(1) to the Hours of Service Regulations**

## Guidance Q&A

**Question 34:** Does the agricultural commodity exception (§ 395.1(k)(1)) apply to drivers while driving unloaded within 150 air-miles of the place where an agricultural commodity will be loaded, and to that portion of an unloaded return trip which occurs within a 150 air-mile radius of the place where the agricultural commodity was loaded?

**Guidance:** Yes, provided that the trip does not involve transporting any non-agricultural cargo and the sole purpose of the trip is to make a pick-up or delivery of agricultural commodities, as defined in § 395.2.  In that case, driving and on-duty time are not limited, nor do other requirements of 49 CFR part 395 apply.