Agricultural guidance

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

## Guidance Q&A

**Question 35:** Does the agricultural commodity exception (§ 395.1(k)(1)) apply if the destination for the commodity is beyond the 150 air-mile radius from the source?

**Guidance:** Yes*,* the exception applies to transportation during the initial 150 air-miles from the source of the commodity, regardless of the distance to the final destination.  Once a driver operates beyond the 150 air-mile radius of the source, 49 CFR part 395 applies.  The driver is then subject to the limits under the hours-of-service rules and must record those hours.  Once the hours-of-service rules begin to apply on a given trip, they continue to apply for the duration of that trip, until the driver crosses back into the area within 150 air-miles of the original source of the commodities.