Does My Driver Qualify for the Non-CDL 150 Air-Mile Exception?

> **QUESTION:**
> I have a driver who qualifies for the use of the Non-CDL 150 air-mile exemption and would use this driver type on a daily basis. How do I change this driver's type, and what implications will it have?

HOS Driver Logs includes a driver type that can be used for drivers who qualify for the use of the Non-CDL 150 air-mile exemption. This driver type has been created for those drivers who use this driver type on a daily basis. It is not designed to be used to switch drivers back and forth from a 150 air mile driver back to a 7-day or 8-day property carrying driver.

Setup Considerations

The driver who uses this driver type must comply with the following regulations set as defined in § 395.1(e)(2):

- The driver operates a property-carrying commercial motor vehicle for which a commercial driver's license is not required under part 383.

- The driver operates within a 150 air-mile radius of the location where the driver reports to and is released from work, i.e., the normal work reporting location.

- The driver returns to the normal work reporting location at the end of each duty tour.

- The driver does not drive:

    - After the 14th hour after coming on duty on 5 days of any period of 7 consecutive days; and

    - After the 16th hour after coming on duty on 2 days of any period of 7 consecutive days;

- The motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing:

    - The time the driver reports for duty each day

    - The total number of hours the driver is on duty each day.

    - The time the driver is released from duty each day.

    - The total time for the preceding 7 days in accordance with §395.8(j)(2) for drivers used for the first time or intermittently.

- The driver using this driver type is exempt from the rest break requirement.

- Drivers will be allowed:

    - 11 hours per shift of driving time

    - 14 hours per shift of On Duty not driving time

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▶ **To enable a driver to use this driver type:**

> 📄 **Note.** It is recommended that this change be done when the driver is in Off Duty and signed off the device.

1. From within the HOS Admin application, click the **Setup** menu, and click **Drivers**.

2. From the Drivers page, click **View**.

3. Click the Driver you want to edit.

4. From the **Driver Type** drop-down, choose the **US 7-day non-CDL property-carrying** option.

* indicates a required field.

Driver Details	
Driver ID: *	[_____]
	ELD rules require that the driver's license number or Social Security number must not be used as, or as part of, the Driver ID.
First Name: *	[_____]
Middle Initial:	[____]
Last Name: *	[_____]
Carrier: *	-- Select Carrier -- ▾
Home Terminal: *	-- Select Home Terminal -- ▾
Primary Driver Type:	⦿ US ○ Canada ○ ELD EXEMPT
US Driver Type: *	-- None -- ▾
	Work Shift Driving: N/A
	Work Shift Rest Break: N/A
	Work Shift Duty: N/A
	Daily Driving: N/A
	Daily Duty: N/A
	Cycle Duty: N/A
Canada Driver Type:	-- None -- ▾
	Work Shift Driving: N/A
	Work Shift Rest Break: N/A
	Work Shift Duty: N/A
	Daily Driving: N/A
	Daily Duty: N/A
	Cycle Duty: N/A
Allow Authorized Personal Use of CMV (PC) on ELD:	☐
Allow Yard Moves (YM) on ELD:	☐
Driver's License Number: *	[_____]
Driver's License Issuing State / Province: *	-- Select State / Province -- ▾

5. Click **Save**.

If this is an existing driver, the logs will be recalculated for the 6 months of history to check for violations under the new rule. At the next driver sign in to the device, the driver's logs will now provide the availability based on this new driver type.

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Driver Usage

This is a manual driver type and systematically keeps track of driving availability based on the 14 hours on duty, 11 hours of driving. It is exempt from the 30-minute rest break.

It does not warn the driver that he is exceeding the 150 air miles, this is the driver's responsibility. If the driver exceeds the 150 air miles, the driver must immediately take a 30-minute rest break as soon as safely possible and make the remark using the Options Remark feature that the driver no longer qualifies for the exemption

It does not warn the driver that he has not returned to the same work location, this is the driver's responsibility. If the driver intends not to return to his work location for this shift, the driver must immediately take a 30-minute rest break as soon as safely possible and make the remark using the Options Remark feature that the driver no longer qualifies for the exemption

Mobile Software Driver Instructions

Drivers who are assigned this driver type should be trained to use certain steps to keep their logs compliant:

▶ **On a daily basis after sign in:**

- Driver should use the Options Remark Feature to enter a remark in the logs that they are using the non-CDL exemption for this day.

- If the driver's exemption status using this driver type changes during the day, the driver is required to use the Options Remark feature to clarify for the carrier office and DOT officer what the current driver type or exemption the driver is working under.

- The mobile device will show the driver the driving time available based on 150 air mile driver type.

Host Software and Clarification Instructions

This driver type closely follows the normal 7 and 8 Day property rules for daily and cycle duty. There is no reason to change the driver type to accommodate for this change as long as the driver follows the Driver usage recommendations.

The mobile device will record driving events that are not required for the 150 air mile rule but will make the logs compliant should the driver not qualify for the exemption any longer and will need to start reporting RODS.

If the carrier has property carrying drivers who use the 150 air mile rule infrequently it is recommended that they keep the normal property carrying rules and make remarks in the logs when they use the exemption for the day. The mobile device will require the rest break to be taken. If the carrier chooses to change this driver's driver type for day to avoid the rest break reminder on the mobile device when the driver type is changed back a rest break violation will show up on the host report. The driver should make a remark using the Options remark feature on the mobile device on the day he used the exemption.