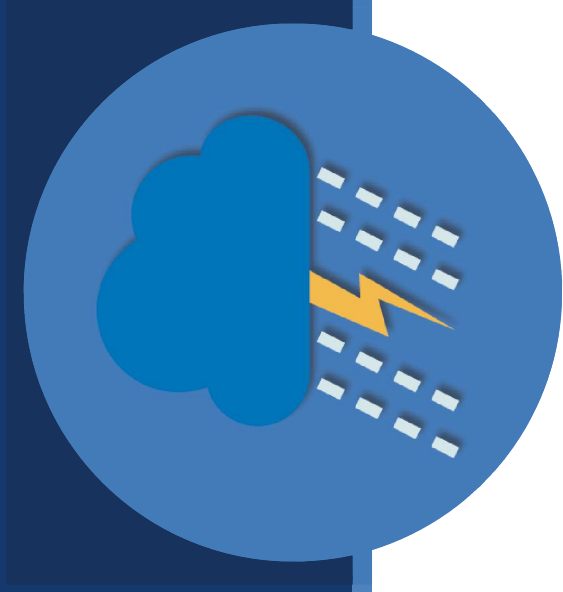


Changes to the Adverse Driving Conditions Exception





Adverse Driving Conditions Exception

Under the previous rule, drivers were granted an exception to the 10- or 11-hour driving limits when unforeseeable adverse driving conditions affected their route

HOS final rule changes:

- 1 Drivers can extend duty day and driving time by up to 2 hours when adverse driving conditions are encountered**
 - Up to 2 hour extension applies to both:
 - Property carrier 14-hour driving window (§ [395.3\(a\)\(2\)](#))/11-hour driving limit and
 - Passenger carrier 15-hour on-duty limit (§ [395.5\(a\)\(2\)](#))/10-hour driving limit
- 2 Adverse driving conditions definition** now considers the role of the driver



Adverse Driving Conditions Definition

Previous

Adverse driving conditions means snow, sleet, fog, or other adverse weather conditions, a highway covered with snow or ice, or unusual road and traffic conditions, **none of which were apparent on the basis of information known to the person dispatching the run at the time it was begun**

New

Adverse driving conditions means snow, ice, sleet, fog, or other adverse weather conditions or unusual road or traffic conditions **that were not known, or could not reasonably be known, to:**






a driver immediately prior to beginning the duty day or immediately before beginning driving after a qualifying rest break or sleeper berth period, or



a motor carrier immediately prior to dispatching the driver

Can drivers use the adverse driving conditions exception to cover delays caused by...

	Accidents involving the driver	No
	Detention time, breakdowns, or enforcement inspections	No
	Loading/unloading	No



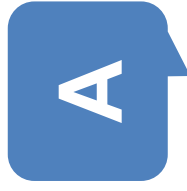
Road construction or detours

No, except when the driver could not reasonably know about the construction/detour prior to driving

Common Questions: Adverse Driving Conditions



Are drivers required to annotate an adverse driving condition they encountered on their electronic logging device (ELD)?



Yes. A driver is required to annotate the use of the adverse driving conditions exception on the electronic logging device under [§ 395.28\(c\)](#). If the roadside officer can prove there was no adverse driving condition, the driver should be cited for the applicable violation of [§ 395.3](#) or [§ 395.5](#).