

“Ask The Law”™ offers Q & A’s

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HOS and IFTA questions answered by law enforcement officials as of February 2007

Warning: Laws are subject to change without notice

Driving over the 14-Hour Rule

Q. I was dispatched to a shipper in VA. After loading, I asked where I could park to take my 10-hour break, as I was out of hours. I was told they didn't care if I parked in the middle of the street, but I wasn't going to be staying on their property. And if I did, they'd have me towed. I notified my dispatch and was told that the law allows a trucker, upon running out of hours, to drive as long as he needs to in order to find a safe place to park. Fortunately, there was a Wal-Mart nearby where I could park rather than having to drive 53 miles to the nearest truck stop. What exactly does the HOS law state in these situations? Janice in Missouri

A. Provided by [Sgt. Jim Brokaw](#), Nebraska State Patrol, Carrier Enforcement Division, Lincoln, Nebraska:



I can understand the dilemma this causes for you.

However, the regulations on hours of service are quite specific. **When you reach your limit on hours you are not allowed to drive until you have taken the mandatory amount of time off. Your dispatcher was wrong in telling you that you could drive until you find a safe place.** They apparently are confused with the exception to the 11-hour rule for adverse driving conditions, which allows up to 2 additional hours of driving to either complete the run or find a safe place to stop. Adverse driving conditions means snow, sleet, fog, 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.

I don't believe looking for parking quite qualifies here. Even so, this exception only applies to the 11-hour rule, not the 14-hour limit, as was your case.

This is one of those problems that your dispatchers and/or company sale reps need to work out with your customers by planning for this ahead of time. If they don't, then it puts you in the situation you described where your only choice is to have the customer mad because you're trespassing by parking on their property or you have to violate the hours of service regulations by driving to find adequate parking.

Like I said before, I really empathize with you in this dilemma.

HOS and 2nd Job

Q. I volunteer to drive a church bus that requires a CDL license. Do I have to log the time when I drive the bus? Jeff in Tennessee

A. Provided by Senior [Trooper Monty Dial](#), Texas Highway Patrol, Commercial Vehicle Enforcement Division, Garland, Texas:



Regardless of whether you volunteer or are paid for driving a church bus, you need to check with your current employer and see if is okay with them.

Here's why, you must report all hours you worked or drove the church bus to the trucking company because they are your employer. You are required by law to report all hours worked to them. In doing so, it may have an effect on the number of hours you can work for them because these hours will be figured into you total hours for the 6 or 7 day period.

If you will read Part 391.68, it states that a passenger (non-business) carrying vehicle is not required to carry a logbook, but the driver is required to comply with the HOS. It doesn't matter if you drive locally or you go on longer trips.

Next, if you do go on extended trips, make sure you abide by the passenger carrying vehicle HOS. They are not the same as property carrying vehicles HOS.

IFTA sticker

Q. Our company just received the new 2007 IFTA stickers. The instructions on the back of the decal states not to place it over other decals. Does this include the old IFTA sticker? Can I place the 2007 IFTA sticker over the 2006 IFTA sticker? We like to keep our trucks as sharp looking as possible. Gary in California

A. Provided by [Officer Chris Sahagun](#), California Highway Patrol, Commercial Vehicle Section, Sacramento, California:



According to the California Board of Equalization, the instructions listed on the back of the International Fuel Tax Agreement stickers are guidelines for applying the new decals. The reason they suggest not applying the decal over other decals is it makes it easier for them to be removed and stolen. If you wish to place your decal over the prior year decal, they suggest you score or slice the decal with a razor after it is applied in order to prevent theft. If a person were to attempt to remove a scored decal, it would be removed in small pieces and unusable.

*The Ask The Law™ programs, which are provided as a public service by Alcoa Wheel Products™, are an ongoing educational effort between Ol' Blue, USA™ and commercial law enforcement agencies. The specific purpose is to have truckers contact Ol' Blue, USA and pose questions to law enforcement officials relating to safety and legal issues concerning commercial vehicles. Truckers may submit questions at www.askthelaw.org. **Warning: Laws are subject to change without notice. These interpretations were made in January 2007.***

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