

“Ask The Law”™ offers Q & A’s
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**Calif. Legal, HOS and Seizure questions answered by
law enforcement officials as of January 2007**

Warning: Laws are subject to change without notice

California Length Law

Q. I have purchased used 96 Fruehauf 45' flat bed trailer with spread axles. I would like to know how to determine if I'm CA legal or not. Jim in Texas

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



Legal length for a combination of vehicles in California is 65 ft. overall length. While connected to a truck tractor, a semi trailer must have a kingpin to rear axle (KPRA) measurement of no more than 40 feet for dual axle trailers and 38 feet for single axle trailers. If your combination meets these requirements, you may travel on any California roadway (black routes), keeping in mind many highways have a KPRA advisory of less than 40 feet (yellow routes).

The Surface Transportation Assistance Act (STAA) established a National Network (green routes) for specified longer trucks. These combinations may have an unlimited over all length under the following conditions: While connected to a truck tractor, a semi trailer up to 48 feet in length may have an unlimited KPRA. A semi trailer more than 48 feet in length, up to 53 feet in length must have a KPRA of 40 feet or less. These combinations must stay on the terminal access routes and service access routes. Any trailer in excess of 53 feet must have a KPRA of 40 feet or less and the combination must be 65 feet overall length or less. Any combination of a motor truck and trailer must be 65 feet overall length or less.

The California Truck Network route maps are available on-line at www.dot.ca.gov/hq/traffops/trucks.

HOS - Split Sleeper Berth

Q. I started work at 2 am, fueled, and then went to get my load. The load wasn't ready so I went to the sleeper for 2 hours. I then left with the load and finished my day at 4 pm. I then went to the sleeper for another 8 hours to finish my 10 hours, after which I

started my day again. My company tells me the law won't allow split sleeper time. I say a driver can split his sleeper time as long as it is 2 then 8 hours or 8 then 2 hours after 14 hours off duty. What part of the DOT regs spells this out? I'd like to show it to my company. Thank you, Shawn in Vermont

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



The information you are looking for may be found in 49 CFR 395.1(g) concerning sleeper berths. **You are correct**, the equivalent of a 10 hour break may be obtained by taking 2 rest periods, one must be at least 8 hours long in the sleeper berth and the other a separate period of at least 2 but less than 10 consecutive hours either in the sleeper or off duty or any combination of the two. They can be in either order, the 2 hour break first, then the 8 hour sleeper break or the sleeper break followed by the 2 hour break. **Please remember, only the 8-hour sleeper break gets excluded from the 14-hour rule.** The 2-hour break must be counted when recalculating your 14-hour limit.

Also, you could look at our 58 page Logbook Presentation from the Nebraska State Patrol at www.AskTheLaw.org (look for the big blue button near the bottom of the home page).

Can I Drive a CMV with Seizures or Epilepsy

Q. Last year I blacked out behind the wheel of a truck and ended up in a cornfield. I was tested for sleep apnea and syncope, but nothing was found. After 3 months, my doctor let me go back to driving. Then, I was at home, sitting on my couch talking to my wife, when I went into a mild seizure. I went back to my doctor for extensive testing and was given a prescription for Trileptal 600mg. Despite all the tests, the doctors have not found any reason for my seizure. I have been seizure and episode free for 6 months now. My doctor released me to go back to driving. I've tried to get a truck-driving job but nobody will hire me to drive. Under DOT regulations, am I permitted to drive a commercial vehicle? Thank you in advance. Donald in Indiana

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



According to the Federal Regulations, persons with epilepsy or seizures cannot get a clearance from a doctor performing a DOT Medical Physical. See Part 391.41 attached below.

(b)(8) Has no established medical history or clinical diagnosis of epilepsy or any other condition, which is likely to cause loss of consciousness or any loss of ability to control a commercial motor vehicle;

See link below:

http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrruletext.asp?rule_toc=760§ion=391.41§ion_toc=1781

Donald, if you are thinking of driving a CMV, please read this story about a CDL driver with epilepsy in Florida, it should change your mind.

"Trucker who hit bus bench drove despite epilepsy"

Link at <http://www.miami.com/mld/miamiherald/news/16118753.htm>

*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 December 2006.***

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