7-01/090.15 Commercial Driving Regulations

Motor Carrier Safety Laws specified in Title 13, California Code of Regulations, regulate driving limits and conditions for employees assigned to this Unit.

It is each Transportation Bureau Driver's responsibility to follow the requirements of this policy and ensure that its provisions are not violated.

The following includes definitions of terminology included in the admonitions:

Definitions:

1. **On Duty Time** - All time from the time the Driver begins work or is required to be in readiness to work, until the time he/she is relieved from work and all responsibility for performing work. Ref. Federal Motor Carrier Safety Regulations, Department of Transportation (FMCSR DOT) Handbook Title 49, 395.2 para A.
2. **Off Duty Time** - Is defined as when the Driver is not on duty, is not required to be in readiness to work, or is not under any responsibility for performing work, regardless where the work is performed. Ref. FMCSR DOT Handbook Title 49, 395.8 para 1.
3. **Drive or Operate** - These terms include all time spent at the driving controls of a commercial vehicle in operation. Ref. Barclays California Code of Regulations (BCCOR) Title 13, Section 1201 para F.
4. **Work Period** - The duration between the time a Driver first reports for duty and the time a Driver is completely relieved of all duties and is permitted to go off duty for 8 consecutive hours. Work period and tour of duty have the same meaning. Ref. BCCOR Title 13, Section 1201 para cc.
5. **Intrastate**- Not outside the borders of California and subject to California hours of service regulations. Ref. California Commercial Driver Handbook (CCDH), page 16.
6. **Interstate** - Travel outside the state and subject to federal hours of service regulations. Ref. CCDH, page 16.
7. **Commercial Vehicle** - As applied to Transportation Bureau, "Commercial Vehicle" includes the Superbuses and the buses. Vans, passenger (radio cars), and personal vehicles are excluded.

Admonitions

1. A Driver **cannot** drive a commercial vehicle after having been on duty for 15 hours.
    - **On Duty** includes all work time, i.e. regular Bureau hours and/or overtime hours worked anywhere on the Department (Custody, Court Services, Patrol Stations, etc.), or any outside employment.
2. A Driver **cannot** drive a commercial vehicle after having been on duty at any job for any employer for 80 hours in any consecutive 8 days. A Driver shall not schedule him/herself in such a way that this 80 hour/8 day rule is violated.
3. Off duty employment will be permitted within existing Depart-mental guidelines, so long as the Driver does not put him/herself in violation of the stipulations of these regulations and/or place him/herself into a "non-driver" status. It must be remembered that your primary assignment is Transportation Bureau, any other compensated positions are secondary to the needs of this Bureau.
4. Shift trades will be permitted, although limited so as to remain within the limits imposed by Department guidelines and the provisions of these regulations. For example, a Driver may not trade into a position

when it would cause him/her to be a Driver on the second part of a double shift.

5. Overtime assignments at Units of the Department other than Transportation Bureau will be allowed to the extent that a Driver does not place him/herself into a "non-driver" status or violate any Departmental guidelines or sections of these regulations. Again, the Driver's primary assignment is Transportation Bureau, any other compensated positions are secondary to the needs of this Bureau.
6. Before driving a commercial vehicle, a Driver must have at least 8 consecutive hours off duty prior to driving. This off duty time also includes being off duty from any other assignment or outside employment.
7. A Driver **cannot** drive a commercial vehicle after having operated a commercial vehicle for 10 hours. (Refer to #9 and #10 for exceptions to this rule).
8. A Driver **can** work more than 15 hours, but **cannot** drive a commercial vehicle, any time after the 15th hours.
9. A Driver **can** drive a commercial vehicle for an additional 2 hours, if he/she encounters adverse weather conditions that he/she did not foresee at the start of the trip. This would allow a Driver to drive a total of 12 hours, but does **not** extend the 15 hour rule.
10. In the event of a traffic accident, medical emergency, or disaster, a Driver may complete his/her run without being in violation of these regulations, if such run reasonably could have been completed absent the emergency.
11. The 15 hour clock stops when there is a break (off duty status) between shifts. Example: If a Driver is off duty at 1400 hours and the overtime assignment starts at 1600 hours, that two hours is "off duty time." The 15 hour clock will continue when the Driver signs in for the tour of duty, at 1600 hours.
12. A Driver shall not drive when his/her ability to operate a vehicle safely is adversely affected by fatigue, illness, or any other cause. Ref. BCCOR, Section 1214.
13. When making "trades" both Drivers will ensure that none of the above rules are violated.
14. In the event any of the above is in jeopardy of being violated or has been violated, the Watch Sergeant is to be notified immediately.
15. When reporting for duty, a Driver shall advise the Watch Commander, prior to the beginning of his/her shift if he/she is in a "non-driver" status, and why he/she is in that status.