

Adverse Driving Conditions Exception

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.

What is a "qualifying rest break or sleeper berth period" under the definition of adverse driving conditions?

A qualifying rest break or sleeper berth period is either the sleeper berth period of at least 7 hours or the rest period of at least 2 hours in the sleeper berth or off-duty as described under the sleeper berth exception, as well as any 10-consecutive hour or more break. The 30-minute break is not a qualifying rest break or sleeper berth period under the adverse driving conditions definition.

If it only takes an hour for a driver to get through the adverse driving conditions, do they still get to use the full 2 hours of the exception?

No. Drivers are allowed *up to* an additional two hours. If it only took an hour for the driver to get through the adverse driving condition, then that is all the additional time the driver is allowed.



May a driver use the adverse driving conditions provision even if the adverse conditions have cleared when the driver arrives at the location where the condition occurred?

Yes, but only if the adverse driving condition inhibited a driver's ability to proceed. For example, if a rock slide blocks the road and causes traffic to back-up, and the rock slide is cleared off the road before the driver gets there, but the driver is inhibited by the traffic back-up, the driver may use the adverse driving condition exception.

Are there allowances made in the Federal Motor Carrier Safety Regulations for delays caused by loading and unloading?

No. Although the regulations do make some allowances for unforeseen contingencies, adverse driving conditions, emergency conditions, loading and unloading delays are not covered by these sections.



May a truck driver use the adverse driving conditions exception if he/she has accumulated driving time and on-duty (not driving) time, that would put the driver over 14 hours or over 70 hours in 8 consecutive days?

No. The adverse driving conditions exception applies only to the 11-hour rule.