



DOT Regulation Exemption Form

Do It Outdoors is a mobile billboard company that operates unlike any other motor carrier in the nation. Our drivers are assigned to locations (*these locations will be known as their normal reporting location*) for as little as one week to as much as two months. Once they are finished at one normal reporting location, they go to a new city for an extended period of time which becomes their new normal reporting location for that time period. We fall under the **150** air mile radius (*code 395.1 (e) (2)*) rule and we are in accordance with the following DOT regulations/questions as written in the FMCSA regulations handbook:

395.1 Question 15: May an operation that changes its normal work- reporting location on an intermittent basis utilize the 100-air-mile radius exemption?

Guidance: Yes. However, when the motor carrier changes the normal reporting location to a new reporting location, that trip (from the old location to the new location) must be recorded on the record of duty status because the driver has not returned to his/her normal work reporting location.

Question 16: May a driver use a record of duty status form as a time record to meet the requirement contained in the 100-air-mile radius exemption?

Guidance: Yes, provided the form contains the mandatory information.

Question 17: Is the "mandatory information" referred to in the previous guidance that required of a normal RODS under §395.8(d) or that of the 100-air-mile radius exemption under §395.1(e)(5)?

Guidance: The "mandatory information" referred to is the time records specified by §395.1(e)(5) which must show: (1) The time the driver reports for duty each day; (2) the total number of hours the driver is on duty each day; (3) the time the driver is released from duty each day; and (4) the total time for the preceding 7 days in accordance with §395.8(i)(2) for drivers used for the first time or intermittently.

Question 18: Must the driver's name and each date worked appear on the time record prepared to comply with §395.1(e), 100-air-mile radius driver?

Guidance: Yes. The driver's name or other identification and date worked must be shown on the time record.

395.8 Question 20: When a driver fails to meet the provisions of the 100 air-mile radius exemption (§395.1(e)), is the driver required to have copies of his/her records of duty status for the previous seven days? Must the driver prepare daily records of duty status for the next seven days?

Guidance: The driver must only have in his/her possession a record of duty status for the day he/she does not qualify for the exemption. The record of duty status must cover the entire day, even if the driver has to record retroactively changes in status that occurred between the time that the driver reported for duty and the time in which he/she no longer qualified for the 100 air-mile radius exemption. This is the only way to ensure that a driver does not claim the right to drive 10 hours after leaving his/her exempt status, in addition to the hours already driven under the 100 air-mile exemption.

The regulations above will explain why our drivers do not have the previous seven days worth of logs in their log books. If you have any questions whatsoever about our company, and the regulations we fall under, please call our Operations Department at 888-852-9143.