



Module 7

Deferral of Off-Duty Time



© Microsoft®.



© Microsoft®.

Things to think about ...

Although daily off-duty time gives drivers the opportunity for adequate sleep, there may be situations when a driver is unable to take the required 10 hours off-duty time in a “day.” In these situations, the *Federal Commercial Vehicle Drivers Hours of Service Regulations* give drivers the flexibility to defer some of the daily off-duty time to the next day.

How many daily off-duty time hours can a driver defer?

What are the conditions for daily off-duty time deferral?

What will I learn in this module?

- Number of daily off-duty time hours that a driver can defer
- Conditions for daily off-duty time deferral



How many daily off-duty time hours can a driver defer?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 16 Deferral of Daily Off-duty Time*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 13 Mandatory Off-duty Time*

If a driver is unable to take 10 hours of off-duty time in a day, the driver can defer up to 2 hours to the following day. However, the deferred off-duty time cannot be part of the 8 consecutive hours of core off-duty time (core rest).

Example:

Day	Off-Duty Time
Day 1	8 hours
Day 2	12 hours (i.e., 10 hours + 2 hours deferred from Day 1)
Total	20 hours

The total off-duty time taken in the two days must be at least 20 hours (i.e., total off-duty time for 2 days ≥ 20 hours).

What are the conditions for daily off-duty time deferral?

In order to defer daily off-duty time, a driver must meet the following conditions:

- Off-duty time hours deferred from Day 1 must be added to the next 8 consecutive hours of core off-duty time on Day 2. For example, if a driver deferred 2 hours from Day 1, the driver must take 10 consecutive hours of core off-duty time on Day 2 (8 hours + 2 hours).

It is important to note that the deferred off-duty time requirement is different from the regular daily off-duty requirement. Specifically, the driver must take all 8 consecutive hours of core off-duty time on Day 1 and all 10 consecutive hours of core off-duty time on Day 2.

- None of the core off-duty time can count towards the additional 2 hours of off-duty time on Day 2. However, the 2 hours of off-duty time (or a portion of the 2 hours) can occur immediately before or after the core rest period.
- Total driving time in the two days must not exceed 26 hours (i.e., total driving time \leq 26 hours)
- When a driver decides to defer off-duty hours, the driver must first declare that the driver is “using” the deferral of off-duty time option by recording it in the “Remarks” section of the daily log. The driver must also record whether the driver is operating under Day One or Day Two of the deferral (i.e., both items need to be recorded on the daily log)

Although the deferral applies only to off-duty time, there is an impact on other daily limits. Because drivers can defer up to 2 hours of off-duty time to the next day, drivers can be on-duty for a maximum of 2 extra hours on Day 1. This can be “driving” or “on-duty, other than driving time”. However, as discussed above, a driver cannot exceed 26 hours of driving time in the two days.

In addition, a driver must apply the following work shift limits in off-duty deferral situations:

- After 13 hours of driving time in a work shift, a driver must take at least 8 consecutive hours of off-duty time (core rest period) before driving again
- After 14 hours of on-duty time in a work shift, a driver must take at least 8 consecutive hours of off-duty time (core rest period) before driving again
- After 16 hours of elapsed time in a work shift, a driver must take at least 8 consecutive hours of off-duty time (core rest period) before driving again

In Module 9, we discuss cycle limits and the impact that off-duty time deferral has on cycle limits.



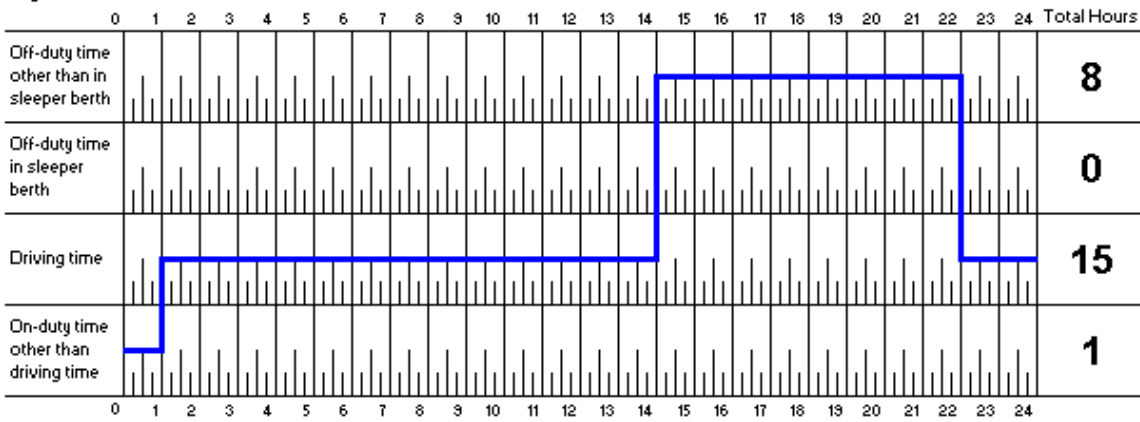
© Microsoft®.



Example #1:

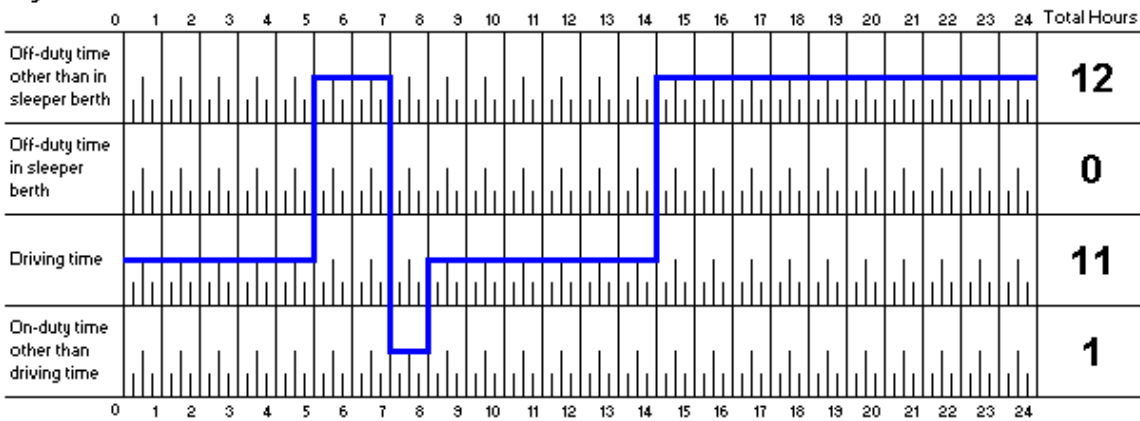


Day #1



Remarks: Deferral of Off-duty Time Used - Day 1

Day #2



Remarks: Deferral of Off-duty Time Used - Day 2





Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours
(15 hours Day 1 + 11 hours Day 2 = 26 hours)

- Total off-duty time in 2 days \geq 20 hours
(8 hours Day 1 + 12 hours Day 2 = 20 hours)
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1
(14:00 – 22:00 Day 1)

 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2
(14:00 – 24:00 Day 2)

 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (5:00 – 7:00 Day 2)

Work Shift Limits (period between end of one core rest period and start of next core rest period)

- Core rest period (minimum 8 consecutive hours) taken after 13 hours of driving in a work shift
(Work Shift 1 Driving Time: 1:00 – 14:00 = 13 hours)
(Work Shift 2 Driving Times: 22:00 – 5:00; 8:00 – 14:00 = 13 hours)

- Core rest period (minimum 8 consecutive hours) taken after 14 hours on-duty in a work shift
(Work Shift 1 On-Duty Time: 0:00 – 14:00 = 14 hours)
(Work Shift 2 On-Duty Time: 22:00 – 5:00; 7:00 – 14:00 = 14 hours)

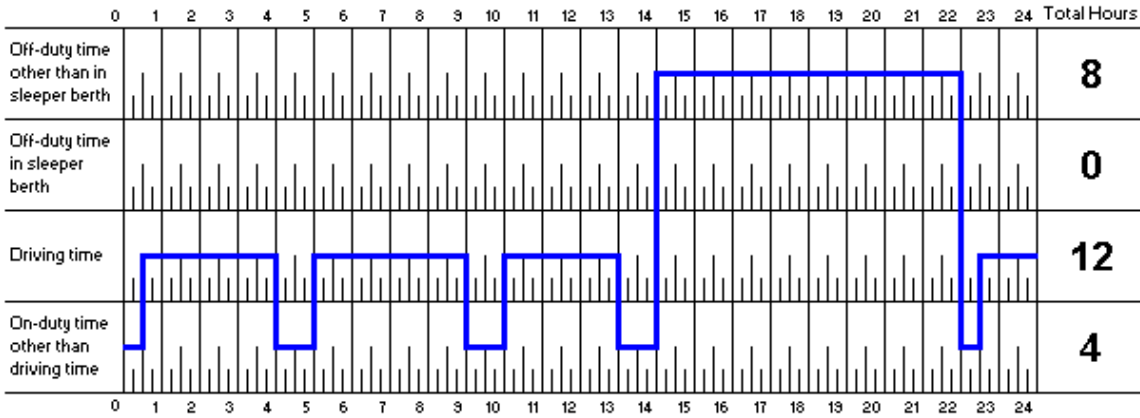
- Core rest period (minimum 8 consecutive hours) taken after 16 hours elapsed time in a work shift
(Work Shift 1: 0:00 – 14:00 = 14 hours)
(Work Shift 2: 22:00 – 14:00 = 16 hours)

The driver declares deferral of off-duty time by recording Deferral of Off-duty Time Used - Day One and Day Two in the “Remarks” section of the daily log.



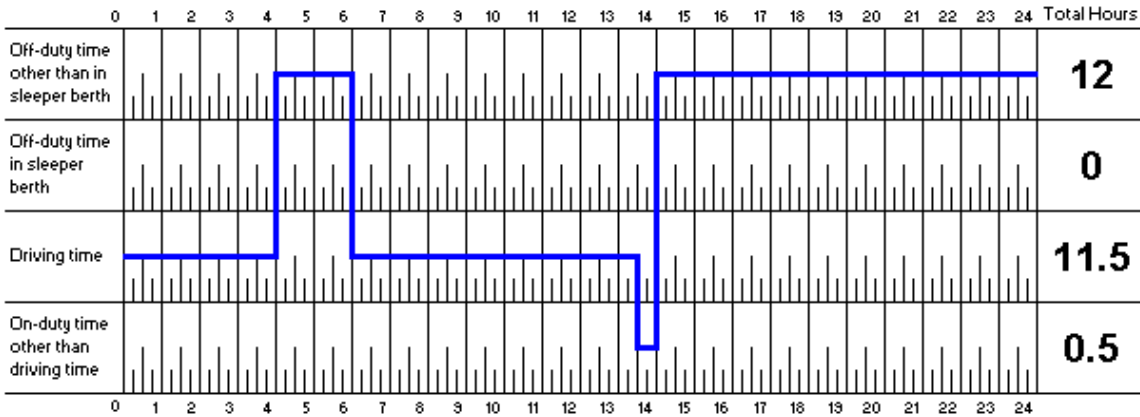
Example #2

Day #1



Remarks: Deferral of Off-duty Time Used - Day 1

Day #2



Remarks: Deferral of Off-duty Time Used - Day 2





Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours
(8 hours Day 1 + 12 hours Day 2 = 20 hours)
- Total off-duty time in 2 days \geq 20 hours
(8 hours Day 1 + 12 hours Day 2 = 20 hours)
 - Core off-duty time for Day 1
- At least 8 consecutive off-duty hours taken in Day 1
(14:00 – 22:00 Day 1)
 - Core off-duty time for Day 2
- At least 10 consecutive off-duty hours taken in Day 2
(14:00 – 24:00 Day 2)
 - Additional off-duty time for Day 2
- At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (4:00 – 6:00 Day 2)

Work Shift Limits (period between end of one core rest period and start of next core rest period)

- Core rest period (minimum 8 consecutive hours) taken after 13 hours of driving in a work shift
(Work Shift 1 Driving Time: 0:30 – 4:00; 5:00 – 9:00; 10:00 – 13:00 = 10.5 hours)
(Work Shift 2 Driving Times: 22:30 – 4:00; 6:00 – 13:30 = 13 hours)
- Core rest period (minimum 8 consecutive hours) taken after 14 hours on-duty in a work shift
(Work Shift 1 On-Duty Time: 0:00 – 14:00 = 14 hours)
(Work Shift 2 On-Duty Time: 22:00 – 4:00; 6:00 – 14:00 = 14 hours)
- Core rest period (minimum 8 consecutive hours) taken after 16 hours elapsed time in a work shift
(Work Shift 1: 0:00 – 14:00 = 14 hours)
(Work Shift 2: 22:00 – 14:00 = 16 hours)

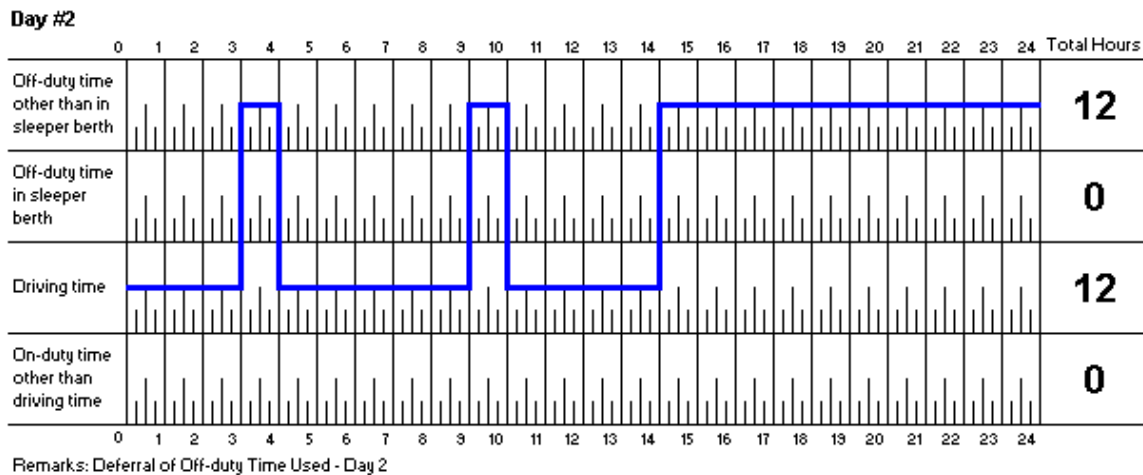
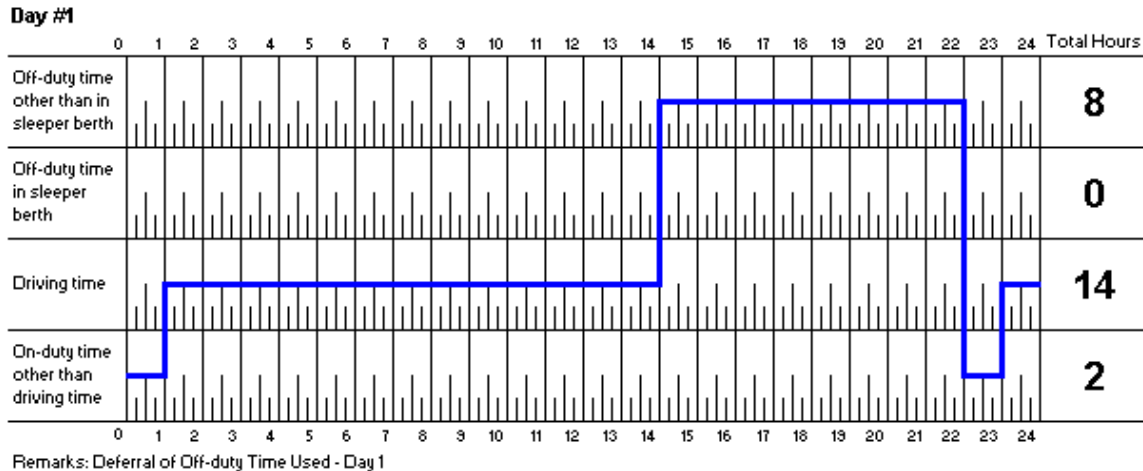
The driver declares deferral of off-duty time by recording Deferral of Off-duty Time Used - Day One and Day Two in the “Remarks” section of the daily log.



How often can a driver apply the off-duty time deferral?

A driver can use the off-duty time deferral option every second day. The driver must declare the deferral of off-duty time by recording it in the “Remarks” section of the daily log. The driver must record Deferral of Off-duty Time Used - Day One or Day Two.

Example #3:



Using this example, a driver could continue to defer off-duty time every second day.

- | | |
|-----------|--|
| Monday | Deferral of Off-Duty Time Used – Day 1 |
| Tuesday | Deferral of Off-Duty Time Used – Day 2 |
| Wednesday | Deferral of Off-Duty Time Used – Day 1 |
| Thursday | Deferral of Off-Duty Time Used – Day 2 |
| Friday | Deferral of Off-Duty Time Used – Day 1 |
| Saturday | Deferral of Off-Duty Time Used – Day 2 |



Summary of Daily and Work Shift Limits

Daily Limits (24-hour period specified by carrier)

Regular Time Requirements:

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- At least 10 hours off-duty before driver can drive again
 - 8 consecutive off-duty hours
 - 2 additional off-duty hours (blocks \geq 30 minutes) that are not part of 8 consecutive hours

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours
- Total off-duty time in 2 days \geq 20 hours
- Off-duty time for Day 1 and Day 2
 - At least 8 consecutive off-duty hours taken in Day 1
 - At least 10 consecutive off-duty hours taken in Day 2
 - 2 additional off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2

Work Shift Limits (period between end of one core rest period and start of next core rest period)

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- No driving after 16 hours elapsed time (includes all time in work shift)



Module Self-Check Questions

If you can answer the following questions, you are ready to move to the next module. If you can't answer the questions, please review the module again before continuing.

- 1) How many daily off-duty hours can a driver defer under the Federal *Commercial Vehicle Drivers Hours of Service Regulations*?

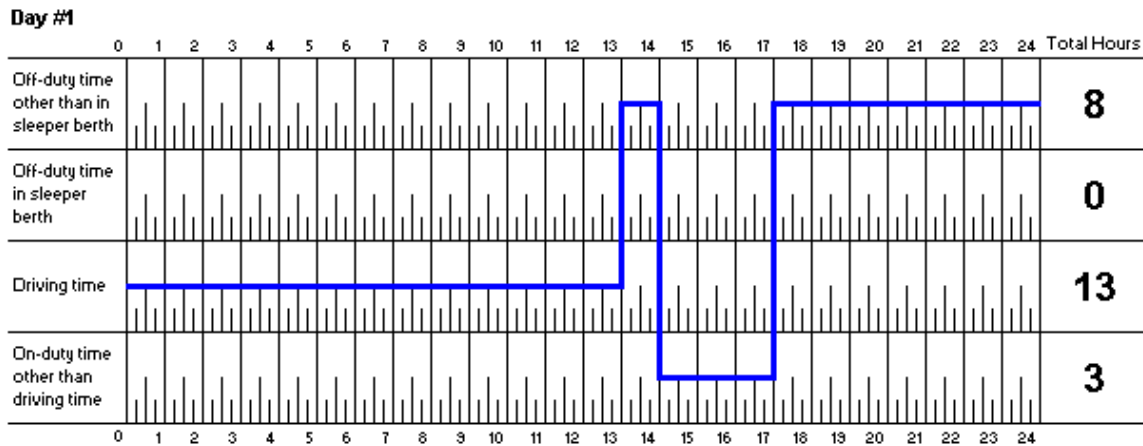
- 2) List the conditions for the use of the daily off-duty deferral option.



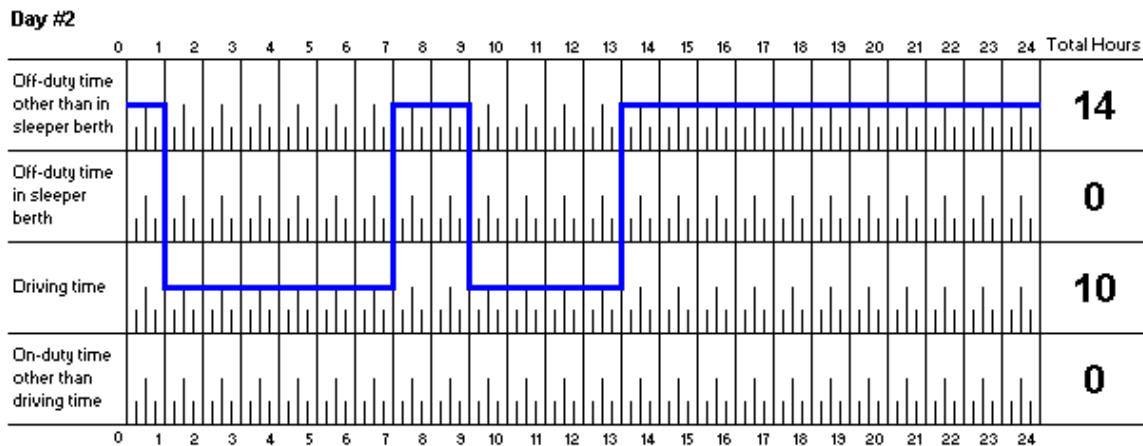
3) Review the following daily logs and identify any work shift or daily limit violations.

Driver #1

Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.



Remarks: Deferral of Off-duty Time Used - Day 1



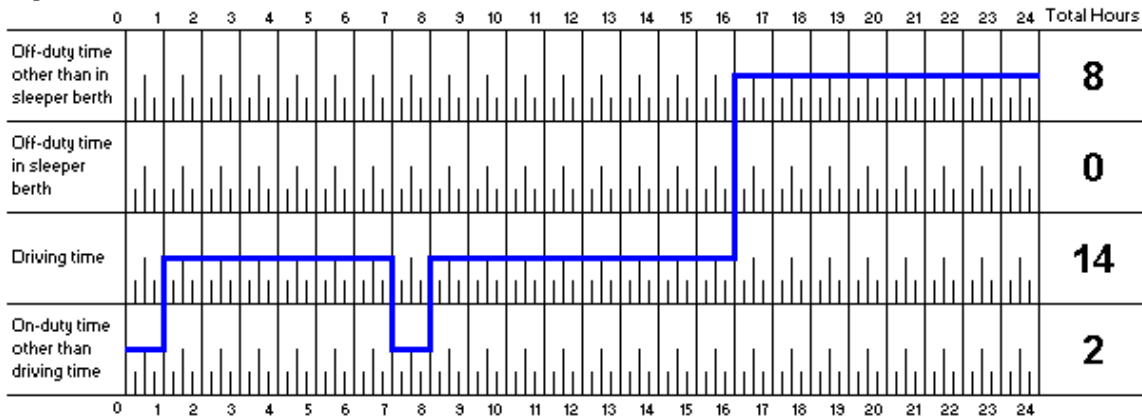
Remarks: Deferral of Off-duty Time Used - Day 2



Driver #2

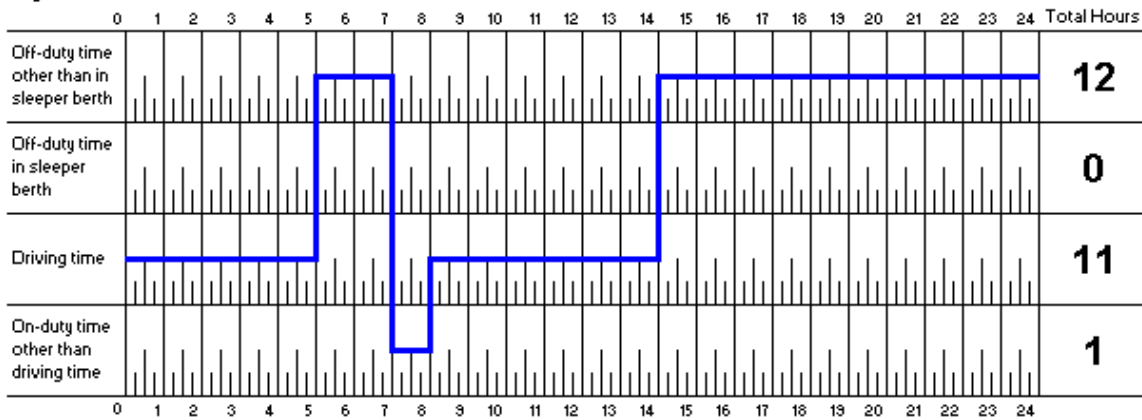
Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1



Remarks: Deferral of Off-duty Time Used - Day 1

Day #2



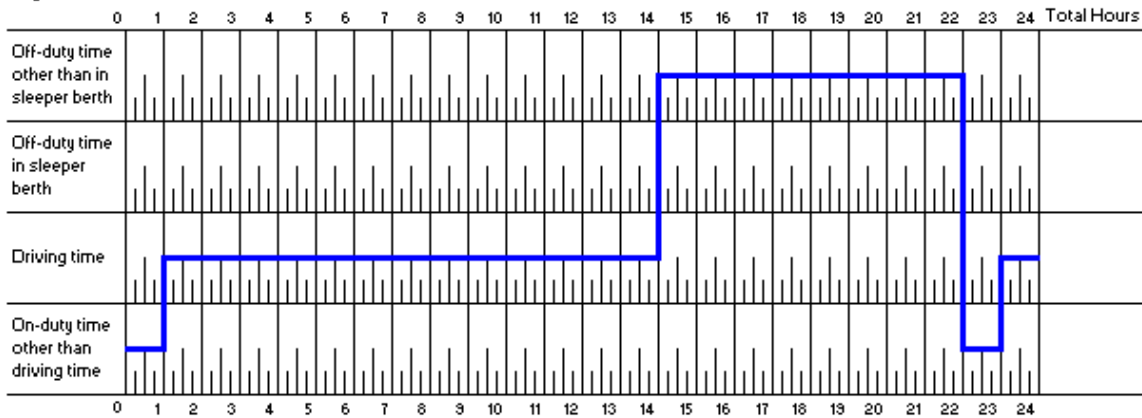
Remarks: Deferral of Off-duty Time Used - Day 2



Driver #3

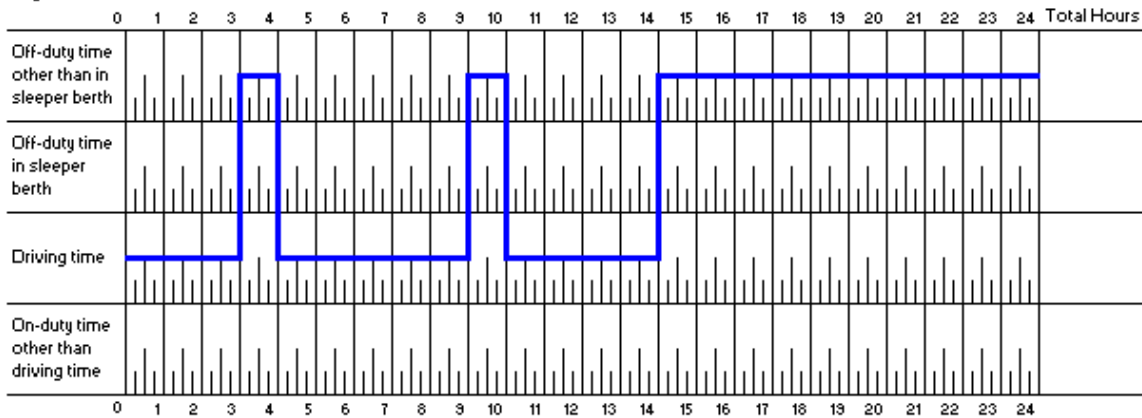
Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1



Remarks: Deferral of Off-duty Time Used - Day 1

Day #2



Remarks: Deferral of Off-duty Time Used - Day 2



Answers to Module Self-Check Questions

- 1) How many daily off-duty hours can a driver defer under the Federal *Commercial Vehicle Drivers Hours of Service Regulations*?
 - Up to 2 hours
- 2) List the conditions for the use of the daily off-duty deferral option.

- Total driving time in 2 days \leq 26 hours
- Total off-duty time in 2 days \geq 20 hours
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2
- Core rest period (minimum 8 consecutive hours) taken after 13 hours of driving in a work shift
- Core rest period (minimum 8 consecutive hours) taken after 14 hours on-duty in a work shift
- Core rest period (minimum 8 consecutive hours) taken after 16 hours elapsed time in a work shift
- "Remarks" section – indicate Off-duty Time Deferral Used and indicate whether it is Day One or Day Two

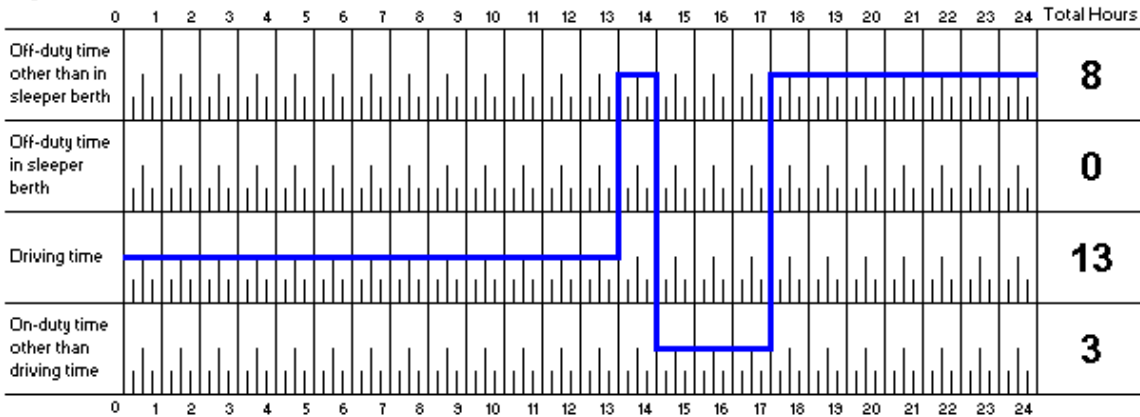


3) Review the following daily logs and identify any work shift or daily limit violations.

Driver #1

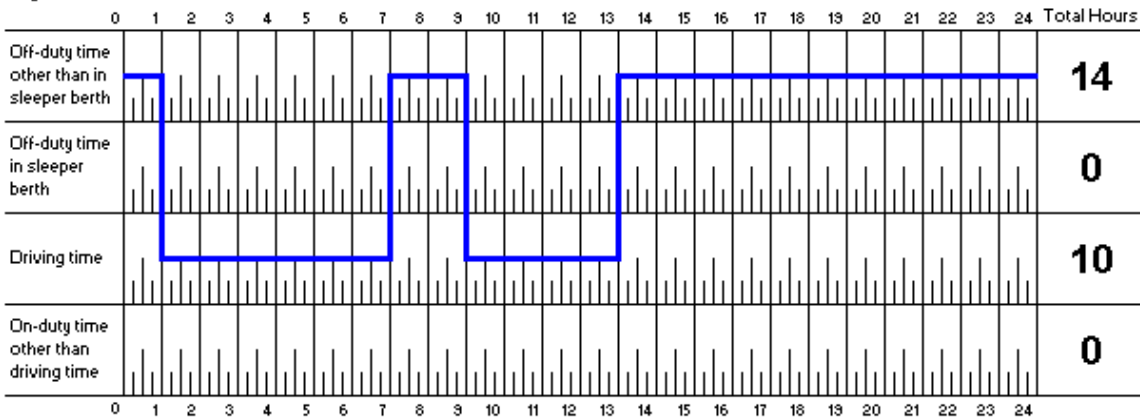
Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1



Remarks: Deferral of Off-duty Time Used - Day 1

Day #2



Remarks: Deferral of Off-duty Time Used - Day 2



Driver #1

Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours (23 hours)
- Total off-duty time in 2 days \geq 20 hours (22 hours)
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1
 - **Driver in violation of deferred off-duty time requirement**
 - **Driver did not take 8 consecutive hours off-duty on Day 1 (only 7 consecutive hours)**
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2 (11 hours)
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (2 hours)

Work Shift Limits (period between end of one core rest period and start of next core rest period)

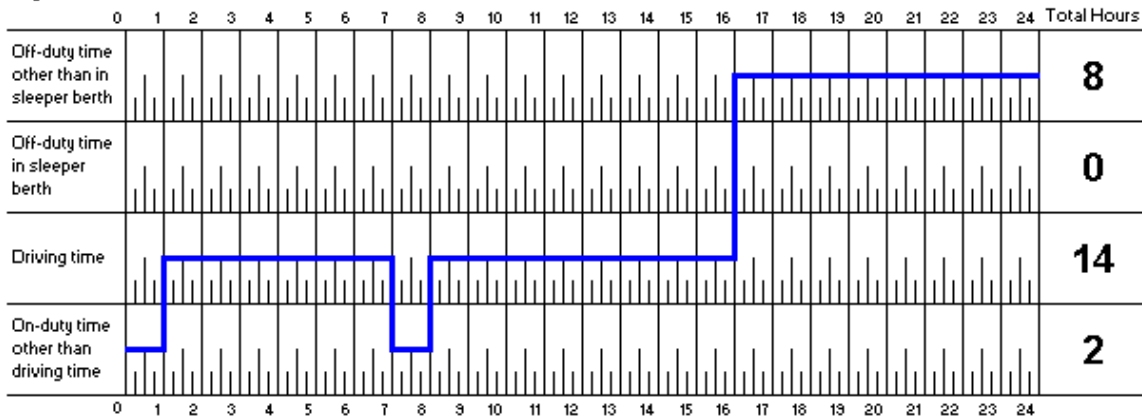
- No driving after 13 hours driving
(✓ Work Shift 1) (✓ Work Shift 2)
- No driving after 14 hours on-duty
(✓ Work Shift 1) (✓ Work Shift 2)
- No driving after 16 hours elapsed time (includes all time in work shift)
(✓ Work Shift 1) (✓ Work Shift 2)



Driver #2

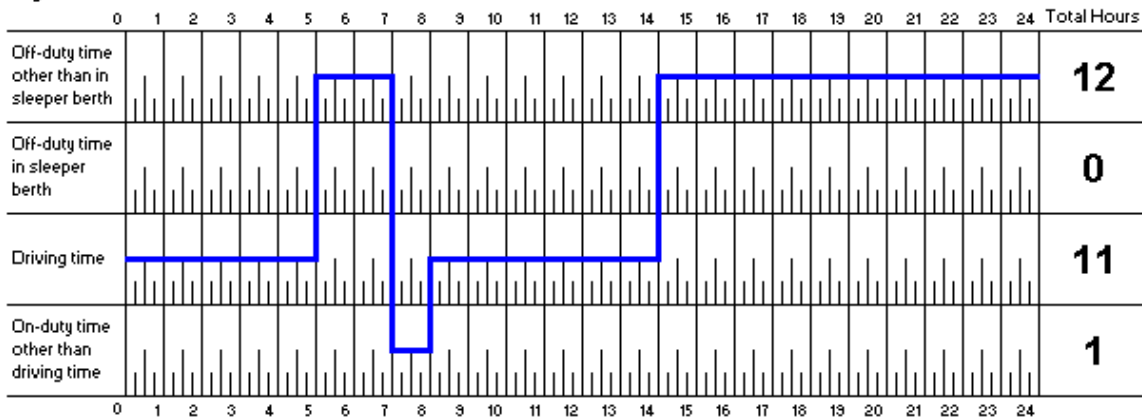
Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1



Remarks: Deferral of Off-duty Time Used - Day 1

Day #2



Remarks: Deferral of Off-duty Time Used - Day 2



Driver #2

Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours (25 hours)
- Total off-duty time in 2 days \geq 20 hours (20 hours)
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1 (8 hours)
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2 (10 hours)
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (2 hours)

Work Shift Limits (period between end of one core rest period and start of next core rest period)

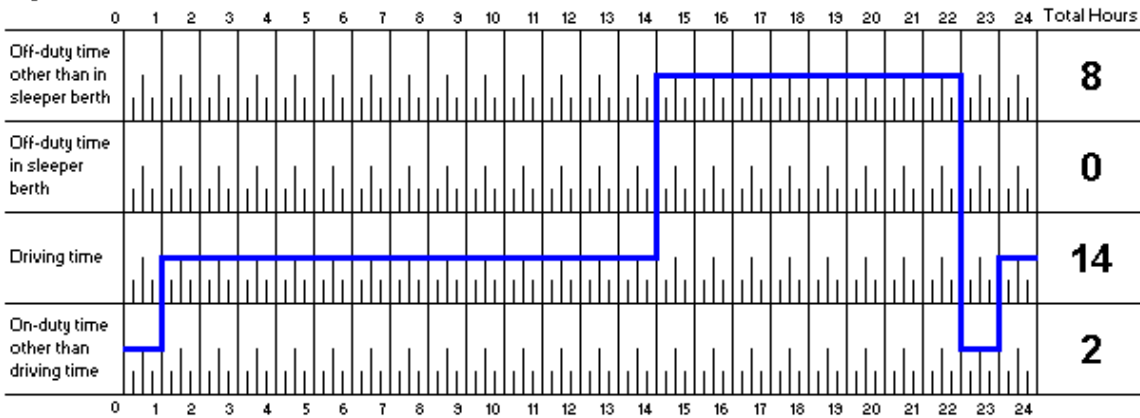
- No driving after 13 hours driving
 - **Drive after 13 hours driving time on Day 1**
 - **The 13th hour was reached at 15:00 on Day 1**
 - **Driver drove in violation from 15:00 – 16:00 for a total of 1 hour in violation**
- No driving after 14 hours on-duty
 - **Drive after 14 hours on-duty time on Day 1**
 - **The 14th hour was reached at 14:00 on Day 1**
 - **Driver drove in violation from 14:00 – 16:00 for a total of 2 hours in violation**
- No driving after 16 hours elapsed time (includes all time in work shift) (✓ Work Shift 1) (✓ Work Shift 2)



Driver #3

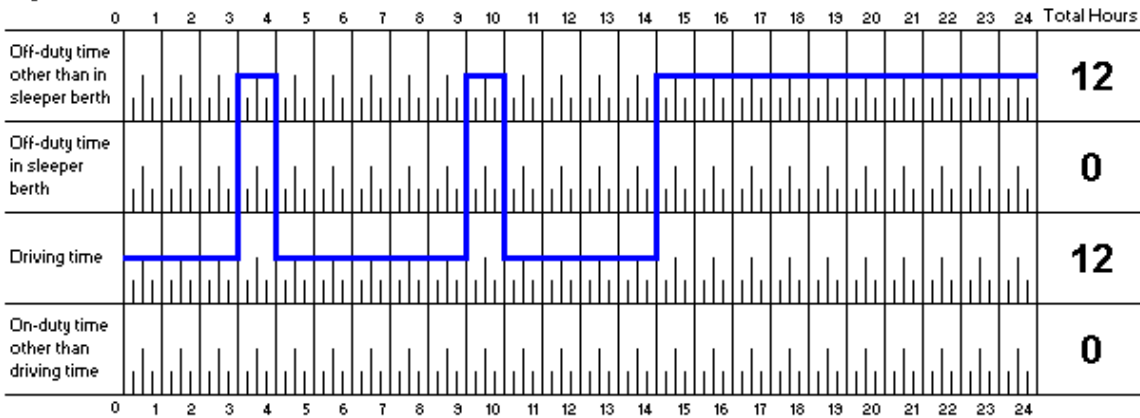
Note: The driver had 8 consecutive hours of off-duty time (core rest) before starting Day #1.

Day #1



Remarks: Deferral of Off-duty Time Used - Day 1

Day #2



Remarks: Deferral of Off-duty Time Used - Day 2



Driver #3

Daily Limits (24-hour period specified by carrier)

Deferred Time Requirements (option to move up to 2 hours of off-duty time to second day):

- Total driving time in 2 days \leq 26 hours (26 hours)
- Total off-duty time in 2 days \geq 20 hours (20 hours)
 - Core off-duty time for Day 1
 - At least 8 consecutive off-duty hours taken in Day 1 (8 hours)
 - Core off-duty time for Day 2
 - At least 10 consecutive off-duty hours taken in Day 2 (10 hours)
 - Additional off-duty time for Day 2
 - At least 2 off-duty hours (blocks \geq 30 minutes) that are not part of 10 consecutive hours in Day 2 (2 hours)

Work Shift Limits (period between end of one core rest period and start of next core rest period)

- No driving after 13 hours driving
(✓ Work Shift 1) (✓ Work Shift 2)
- No driving after 14 hours on-duty
(✓ Work Shift 1) (✓ Work Shift 2)
- No driving after 16 hours elapsed time (includes all time in work shift)
(✓ Work Shift 1) (✓ Work Shift 2)



Notes: