

# Chapter 2: The Great Divide

## A Practical Guide to Understanding HOS, ELDs, and CMVs

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### Before We Go Any Further...

There are *two main types* of carriers in trucking:

- ◆ **Interstate**
- ◆ **Intrastate**

Yes—there are lots of trailer types, freight types, and trucks.

But *how the rules apply* depends mostly on one key distinction: **Are you operating across state lines, or not?**

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### Let's Break It Down

#### Interstate Drivers

You are an **interstate** driver if:

- You **cross state lines**, OR
- You **haul goods that cross state lines**, even if *you* don't

*That second one trips people up!*

If the load you're hauling was shipped across state lines (even if your trip is entirely in-state), you're **interstate** and **federal HOS rules apply**.

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#### Intrastate Drivers

You are **intrastate** if:

- You stay completely **within one state**
- The freight starts and finishes **within that state**

Example:

Hauling produce from one town to another, grown and delivered in-state?

That's **intrastate**—and your **state's HOS rules** apply.

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## Quick Rule Comparison

Rule	Interstate	Intrastate (Varies by State)
Max driving time	11 hours	Often up to 15 hours
On-duty time	14 hours	Some allow 15–16 hours
Breaks	30 min after 8 hours driving	May be waived/modified
Weekly limits	60/70 hrs in 7/8 days	Some allow 80 hrs in 8 days

*Check your state's specific rules if intrastate!*

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## Short-Haul Exemptions

### For Interstate Drivers:

You may be **exempt from using an ELD** if:

- You operate **within 150 air miles** of your start point
- You **return to the same location**
- You stay **within that 150-mile radius**

Even if you cross state lines—you may still qualify!

### For Intrastate Drivers:

Some states:

- Allow a **larger radius** than 150 miles
- May **waive exemption rules entirely**

*Check your local state regulations!*

## What About ELDs?

### If you're an interstate driver:

You'll most likely need an **ELD** unless:

- You qualify for the **short-haul exemption**

**If you're intrastate:**

Your state may allow:

- **Paper logs**
- **Different tracking methods**

Again— *state laws matter here.*

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**What Counts as a CMV (Commercial Motor Vehicle)?**

According to **FMCSA Section 390.5**, a vehicle is a **CMV** if it:

- Weighs **10,001 lbs or more** (GVWR or GCWR)
- Is **designed to carry 9+ passengers** *for compensation*
- Is **designed for 16+ passengers** (paid or not)
- **Transports hazardous materials** requiring placards

**Real Talk:**

A van under 10,000 lbs? Not a CMV—*unless you're hauling hazmat or passengers as defined above.*

A truck over 10,001 lbs? **CMV**—and that means:

- 11-hour drive limit
  - 14-hour on-duty window
  - Mandatory ELD
  - Weekly hour limits apply
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**Passenger Vehicles: What's Commercial?**

- **9–15 people for money** (e.g., airport shuttle)? = **CMV**
- **16+ people, period** (even unpaid)? = **CMV**

- **Your family in a big van to the beach?** = *Not* a CMV
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### **Hazmat Loads = CMV**

If you transport **placard-required hazmat**, you're operating a **CMV**—no matter the size or weight.

We're not diving into hazmat rules in this class—just know:  
Placards = HOS rules apply.

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### **Exemptions to Watch For**

Some drivers and vehicles qualify for *special exemptions*. These can include:

- **Agricultural haulers** during planting/harvest
- **Utility service vehicles** during emergencies
- **Oil field/specialized equipment**
- Temporary **emergency exemptions** (e.g. weather, fuel shortages)

👉 Stay updated via the [FMCSA website](#)

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### **Final Checklist**

- ✓ Know if you're **interstate** or **intrastate**
- ✓ Know if your vehicle qualifies as a **CMV**
- ✓ Understand which **rules apply** to you
- ✓ Always check **state and FMCSA exemptions**