



DRIVING OF COMMERCIAL MOTOR VEHICLES DURING HAZARDOUS CONDITIONS



Title 49, CFR, § 392.14

Federal and State Law require that extreme caution in the operation of a commercial motor vehicles shall be exercised when hazardous conditions, such as those caused by snow, ice, sleet, fog, mist, rain, dust, or smoke, adversely affect visibility or traction.

Additionally, speed shall be reduced when such conditions exist. **And, if conditions become sufficiently dangerous, the operation of the commercial motor vehicle shall be discontinued** and shall not be resumed until the commercial motor vehicle can be safely operated. Whenever compliance with the foregoing provisions of this rule increases hazard to passengers, the commercial motor vehicle may be operated to the nearest point at which the safety of passengers is assured.

Regulatory Guidance from the Federal Motor Carrier Safety Administration (FMCSA)

Question: *Who makes the determination, the driver or carrier, that conditions are sufficiently dangerous to warrant discontinuing the operation of a Commercial Motor Vehicle (CMV)?*

Guidance: *Under this section, the driver is clearly responsible for the safe operation of the vehicle and the decision to cease operation because of hazardous conditions.*