



U.S. Department  
of Transportation

**Federal Motor Carrier  
Safety Administration**

Administrator

400 Seventh St., S.W.  
Washington, D.C. 20590

APR 27 2004

Refer to: MC-PSD

Mr. Michael O. Foster  
Assistant Director, Motor Vehicle Division  
American Postal Workers Union, AFL-CIO  
1300 L Street NW  
Washington, DC 20005

Dear Mr. Foster:

Thank you for your letter of February 13 asking whether hours-of-service (HOS) regulations for commercial vehicle operators apply to postal employees who operate commercial vehicles.

The HOS regulations are contained in the Federal Motor Carrier Safety Regulations (FMCSRs) (49 CFR Part 395). Section 390.3(f)(2), however, exempts from the FMCSRs any "transportation performed by the Federal government, a State, or any political subdivision of a State, or an agency established under a compact between States that has been approved by the Congress of the United States." As an independent establishment of the executive branch of the government of the United States, the U.S. Postal Service (USPS) is included in this exemption. Therefore, the HOS regulations do not apply to USPS employees.

USPS employees, however, are not exempt from FMCSR provisions pertaining to commercial driver licenses and drug and alcohol testing.

I hope this information is helpful. If you need additional information or assistance, call Mary M. Moehring, Chief, Driver and Carrier Operations Division at (202) 366-9131, or e-mail her at [mary.moehring@fmcsa.dot.gov](mailto:mary.moehring@fmcsa.dot.gov).

Sincerely yours,

Annette M. Sandberg

