



Commercial Vehicle Safety Alliance

promoting commercial motor vehicle safety and security

Summary – Electronic Logging Device Final Rule

Overview

On December 16, 2015, the Federal Motor Carrier Safety Administration published in the *Federal Register* its [Electronic Logging Device \(ELD\) final rule](#). The final rule specifies who must use an ELD, sets technical standards and specifications for the devices, makes changes to supporting documents requirements, and addresses the issue of driver harassment.

Transfer of Data & Device Requirements

The rule requires that, at a minimum, ELDs must be able to transfer data using either:

- Wireless - via wireless web services and email; OR
- Local - via Bluetooth and USB.

All ELDs must capture, transfer and display an identical data set regarding a driver's hours of service (HOS) status for enforcement purposes. In addition, to ensure that data transfer is possible when there are connectivity issues, all devices must be equipped, as backup, to provide either a digital display or paper printout of the standardized information set when requested by an enforcement official. Devices not using a printing method as a backup method must be designed so that the digital display is reasonably viewable by an inspector without requiring the inspector to enter the commercial motor vehicle.

Jurisdictions will be able to select a minimum of one wireless data transfer method AND one local data transfer method, in order to ensure that data can be received from all devices encountered roadside.

Compliant devices must **automatically record** the following data elements at certain intervals: date; time; location information; engine hours; vehicle miles; and, identification information for the driver, the authenticated user, the vehicle, and the motor carrier. The rule does not require precise **location tracking information**, and sets forward requirements for accuracy standards related to location information.

All ELDs must be capable of **exporting data** in a standard file format to facilitate importing by other systems. However, devices and systems are not required to be capable of importing these records. Devices that make audible sounds must include a **'mute' function** to allow drivers to rest uninterrupted. The rule allows for **limited edits** of ELD records, by both the driver and the motor carrier, however when a record is edited, there must be a notation indicating why the edit was necessary and the original record must be retained. ELDs are not required to include a capability to communicate between the driver and the motor carrier.

Device Certification

FMCSA allows for **self-certification of ELD devices** by vendors. ELD providers must register through a FMCSA website and certify that their products meet the technical specifications in the rule. FMCSA will also publish **compliance test procedures** to assist providers in determining whether their products meet the requirements. However, ELD providers are not required to use FMCSA's compliance test procedures. FMCSA will use the compliance test procedures during investigations and rely upon the results from that procedure in making any preliminary determinations of whether a system satisfies the requirements of today's rule. FMCSA will maintain a list of **provider-certified ELD devices** on the agency's website.

Supporting Documents

The rule makes changes to the supporting documents requirements. Under the new rule, motor carriers must retain up to eight supporting documents for every driver for each 24 hour period. The documents come from several different categories, including:

- Bills of lading, itineraries, schedules, or equivalent documents that indicate the origin and destination of each trip;
- Dispatch records, trip records, or equivalent documents;
- Expense receipts;
- Electronic mobile communication records that reflect information transmitted through a fleet management system (FMS); and
- Payroll records, settlement sheets, or equivalent documents that indicate payment to a driver.

Supporting documents must include:

- Driver name or carrier-assigned identification number, either on the document or on another document enabling the carrier to link the document to the driver, or the vehicle unit number if that number can be linked to the driver;
- Date;
- Location (including name of nearest city, town, or village); and
- Time.

**** If a driver has fewer than eight documents that include the four elements above, a document that contains all of the elements except "time" is considered a supporting document.*

Motor carriers must continue to retain the documents for six months. Drivers must submit supporting documents to the motor carrier within 13 days of receiving them. If a driver submits more than eight documents to the motor carrier for a single day, the motor carrier must include the first and last documents for that day among the eight documents that must be retained. While there is no requirement that a driver retain supporting documents in the vehicle, drivers are required to make any supporting documents in their possession available to an enforcement official upon request. The rule allows FMCSA to authorize exemptions to allow a motor carrier to use a supporting document self-compliance system.

Compliance Date

ELDs must be installed by December 18, 2017. However, drivers and motor carriers currently using § 395.15-compliant Automatic Onboard Recorders (AOBRDs), are allowed to continue to use AOBRDs for an additional two years after that date, through December 18, 2019.

Applicability/Exemptions

Most motor carriers and drivers who are currently required to complete paper logs to document record of duty status (RODS) to comply with HOS rules will be required to use ELDs. However, the final rule exempts several sectors from the ELD requirement:

- Drivers who use paper RODS for not more than 8 days during any 30 day period.
- Drivers who conduct driveaway-towaway operations, where the vehicle being driven is the commodity being delivered.
- Drivers of vehicles manufactured before model year 2000.

Exempted drivers must still document RODS using either paper logs or ELDs, whichever they choose.